

"(i) the payment of monetary overtime compensation for the workweek; or

"(ii) the accrual of compensatory time off in lieu of the payment of monetary overtime compensation for the workweek.

"(C) In this paragraph, the term 'intimidate, threaten, or coerce' has the meaning given the term in section 13A(d)(2)."

#### (2) REMEDIES AND SANCTIONS.—

(A) IN GENERAL.—Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended by adding at the end the following:

"(f)(1) If an employee demonstrates that an employer has engaged in an employment practice that violates either or both of clauses (i) and (ii) of section 7(r)(6)(A), and that the employee has been harmed by the practice, the employer shall be liable to the employee in an amount equal to—

"(A) such legal or equitable relief as may be appropriate to effectuate the purposes of section 7(r)(6)(A), including employment, reinstatement, promotion, and the payment of wages lost; and

"(B) 3 times the legal or equitable monetary relief provided in accordance with subparagraph (A), as liquidated damages.

"(2) The employer shall be subject to such liability in addition to any other remedy available for such violation under this section (other than the first sentence of subsection (b)) or section 17, including a criminal penalty under subsection (a) and a civil penalty under subsection (e)."

(B) CONFORMING AMENDMENTS.—Section 16 of such Act is amended—

(i) in subsection (a)—

(I) by striking "(a) Any" and inserting "(a)(1) Except as provided in paragraph (2), any";

(II) in paragraph (1) (as designated in subclause (I)), by striking "subsection" the first place it appears and inserting "paragraph"; and

(III) by adding at the end the following:

"(2) Any person who willfully engages in an employment practice that violates either or both of clauses (i) and (ii) of section 7(r)(6)(A) shall on conviction be subject to a fine of not more than \$25,000, or to imprisonment for not more than 5 years, or both. No person shall be imprisoned under this paragraph except for an offense committed after the conviction of such person for a prior offense under this subsection."

(ii) in subsection (b)—

(I) in the first sentence, by inserting "(other than section 7(r)(6)(A))" after "of this Act";

(II) in the third sentence, by striking "preceding sentences" and inserting "preceding sentences, or in subsection (f) or (g)."; and

(III) in the last sentence, by inserting before the period the following: "or section 7(r)(6)(A)."; and

(iii) in subsection (c)—

(I) in the first sentence—

(aa) by inserting after "7 of this Act" the following: " , or of the appropriate legal or monetary equitable relief owing to any employee or employees under section 7(r)(6)(A) or section 13A"; and

(bb) by striking "wages or unpaid overtime compensation and an additional equal amount as" and inserting "wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, and the appropriate amount (as determined under subsection (b), (f), or (g)) of";

(II) in the second sentence, by striking "wages or overtime compensation and an equal amount as" and inserting "wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, and the appropriate amount of"; and

(III) in the third sentence—

(aa) by striking "first sentence of such subsection" and inserting "third sentence of such subsection"; and

(bb) by striking "wages or unpaid overtime compensation under sections 6 and 7 or" and inserting "wages, unpaid overtime compensation, or legal or monetary equitable relief, as appropriate, or".

(C) RULE.—Notwithstanding subsection (b)(3), the amendments made by subsection (b)(3) to section 16(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(c)) shall not take effect.

## AUTHORITY FOR COMMITTEES TO MEET

### SELECT COMMITTEE ON INTELLIGENCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, June 4, 1997, at 2:30 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON AVIATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Aviation Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on June 4, 1997, at 2 p.m., on bilateral aviation relations with the United Kingdom.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

### EIGHTH ANNIVERSARY OF TIANANMEN SQUARE MASSACRE

• Mr. FEINGOLD. Mr. President, I rise today to join in marking the eighth anniversary of the Tiananmen Square Massacre, a tragic day when a still unknown number of Chinese—some say hundreds, others thousands—died at the hands of the People's Liberation Army.

This anniversary is significant because it is the first since the death of China's paramount leader Deng Xiaoping, the man who orchestrated the bloody crackdown against the prodemocracy movement. Unfortunately, even with Deng out of the picture, the Chinese Communist Party remains unwilling to re-examine the events of June 4, 1989. Indeed, China's leaders would like nothing more than to have Tiananmen fade from the world's memory.

But Tiananmen is still very much a part of the present. As all of us are aware, Wang Dan, a student leader of Tiananmen, was sent back to prison last October for continuing to advocate democratic reform. According to Amnesty International, 303 people remain in prison for their role in the 1989 demonstrations. Certainly for these people and their families, Tiananmen remains a part of daily life.

Today, Tiananmen is still very much on the minds of Hong Kong's people. The 1989 prodemocracy demonstrations

created an outpouring of support from the British colony. Hong Kong residents donated hundreds of tents and sleeping bags to the students occupying Tiananmen Square. Thousands are expected to gather this evening in Hong Kong's Victoria Park for a candlelight vigil. Many are worried that public observance of Tiananmen will be banned once Hong Kong reverts to Chinese rule this summer. After the transfer of Hong Kong is completed, commemoration of June 4 will become the ultimate test of whether China will allow Hong Kong to maintain its cherished freedoms.

For those of us who are concerned about human rights in China, June 4 is still a powerful reminder that the Chinese Government has not changed. I was appalled to hear that, during his visit to Washington last December, China's Defense Minister Chi Haotian said that "not a single person lost their life in Tiananmen Square." That was an insult to the memory of those who died on the streets of Beijing that night.

Mr. President, yesterday Senator HELMS and I submitted a resolution of disapproval of the President's decision to renew most-favored-nation trade privileges to China. I feel strongly that the decision in 1994 to delink human rights and MFN was a mistake. Disconnecting the two has helped make China's leaders feel secure enough to renew their crackdown on the democracy movement and commit further human rights atrocities in Tibet. I believe that denying MFN is the best way to communicate to the leadership in Beijing that the United States still values human rights.

It is the best way to tell the Chinese Government that we will not forget Tiananmen. •

### IN MEMORY OF TIANANMEN

• Mr. MOYNIHAN. Mr. President, I rise today to note the solemn anniversary of the massacre of Chinese students and prodemocracy activists in Tiananmen Square, and to honor the memory of the men and women who were so cruelly murdered by the totalitarian regime of the People's Republic of China.

No one who witnessed the events will soon forget the images of students and others rallying around the Goddess of Democracy statue, modeled on Bartholdi's Statue of Liberty Enlightening the World in New York harbor.

The Chinese Government has long argued that democracy is inimical to Asian values and that Americans' insistence on human rights is a form of cultural imperialism. The students in Tiananmen Square provided the most compelling refutation of such tripe.

Our hope that we were witnessing the dawn of a new era in China was dashed when, on June 4, 1989, the so-called People's Liberation Army moved into Tiananmen to thwart the aspirations of the Chinese people. The photograph

of one lone Chinese individual—Wang Weilin—confronting a column of 18 PLA tanks is both a tribute to the courage of the Chinese people and a fitting emblem for a regime that believes it can crush ideas with 120 millimeter guns and hold back the tide of history with bayonets.

I am sorry to say that since 1989, China has continued to silence dissent. So much so that the State Department reported this year that by 1996, "all public dissent against the party and government was effectively silenced by intimidation, exile, the imposition of prison terms, administrative detention, or house arrest. No dissidents were known to be active at year's end."

On this occasion, let us honor the memory of those who were slain and reiterate our solidarity with Chinese dissidents imprisoned by their government. ●

#### WE THE PEOPLE . . . THE CITIZENS AND THE CONSTITUTION COMPETITION

● Mr. CLELAND. Mr. President, I rise today to recognize the following students of Dunwoody High School in Dunwoody, GA, and their teacher for their excellent performance in the We the People . . . The Citizens and the Constitution: Deno Adkins, Leslie Alterman, Chuck Askew, Querida Brisbane, John Brown, Alice Bui, Kevin Campbell, Carrie Chu, Jeff Guggenheim, Susie Ham, Adam Hassler, Judy Hong, Michael Landis, Rachel Moore, Regan O'Boyle, Youn Park, Kim Pham, Ahmer Siddiq, David Stewart, Adam Tate, Brad Thomas, David Tran, Christin Voytko, Morhan Willis, Brent Wolkin, and teacher Celeste Boemker. I would also like to recognize the efforts of the State coordinator, Michele Collins and district coordinator, John Carr, who helped these students make it to the finals.

This bright young group of students competed against 50 other classes from around the Nation, testing their knowledge of the U.S. Constitution and our Government. They spent hours roleplaying and testing to prepare themselves for this competition. This 3-day program simulates a congressional hearing in which students' presentations are judged on the basis of their knowledge of constitutional principles and their ability to apply them to historical and contemporary issues.

Mr. President, it is with great pride that I offer my congratulations to these students from Dunwoody High School for their outstanding performance at the We the People competition, and wish them continuing success with their future studies. ●

#### INDONESIAN ELECTIONS

● Mr. FEINGOLD. Mr. President, I rise today to draw the Senate's attention to the parliamentary elections that took place in Indonesia last Thursday, May 29.

Actually, it does not seem accurate to call this event an election since the polling was conducted amid worsening political repression and human rights abuses by the Indonesian Government. As in past elections, all candidates were prescreened and new political parties banned. Individuals who posed even the slightest challenge to President Suharto's power were not allowed to participate. We cannot mistake this process for a real election. Rather, it was a pitiful example of a brutal authoritarian Government attempting to masquerade as a democracy.

Clearly many in Indonesia are angry about not having a voice. This latest election was the most violent in 30 years. Rampant corruption among Indonesia's ruling elite and continued high unemployment have created a deep vein of discontent. Yet Indonesians are given no choice other than Suharto, who already has ruled Indonesia for more than three decades.

Mr. President, the human rights situation in Indonesia remains as bad as ever. Five demonstrators were killed by troops last July after the Government engineered an attack on the office of an opposition party. In addition to the 5 dead, 23 protestors are still missing. Also last summer, labor leader Muchtar Pakpahan was arrested on trumped-up sedition charges. Mr. Pakpahan's only crime was to demand democracy, respect for human rights, and decent labor conditions.

The State Department's 1996 human rights report indicates that prisoners like Mr. Pakpahan frequently die at the hands of their interrogators. The report states that Indonesian "security forces continue to employ torture and other forms of mistreatment, particularly in regions where there were active security concerns, such as Irian Jaya, and East Timor. Police often resort to physical abuse, even in minor incidents."

Indeed, the human rights situation in East Timor continues to be a matter of great concern. Since last Tuesday, as many as 41 people—both East Timorese citizens and Indonesian soldiers—have died in election-related violence. Unfortunately, such killings are a part of daily life in East Timor. Human rights monitors estimate that as many as 200,000 East Timorese have died under the Indonesian regime. Two hundred thousand. That represents a full third of East Timor's population before Indonesia invaded the former Portuguese colony back in 1975.

On the day before Indonesia's election, East Timorese activist and co-winner of the 1996 Nobel Peace Prize Jose Ramos-Horta visited Washington. Mr. Ramos-Horta carried with him graphic evidence of human rights abuses that have occurred in East Timor in the last few months, evidence that includes disturbing photographs of Indonesian military officers torturing East Timorese detainees with electric shocks and lit cigarettes.

In his statement on the elections, Mr. Ramos-Horta notes that the unrest

in East Timor is now spreading into Indonesia as people grow more frustrated with the existing political system. According to Mr. Ramos-Horta "a spiral of violence can be anticipated for Indonesia from now on as dissent grows. It will be met with the customary repression by the military-backed regime, now increasingly desperate as its grip on power begins to slip, leading to an extended period of instability, disruption to peace and much human suffering."

I agree that the violence in Indonesia will only subside after President Suharto initiates real democratic change and, for example, allows all parties to compete equally in the political process.

However, like their counterparts in China, Indonesian authorities try to argue that greater democracy will lead to instability which in turn will impede economic development. I fundamentally reject this idea. Clearly, with so many Indonesians venting their anger against the present regime, the problem is not too much democracy, but too little. Just because President Suharto's government has boosted economic growth does not mean it has the right to murder and torture Indonesians and East Timorese.

Mr. President, the events of last week only further my discomfort regarding United States policy in Indonesia. As you know, the United States has supplied Indonesia with military training and weapons. Rather than aid Indonesia's military, we should encourage the democratic forces within Indonesian society. As a world leader with great influence in Jakarta, the United States should work to convince Indonesia's leaders that holding real elections, the kind that give people a true say in how they are governed, is a sign of national strength, not weakness. ●

#### TRIBUTE TO ISADOR LOUIS KUNIAN

● Mr. CLELAND. Mr. President, I rise today to honor Isador Louis Kunian, a long-time friend who passed away on March 5, 1997. Born in Atlanta, GA as Isador Louis Kunianski, he shortened his last name, but everyone who knew him called him Sonny. We are honoring Sonny not only because he was successful, but because he used the fruits of his success to help others. One of Sonny's greatest personal drives was to help people who wanted to help themselves. His participation in the education of hundreds of persons will provide a legacy to Sonny. In Sonny's own words, "Providing for a person's education is the greatest investment that I have ever made."

In 1980, he established the Mildred and I.L. Kunian Scholarship Fund at Georgia Tech that has helped more than a hundred students pay their college bills. In addition, he founded the Georgia Tech Satellite Literacy Program, which broadcasts, via satellite