

of S. 112, a bill to amend title 18, United States Code, to regulate the manufacture, importation, and sale of ammunition capable of piercing police body armor.

S. 363

At the request of Mr. HOLLINGS, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 363, a bill to amend the Communications Act of 1934 to require that violent video programming is limited to broadcast after the hours when children are reasonably likely to comprise a substantial portion of the audience, unless it is specifically rated on the basis of its violent content so that it is blockable by electronic means specifically on the basis of that content.

S. 370

At the request of Mr. GRASSLEY, the names of the Senator from Illinois [Ms. MOSELEY-BRAUN], and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 370, a bill to amend title XVIII of the Social Security Act to provide for increased Medicare reimbursement for nurse practitioners and clinical nurse specialists to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 371

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 371, a bill to amend title XVIII of the Social Security Act to provide for increased Medicare reimbursement for physician assistants, to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 387

At the request of Mr. SARBANES, his name was added as a cosponsor of S. 387, a bill to amend the Internal Revenue Code of 1986 to provide equity to exports of software.

S. 415

At the request of Mr. BAUCUS, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 415, a bill to amend the Medicare program under title XVIII of the Social Security Act to improve rural health services, and for other purposes.

S. 476

At the request of Mr. KERRY, his name was added as a cosponsor of S. 476, a bill to provide for the establishment of not less than 2,500 Boys and Girls Clubs of America facilities by the year 2000.

S. 496

At the request of Mr. CHAFEE, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 496, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 611

At the request of Mr. MACK, the name of the Senator from Nebraska [Mr.

HAGEL] was added as a cosponsor of S. 611, a bill to require the Board of Governors of the Federal Reserve System to focus on price stability in establishing monetary policy to ensure the stable, long-term purchasing power of the currency, to repeal the Full Employment and Balanced Growth Act of 1978, and for other purposes.

S. 646

At the request of Mr. FORD, the name of the Senator from Arkansas [Mr. HUTCHINSON] was added as a cosponsor of S. 646, a bill to ensure the competitiveness of the United States textile and apparel industry.

S. 649

At the request of Ms. SNOWE, the names of the Senator from Alabama [Mr. SHELBY] and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of S. 649, a bill to amend title XVIII of the Social Security Act to provide for coverage of bone mass measurements for certain individuals under part B of the Medicare program.

S. 720

At the request of Mr. GRASSLEY, the name of the Senator from Illinois [Ms. MOSELEY-BRAUN] was added as a cosponsor of S. 720, a bill to amend titles XVIII and XIX of the Social Security Act to expand and make permanent the availability of cost-effective, comprehensive acute and long-term care services to frail elderly persons through Programs of All-inclusive Care for the Elderly (PACE) under the Medicare and Medicaid programs.

S. 755

At the request of Mr. CAMPBELL, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 755, a bill to amend title 10, United States Code, to restore the provisions of chapter 76 of that title (relating to missing persons) as in effect before the amendments made by the National Defense Authorization Act for Fiscal Year 1997 and to make other improvements to that chapter.

S. 766

At the request of Ms. SNOWE, the names of the Senator from Virginia [Mr. ROBB] and the Senator from Nevada [Mr. BRYAN] were added as cosponsors of S. 766, a bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans.

S. 836

At the request of Mr. ABRAHAM, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 836, a bill to offer small businesses certain protections from litigation excesses.

S. 852

At the request of Mr. LOTT, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, non-repairable, and rebuilt vehicles.

S. 862

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota

[Mr. GRAMS] was added as a cosponsor of S. 862, a bill to amend title XVIII of the Social Security Act to change the payment system for health maintenance organizations and competitive medical plans.

S. 874

At the request of Mr. FAIRCLOTH, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 874, a bill to amend title 31, United States Code, to provide for an exemption to the requirement that all Federal payments be made by electronic funds transfer.

SENATE JOINT RESOLUTION 31

At the request of Mr. HELMS, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of Senate Joint Resolution 31, a joint resolution disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China.

## AMENDMENTS SUBMITTED

### THE FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT OF 1997

#### INOUE (AND OTHERS) AMENDMENT NO. 376

(Ordered to lie on the table.)

Mr. INOUE (for himself, Mr. HATCH, Mr. HOLLINGS, and Mr. AKAKA) submitted an amendment intended to be proposed by them to the bill (S. 903) to consolidate the foreign affairs agencies of the United States, to authorize appropriations for the Department of State for fiscal years 1998 and 1999, and to provide for reform of the United Nations, and for other purposes; as follows:

At the end of section 1301(a) of the bill, insert the following new paragraph:

(6) "Center for Cultural and Technical Interchange between East and West", \$18,000,000 for the fiscal year 1998 and \$15,000,000 for the fiscal year 1999.

#### DURBIN AMENDMENT NO. 377

Mr. DURBIN proposed an amendment to the bill, S. 903, supra; as follows:

At the end of title XVI, add the following (and conform the table of contents accordingly):

#### SEC. . SENSE OF CONGRESS REGARDING UNITED STATES CITIZENS HELD IN PRISONS IN PERU.

(a) FINDINGS.—Congress finds the following:

(1) The Government of Peru has made substantial progress in the effort to restrict the flow of illicit drugs from Peru to the United States.

(2) The Government of Peru has cooperated greatly with the United States Government to stop individuals and organizations seeking to transport illicit drugs from Peru to the United States and to jail such drug exporters.

(3) Any individual engaging in such exporting of illicit drugs and convicted in a court of law should face stiff penalties.

(4) Any such individual should also have a right to timely legal procedures.

(5) Two United States citizens, Jennifer Davis and Krista Barnes, were arrested in

Peru on September 25, 1996, for attempting to transport illicit drugs from Peru to the United States.

(6) Ms. Davis and Ms. Barnes have admitted their guilt upon arrest and to an investigative judge.

(7) Ms. Davis and Ms. Barnes have volunteered to cooperate fully with Peruvian judicial authorities in naming individuals responsible for drug trafficking and several have been arrested.

(8) More than 7 months after their arrest, Ms. Davis and Ms. Barnes have not been formally charged with a crime.

(9) Peruvian domestic law mandates that formal charges be brought within 4 to 6 months after arrest.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government of Peru should respect the rights of prisoners to timely legal procedures, including the rights of all United States citizens held in prisons in Peru.

#### DURBIN (AND GORTON) AMENDMENT NO. 378

Mr. DURBIN (for himself and Mr. GORTON) proposed an amendment to the bill, S. 903, *supra*; as follows:

At the appropriate place, insert the following:

#### SEC. . DESIGNATION OF ADDITIONAL COUNTRIES ELIGIBLE FOR NATO ENLARGEMENT ASSISTANCE.

(a) DESIGNATION OF ADDITIONAL COUNTRIES.—Effective 180 days after the date of the enactment of this Act, Lithuania, Latvia, Estonia, and Romania are each designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994 and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act, except that any such country shall not be so designated if, prior to such effective date, the President certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that the country fails to meet the criteria under section 203(d)(3) of the NATO Participation Act of 1994.

(b) RULE OF CONSTRUCTION.—The designation of countries pursuant to subsection (a) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994—

(1) is in addition to the designation of other countries by law or pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act; and

(2) shall not preclude the designation by the President of other emerging democracies in Central and Eastern Europe pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act.

#### DURBIN (AND OTHERS) AMENDMENT NO. 379

Mr. DURBIN (for himself, Mr. GORTON, and Mr. D'AMATO) proposed an amendment to the bill, S. 903, *supra*; as follows:

At the end of title XVI, insert the following:

#### SEC. . ADMISSION OF ESTONIA, LATVIA, AND LITHUANIA INTO NATO.

(a) FINDINGS.—Congress makes the following findings:

(1) The Baltic countries of Estonia, Latvia, and Lithuania are undergoing a historic process of democratic and free market trans-

formation after emerging from decades of brutal Soviet occupation.

(2) Each of the Baltic countries has conducted peaceful transfers of political power since 1991.

(3) The governments of the Baltic countries have been exemplary in their respect for human rights and civil liberties and have made great strides toward establishing the rule of law.

(4) The governments of the Baltic countries have made consistent progress toward establishing civilian control of their military forces, and through active participation in the Partnership for Peace and the peace support operations of the North Atlantic Treaty Organization (in this resolution referred to as "NATO"), have clearly demonstrated their ability and willingness to operate with the forces of NATO nations and under NATO standards.

(5) Each of the Baltic countries has made progress toward implementing a free market system which has and will continue to foster the economic advancement of the people of the Baltic region.

(6) The Baltic region has often been a battleground for the competing territorial designs of nearby imperial powers which, along with other factors, has contributed to a history of insecurity and instability in the region.

(7) NATO has been a force for stability, freedom, and peace in Europe since 1949.

(8) NATO has indicated it will begin to invite new members in 1997.

(9) Estonia, Latvia, and Lithuania, exercising their inherent right as participating states in the Organization for Security and Cooperation in Europe, have voluntarily applied for membership in NATO.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Estonia, Latvia, and Lithuania are to be commended for their progress toward political and economic liberty and meeting the guidelines for prospective NATO members set out in chapter 5 of the September 1995 Study on NATO Enlargement;

(2) Estonia, Latvia, and Lithuania would make an outstanding contribution to NATO if they become members;

(3) eventual extension of full NATO membership to Estonia, Latvia, and Lithuania would make a singular and lasting contribution toward stability, freedom, and peace in the Baltic region;

(4) upon satisfying the criteria for NATO membership, Estonia, Latvia, and Lithuania should be invited to become full members of NATO at the earliest possible date; and

(5) Estonia, Latvia, and Lithuania should be invited to attend the NATO summit in Madrid on July 8 and 9, 1997.

#### SARBANES AMENDMENTS NOS. 380–381

Mr. SARBANES proposed two amendments to the bill, S. 903, *supra*; as follows:

##### AMENDMENT NO. 380

On page 96, delete lines 1 through 12.

##### AMENDMENT NO. 381

Add at an appropriate point in the bill a new section as follows:

#### SEC. . LIMITATIONS ON MANAGEMENT ASSIGNMENTS.

SEC. 1017(E)(2) of the foreign Service Act of 1980 (22 U.S.C. 4117(e)(2)) is amended to read as follows:

"(2) for the purposes of paragraph (1)(A)(ii) and paragraph (1)(B), the term "management official" does not include chiefs of mission, principal officers or their deputies, adminis-

trative and personnel officers abroad, or individuals described in Section 1002(12)(B), (C), and (D) who are not involved in the administration of this chapter or in the formulation of the personnel policies and programs of the Department."

#### LUGAR AMENDMENT NO. 382

Mr. LUGAR proposed an amendment to the bill, S. 903, *supra*; as follows:

Beginning on page 180, line 1, strike all through page 198, line 20, and insert the following:

#### TITLE XXII—ARREARS PAYMENTS AND REFORM

##### CHAPTER 1—ARREARAGES TO THE UNITED NATIONS

#### SEC. 2211. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Department of State for payment of arrearages owed by the United States to the United Nations and its specialized agencies as of September 30, 1997—

(1) \$409,500,000 for fiscal year 1998; and

(2) \$409,500,000 for fiscal year 1999.

(b) LIMITATION.—Amounts made available under subsection (a) are authorized to be available only—

(1) to pay the United States share of assessments for the regular budget of the United Nations (excluding the budgets of the United Nations specialized agencies);

(2) to pay the United States share of United Nations peace operations; and

(3) to pay the United States share of United Nations specialized agencies.

(c) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

(d) CONGRESSIONAL NOTIFICATION.—Before the disbursement of funds under this section, the Secretary of State shall notify the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

#### Dewine (and others) Amendment No. 383

Mr. DEWINE (for himself, Mr. GRAM, Mr. FAIRCLOTH, Mr. COVERDELL, and Mr. HELMS) proposed an amendment to the bill, S. 903, *supra*; as follows:

At the end of title XVI of division B of the bill, insert the following new section:

#### SEC. . EXCLUSION FROM THE UNITED STATES OF ALIENS WHO HAVE BEEN INVOLVED IN EXTRAJUDICIAL AND POLITICAL KILLINGS IN HAITI.

(a) FINDINGS.—Congress makes the following findings:

(1) At the time of the enactment of this Act, there have been over eighty extrajudicial and political killing cases assigned to the Haitian Special Investigative Unit (SIU) by the Government of Haiti. Furthermore, the government has requested that the SIU investigate on a "priority basis" close to two dozen cases relating to extrajudicial and political killings.

(2) President Jean-Bertrand Aristide lived in exile in the United States after he was overthrown by a military coup on September 30, 1991. During his exile, political and extrajudicial killings occurred in Haiti including Aristide financial supporter Antoine Izmery, who was killed on September 11, 1993; Guy Malary, Aristide's Minister of Justice, who was killed on October 14, 1993; and Father Jean-Marie Vincent, a supporter of Aristide, was killed on August 28, 1992.

(3) President Aristide returned to Haiti on October 15, 1994, after some 20,000 United States troops, under the code name Operation Uphold Democracy, entered Haiti as the lead force in a multi-national force with the objective of restoring democratic rule.

(4) From June 25, 1995, through October 1995, elections were held where pro-Aristide candidates won a large share of the parliamentary and local government seats.

(5) On March 28, 1995, a leading opposition leader to Aristide, Attorney Mireille Durocher Bertin, and a client, Eugene Baillergeau, were gunned down in Ms. Bertin's car.

(6) On May 22, 1995, Michel Gonzalez, Haitian businessman and Aristide's next door neighbor, was killed in a drive-by shooting after alleged attempts by Aristide to acquire his property.

(7) After Aristide regained power, three former top Army officers were assassinated: Colonel Max Mayard on March 10, 1995; Colonel Michelange Hermann on May 24, 1995; and Brigadier General Romulus Dumarsais was killed on June 27, 1995.

(8) Presidential elections were held on December 17, 1995. Rene Preval, an Aristide supporter, won, with 89 percent of the votes cast, but with a low voter turnout of only 28 percent, and with many parties allegedly boycotting the election. Preval took office on February 7, 1996.

(9) On March 6, 1996, police and ministerial security guards killed at least six men during a raid in Cite Soleil, a Port-au-Prince slum.

(10) On August 20, 1996, two opposition politicians, Jacques Fleurival and Baptist Pastor Antoine Leroy were gunned down outside Fleurival's home.

(11) Other alleged extrajudicial and political killings include the deaths of Claude Yves Marie, Mario Beaubrun, Leslie Grimar, Joseph Chilove, and Jean-Hubert Feuille.

(12) Although the Haitian Government claims to have terminated from employment several suspects in the killings, some whom have received training from United States advisors, there has been no substantial progress made in the investigation that has led to the prosecution of any of the above-referenced extrajudicial and political killings.

(13) The expiration of the mandate of the United Nations Support Mission in Haiti has been extended three times, the last to July 31, 1997. The Administration has indicated that a fourth extension through November 1997, may be necessary to ensure the transition to a democratic government.

(b) **GROUND FOR EXCLUSION.**—The Secretary of State shall deny a visa to, and the Attorney General shall exclude from the United States, any alien who the Secretary of State has reason to believe is a person who—

(1) has been credibly alleged to have ordered, carried out, or materially assisted in, the extrajudicial and political killings of Antoine Izmary, Guy Malary, Father Jean-Marie Vincent, Pastor Antoine Leroy, Jacques Fleurival, Mireille Durocher Bertin, Eugene Baillergeau, Michelange Hermann, Max Mayard, Romulus Dumarsais, Claude Yves Marie, Mario Beaubrun, Leslie Grimar, Joseph Chilove, Michel Gonzalez, and Jean-Hubert Feuille;

(2) has been included in the list presented to former president Jean-Bertrand Aristide by former National Security Council Advisor Anthony Lake in December 1995, and acted upon by President Rene Preval;

(3) was a member of the Haitian presidential security unit who has been credibly alleged to have ordered, carried out, or materially assisted in, the extrajudicial and political killings of Pastor Antoine Leroy and

Jacques Fleurival, or who was suspended by President Preval for his involvement in or knowledge of the Leroy and Fleurival killings on August 20, 1996; or

(4) was sought for an interview by the Federal Bureau of Investigation as part of its inquiry into the March 28, 1995, murder of Mireille Durocher Bertin and Eugene Baillergeau, Jr., and were credibly alleged to have ordered, carried out, or materially assisted, in those murders, per a June 28, 1995, letter to the then Minister of Justice of the Government of Haiti, Jean-Joseph Exume.

(c) **EXEMPTION.**—This section shall not apply where the Secretary of State finds, on a case by case basis, that the entry into the United States of the person who would otherwise be excluded under this section is necessary for medical reasons, or such person has cooperated fully with the investigation of these political murders. If the Secretary of State exempts such a person, the Secretary shall notify the appropriate congressional committees in writing.

(d) **REPORTING REQUIREMENT.**—(1) The United States chief of mission in Haiti shall provide the Secretary of State a list of those who have been credibly alleged to have ordered or carried out the extrajudicial and political killings mentioned in paragraph (1) of subsection (b).

(2) The Secretary of State shall submit the list provided under paragraph (1) to the appropriate congressional committees not later than three months after the date of enactment of this Act.

(3) The Secretary of State shall submit to the appropriate congressional committees a list of aliens denied visas, and the Attorney General shall submit to the appropriate congressional committees a list of aliens refused entry to the United States as a result of this provision.

(4) The Secretary shall submit a report under this subsection not later than six months after the date of enactment of this Act and not later than March 1 of each year thereafter as long as the Government of Haiti has not completed the investigation of the extrajudicial and political killings and has not prosecuted those implicated for the killings specified in paragraph (1) of subsection (b).

(e) **DEFINITION.**—In this section, the term "appropriate congressional committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

#### GORTON (AND OTHERS) AMENDMENT NO. 384

Mr. GORTON (for himself, Mr. DURBIN, Mr. HELMS, Mr. BIDEN, Mr. ROTH, and Mr. D'AMATO) proposed an amendment to the bill, S. 903, *supra*; as follows:

At the end of title XVI, add the following:  
**SEC. . DESIGNATION OF ADDITIONAL COUNTRIES ELIGIBLE FOR NATO ENLARGEMENT ASSISTANCE.**

(1) **DESIGNATION OF ADDITIONAL COUNTRIES.**—Effective 180 days after the date of the enactment of this Act, Romania, Estonia, Latvia, Lithuania, and Bulgaria are each designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994 and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act, except that any such country shall not be so designated if, prior to such effective date, the President certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that the

country fails to meet the criteria under section 203(d)(3) of NATO Participation Act of 1994.

(2) **RULE OF CONSTRUCTION.**—The designation of countries pursuant to paragraph (1) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994—

(A) is in addition to the designation of other countries by law or pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act; and

(B) shall not preclude the designation by the President of other emerging democracies in Central and Eastern Europe pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act.

(3) **SENSE OF THE SENATE.**—It is the sense of the Senate that Romania, Estonia, Latvia, Lithuania, and Bulgaria—

(A) are to be commended for their progress toward political and economic reform and meeting the guidelines for prospective NATO members;

(B) would make an outstanding contribution to furthering the goals of NATO and enhancing stability, freedom, and peace in Europe should they become NATO members; and

(C) upon complete satisfaction of all relevant criteria should be invited to become full NATO members at the earliest possible date.

#### DURBIN AMENDMENT NO. 385

Mr. HELMS (for Mr. DURBIN) proposed an amendment to the bill, S. 903, *supra*; as follows:

At the end of title XVI, add the following (and conform the table of contents accordingly):

#### **SEC. . SENSE OF SENATE REGARDING UNITED STATES CITIZENS HELD IN PRISONS IN PERU.**

It is the Sense of the Senate that—

(1) as a signatory of the International Covenant on Civil and Political Rights, the Government of Peru is obligated to grant prisoners timely legal proceedings pursuant to Article 9 of the International Covenant on Civil and Political Rights which requires that "anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release;" and that "anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful;" and

(2) the Government of Peru should take all necessary steps to ensure that any U.S. citizen charged with committing a crime in that country is accorded open and fair proceedings in a civilian court.

#### ABRAHAM AMENDMENTS NOS. 386–391

(Ordered to lie on the table.)

Mr. ABRAHAM submitted six amendments intended to be proposed by him to the bill, S. 903, *supra*; as follows:

#### AMENDMENT NO. 386

At the end of title XVI of division B, add the following:

#### **SEC. . SENSE OF THE SENATE ON UNITED STATES POLICY TOWARD THE PEOPLE'S REPUBLIC OF CHINA.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) As the world's leading democracy, the United States cannot ignore the Government of the People's Republic of China's record on human rights and religious persecution.

(2) According to Amnesty International, "A fifth of the world's people are ruled by a government that treats fundamental human rights with contempt. Human rights violations continue on a massive scale."

(3) According to Human Rights Watch/Asia reported that: "Unofficial Christian and Catholic communities were targeted by the government during 1996. A renewed campaign aimed at forcing all churches to register or face dissolution, resulted in beating and harassment of congregants, closure of churches, and numerous arrests, fines, and sentences. In Shanghai, for example, more than 300 house churches or meeting points were closed down by the security authorities in April alone."

(4) The People's Republic of China's compulsory family planning policies include forced abortions.

(5) China's attempts to intimidate Taiwan and the activities of its military, the People's Liberation Army, both in the United States and abroad, are of major concern.

(6) The Chinese government has threatened international stability through its weapons sales to regimes, including Iran and Iraq, that sponsor terrorism and pose a direct threat to American military personnel and interests.

(7) The efforts of two Chinese companies, the China North Industries Group (NORINCO) and the China Poly Group (POLY), deserve special rebuke for their involvement in the sale of AK-47 machine guns to California street gangs.

(8) Allegations of the Chinese government's involvement in our political system may involve both civil and criminal violations of our laws.

(9) The Senate is concerned that China may violate the 1984 Sino-British Joint Declaration transferring Hong Kong from British to Chinese rule by limiting political and economic freedom in Hong Kong.

(10) The Senate strongly believes time has come to take steps that would signal to Chinese leaders that religious persecution, human rights abuses, forced abortions, military threats and weapons proliferation, and attempts to influence American elections are unacceptable to the American people.

(11) The United States should signal its disapproval of Chinese government actions through targeted sanctions, while at the same time encouraging worthwhile economic and cultural exchanges that can lead to positive change in China.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should—

(1) limit the granting of United States visas to Chinese government offices who work in entities the implementation of China's laws and directives on religious practices and coercive family planning, and those official materially involved in the massacre of Chinese students in Tiananmen square;

(2) limit United States taxpayer subsidies for the Chinese government through multilateral development institutions such as the World Bank, Asian Development Bank, and the International Monetary Fund;

(3) reduce United States financial assistance to international bodies and organizations that provide family planning assistance to the Chinese government;

(4) publish a list of all companies owned in part or wholly by the People's Liberation Army (PLA) of the Chinese government who export to, or have an office in, the United States;

(5) impose targeted sanctions on NORINCO and POLY by not allowing them to export to,

nor to maintain a physical presence in, the United States for a period one year; and

(6) promote democratic values in China by increasing United States Government funding of Radio Free Asia, the National Endowment for Democracy's programs in China and existing students, cultural, and legislative exchange programs between the United States and the People's Republic of China.

#### AMENDMENT NO. 387

On page 155, between lines 13 and 14, insert the following:

### TITLE XVIII—ADVANCEMENT OF HUMAN RIGHTS IN CHINA

#### SEC. 1701. SHORT TITLE.

This title may be cited as the "China Sanctions and Human Rights Advancement Act".

#### SEC. 1702. PURPOSE.

It is the purpose of this title—

(1) to impose certain sanctions on the People's Republic of China in response to the practices of the Government of the People's Republic of China which limit the free exercise of religion and other human rights; and

(2) to require an annual report from the President on such practices.

#### SEC. 1703. SANCTIONS.

(a) DENIAL OF ENTRY OF CERTAIN GOVERNMENT OFFICIALS.—

(1) DENIAL OF ENTRY.—Except as provided in paragraph (2), the Secretary of State may not issue any visa to, and the Attorney General may not admit to the United States, any of the following officials of the Government of the People's Republic of China:

(A) High-ranking officials of the Public Security Bureau, as determined by the Secretary.

(B) High-ranking officials of the Religious Affairs Bureau, as so determined.

(C) Other high-ranking officials determined by the Secretary to be involved in the implementation or enforcement of laws and directives of the People's Republic of China which restrict religious freedom.

(D) High-ranking officials determined by the Secretary to be involved in the implementation or enforcement of laws and directives of the People's Republic of China on family planning.

(E) Officials determined by the Secretary to have been materially involved in ordering or carrying out the massacre of students in Tiananmen Square in 1989.

(2) WAIVER.—

(A) IN GENERAL.—Subject to subparagraph (B), the President may waive the applicability of paragraph (1) with respect to any official otherwise covered by that paragraph if the President determines that the waiver with respect to the official is in the national security interests of the United States.

(B) NOTICE.—

(i) REQUIREMENT.—The President may not exercise the authority provided in subparagraph (A) with respect to an official unless the President submits to Congress a written notification of the exercise of the authority.

(ii) CONTENTS.—Each notice shall include a justification of the exercise of the authority, including—

(I) a statement why the exercise of the authority is in the national security interests of the United States; and

(II) a statement why such interests supersede the need for the United States to make the response described in section 1702(1).

(b) MULTILATERAL ASSISTANCE.—

(1) INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT.—

(A) OPPOSITION TO ASSISTANCE.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development to vote against any loan or

other utilization of the funds of the bank to or for the People's Republic of China.

(B) OPPOSITION TO MODIFICATION OF SINGLE COUNTRY LOAN LIMIT.—The Secretary shall instruct the United States Executive Director of the International Bank for Reconstruction and Development to vote against any modification of the limitation on the share of the total funds of the Bank that may be loaned to a single country.

(C) LIMITATION ON DOMESTIC BORROWING.—

(i) LIMITATION.—The Secretary shall restrict the ability of the International Bank for Reconstruction and Development to borrow in United States capital markets in a fiscal year by an amount equal to the amount of the loans approved for the People's Republic of China in the preceding fiscal year for purposes other than to meet basic human needs.

(ii) EXCEPTION.—Clause (i) shall not apply to borrowing for purposes of meeting basic human needs.

(2) ASIAN DEVELOPMENT BANK.—

(A) OPPOSITION TO ASSISTANCE.—The Secretary shall instruct the United States Director of the Asian Development Bank to vote against any loan or other utilization of the funds of the Bank to or for the People's Republic of China.

(B) LIMITATION ON DOMESTIC BORROWING.—

(i) LIMITATION.—The Secretary shall restrict the ability of the Asian Development Bank to borrow in United States capital markets in a fiscal year by an amount equal to the amount of the loans approved for the People's Republic of China in the preceding fiscal year for purposes other than to meet basic human needs.

(ii) EXCEPTION.—Clause (i) shall not apply to borrowing for purposes of meeting basic human needs.

(3) INTERNATIONAL MONETARY FUND.—The Secretary shall instruct the United States Executive Director of the International Monetary Fund to vote against any loan or other utilization of the funds of the Fund to or for the People's Republic of China.

(4) REDUCTION IN CONTRIBUTIONS FOR MULTILATERAL ASSISTANCE.—The amount of the contributions of the United States to a multilateral development bank in or for a fiscal year shall be the amount otherwise available for such contributions in the fiscal year less the amount committed by the bank to lend, utilize, or otherwise make available to or for the People's Republic of China during the preceding fiscal year for purposes other than basic human needs.

(5) DEFINITIONS.—In this subsection:

(A) BASIC HUMAN NEEDS.—The term, "basic human needs" refers to human needs arising from natural disasters or famine.

(B) MULTILATERAL DEVELOPMENT BANK.—The term "multilateral development bank" means the following:

(i) The International Bank for Reconstruction and Development.

(ii) The International Development Association.

(iii) The International Finance Corporation.

(iv) The Asian Development Bank.

(c) REDUCTION IN ASSISTANCE FOR ORGANIZATIONS PROVIDING FAMILY PLANNING ASSISTANCE IN CHINA.—

(1) REDUCTION.—The amount of financial assistance provided by the United States in a fiscal year to a covered organization shall be the amount otherwise available for financial assistance to the organization in the fiscal year less the amount utilized by the organization for family planning services or assistance in or for the People's Republic of China during the preceding fiscal year.

(2) CERTIFICATION.—

(A) REQUIREMENT.—In each fiscal year in which a covered organization is provided financial assistance by the United States, the organization shall certify to the Secretary of State the amount, if any, utilized by the organization in the preceding fiscal year for family planning services or assistance in or for the People's Republic of China.

(B) DEADLINE.—A covered organization shall make the certification required for a fiscal year not later than October 31 of that fiscal year.

(3) DEFINITION.—In this subsection, the term "covered organization" means an organization that provides family planning services or assistance in or for the People's Republic of China.

(d) SANCTIONS REGARDING CHINA NORTH INDUSTRIES GROUP AND CHINA POLY GROUP.—

(1) SANCTIONS.—Except as provided in paragraph (2), the President shall—

(A) prohibit the importation into the United States of all products that are produced, grown, or manufactured by Poly or Norinco, the parent company of Poly or Norinco, or any affiliate, subsidiary, or successor entity of Poly or Norinco;

(B) deny or impose restrictions on the entry into the United States of any foreign national serving as an officer, director, or employee of an entity described in subparagraph (A);

(C) prohibit the issuance to a person or entity described in subparagraph (A) of licenses in connection with the export of any item on the United States Munitions List;

(D) prohibit the export to a person or entity described in subparagraph (A) of any goods or technology on which export controls are in effect under section 5 or 6 of the Export Administration Act of 1979;

(E) direct the Export-Import Bank of the United States not to give approval to the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit, with respect to a person or entity described in subparagraph (A);

(F) prohibit United States nationals from directly or indirectly issuing any guarantee for any loan or other investment to, issuing any extension of credit to, or making any investment in, a person or entity described in subparagraph (A); and

(G) prohibit departments and agencies of the United States and United States nationals from entering into any contract with a person or entity described in subparagraph (A) for the procurement or other provision of goods or services from such person or entity.

(2) EXCEPTIONS.—

(A) IN GENERAL.—The President shall not impose sanctions under this subsection—

(i) in the case of the procurement of defense articles or defense services—

(I) under contracts or subcontracts that are in effect on October 1, 1997 (including the exercise of options for production quantities to satisfy United States operational military requirements);

(II) if the President determines that the person or entity to whom the sanctions would otherwise be applied is a sole source supplier of essential defense articles or services and no alternative supplier can be identified; or

(III) if the President determines that such articles or services are essential to the national security; or

(ii) in the case of—

(I) products or services provided under contracts or binding agreements (as such terms are defined by the President in regulations) or joint ventures entered into before October 1, 1997;

(II) spare parts;

(III) component parts that are not finished products but are essential to United States products or production;

(IV) routine servicing and maintenance of products; or

(V) information and technology products and services.

(B) IMMIGRATION RESTRICTIONS.—The President shall not apply the restrictions described in paragraph (1)(B) to a person described in paragraph (1)(A), if the President, after consultation with the Attorney General, determines that the presence of the person in the United States is necessary for a Federal or State judicial proceeding against a person or entity described in paragraph (1)(A).

(3) DEFINITIONS.—In this subsection:

(A) AFFILIATE.—The term "affiliate" does not include any United States national engaged in a business arrangement with a person or entity described in paragraph (1)(A).

(B) COMPONENT PART.—The term "component part" means any article that is not usable for its intended function without being embedded or integrated into any other product and, if used in the production of a finished product, would be substantially transformed in that process.

(C) FINISHED PRODUCT.—The term "finished product" means any article that is usable for its intended function without being embedded in or integrated into any other product, but does not include an article produced by a person or entity other than a person or entity described in paragraph (1)(A) that contains parts or components of a person or entity described in paragraph (1)(A) if the parts or components have been substantially transformed during production of the finished product.

(D) INVESTMENT.—The term "investment" includes any contribution or commitment of funds, commodities, services, patents, processes, or techniques, in the form of—

(i) a loan or loans;

(ii) the purchase of a share of ownership;

(iii) participation in royalties, earnings, or profits; and

(iv) the furnishing of commodities or services pursuant to a lease or other contract, but does not include routine maintenance of property.

(E) NORINCO.—The term "Norinco" refers to China North Industries Group.

(F) POLY.—The term "Poly" refers to China Poly Group, also known as Polytechnologies Incorporated or BAOLI.

(G) UNITED STATES NATIONAL.—

(i) IN GENERAL.—The term "United States national" means—

(I) any United States citizen; and

(II) any corporation, partnership, or other organization created under the laws of the United States, any State, the District of Columbia, or any territory or possession of the United States.

(ii) EXCEPTION.—The term "United States national" does not include a subsidiary or affiliate of corporation, partnership, or organization that is a United States national if the subsidiary or affiliate is located outside the United States.

(e) CONSULTATIONS WITH ALLIES.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the President should begin consultations with the major allies and other trading partners of the United States in order to encourage such allies and trading partners to adopt sanctions against the People's Republic of China that are similar to the sanctions imposed on the People's Republic of China by this section.

(2) REPORT.—Not later than 45 days after the completion of the first G-7 summit meeting after the date of enactment of this Act, the President shall submit to Congress a report on the results, if any, of consultations referred to in paragraph (1).

(f) DURATION OF SANCTIONS.—Except as provided in subsection (e)(2), the requirements

and limitations set forth in this section shall apply during the period beginning on October 1, 1997, and ending on September 30, 1998.

#### SEC. 1704. ANNUAL REPORT ON HUMAN RIGHTS PRACTICES OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

Not later than 9 months after the date of enactment of this Act, and every year thereafter, the President shall submit to Congress a report on the practices of the Government of the People's Republic of China with respect to the free exercise of religion and other human rights during the one-year period preceding the submittal of the report. The report shall include a detailed statement of the improvements, if any, in such practices.

#### SEC. 1705. PUBLICATION OF LIST OF COMPANIES OWNED BY THE PEOPLE'S LIBERATION ARMY.

(a) PUBLICATION.—Not later than January 31 each year, the Secretary of State shall publish in the Federal Register a list of each corporation or other business entity that was owned in whole or in part by the People's Liberation Army of the People's Republic of China as of December 31 of the preceding year.

(b) PROTECTION OF SOURCES AND METHODS.—In publishing a list under subsection (a), the Secretary shall take appropriate actions to ensure the protection of sources and methods of gathering intelligence.

#### SEC. 1706. TRAINING FOR IMMIGRATION OFFICERS REGARDING RELIGIOUS PERSECUTION.

Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended by adding at the end the following:

(d) TRAINING ON RELIGIOUS PERSECUTION.—The Attorney General shall establish and operate a program to provide to immigration officers performing functions under subsection (b), or section 207 or 208, training on religious persecution, including training on—

"(1) the fundamental components of the right to freedom of religion;

"(2) the variation in beliefs of religious groups; and

"(3) the governmental and nongovernmental methods used in violation of the right to freedom of religion."

#### SEC. 1707. PROMOTION OF DEMOCRATIC VALUES IN THE PEOPLE'S REPUBLIC OF CHINA.

(a) STUDENT, CULTURAL, AND LEGISLATIVE EXCHANGE PROGRAMS.—Notwithstanding any other provision of law, the aggregate amount utilized and made available by the Director of the United States Information Agency in fiscal year 1998 for programs and grants relating to student, cultural, and legislative exchange activities in or with the People's Republic of China may not be less than an amount equal to twice the aggregate amount utilized and made available for such programs and grants in fiscal year 1997.

(b) RADIO FREE ASIA.—Notwithstanding any other provision of law, the total amount of grants made to Radio Free Asia in fiscal year 1998 under section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) may not be less than an amount equal to twice the amount of grants made to Radio Free Asia in fiscal year 1997 under that section.

(c) NATIONAL ENDOWMENT FOR DEMOCRACY.—Notwithstanding any other provision of law, the amount of the grant made to the National Endowment for Democracy by the Director of the United States Information Agency in fiscal year 1998 for purposes of programs relating to the People's Republic of China may not be less than an amount equal to twice the amount of the grant made to the Endowment in fiscal year 1997 for purposes of such programs.

## AMENDMENT NO. 388

On page 155, between lines 13 and 14, insert the following:

**SEC. 1612. ENTRY OF CERTAIN INDIVIDUALS INTO THE UNITED STATES.**

(a) DENIAL OF ENTRY OF CERTAIN GOVERNMENT OFFICIALS.—

(1) DENIAL OF ENTRY.—Except as provided in paragraph (2), the Secretary of State may not issue any visa to, and the Attorney General may not admit to the United States, any of the following officials of the Government of the People's Republic of China:

(A) High-ranking officials of the Public Security Bureau, as determined by the Secretary.

(B) High-ranking officials of the Religious Affairs Bureau, as so determined.

(C) Other high-ranking officials determined by the Secretary to be involved in the implementation or enforcement of laws and directives of the People's Republic of China which restrict religious freedom.

(D) High-ranking officials determined by the Secretary to be involved in the implementation or enforcement of laws and directives of the People's Republic of China on family planning.

(E) Officials determined by the Secretary to have been materially involved in ordering or carrying out the massacre of students in Tiananmen Square in 1989.

(2) WAIVER.—

(A) IN GENERAL.—Subject to subparagraph (B), the President may waive the applicability of paragraph (1) with respect to any official otherwise covered by that paragraph if the President determines that the waiver with respect to the official is in the national security interests of the United States.

(B) NOTICE.—

(i) REQUIREMENT.—The President may not exercise the authority provided in subparagraph (A) with respect to an official unless the President submits to Congress a written notification of the exercise of the authority.

(ii) CONTENTS.—Each notice shall include a justification of the exercise of the authority, including—

(I) a statement why the exercise of the authority is in the national security interests of the United States; and

(II) a statement why such interests supersede the need for the United States to deny entry to the official concerned in response to the practices of the Government of the People's Republic of China which limit the free exercise of religion and other human rights.

(b) ANNUAL REPORT ON HUMAN RIGHTS PRACTICES OF THE PEOPLE'S REPUBLIC OF CHINA.—Not later than 9 months after the date of enactment of this Act, and every year thereafter, the President shall submit to Congress a report on the practices of the Government of the People's Republic of China with respect to the free exercise of religion and other human rights during the one-year period preceding the submittal of the report. The report shall include a detailed statement of the improvements, if any, in such practices.

(c) TRAINING FOR IMMIGRATION OFFICERS REGARDING RELIGIOUS PERSECUTION.—Section 235 of the Immigration and Nationality Act (U.S.C. 1225) is amended by adding at the end the following:

“(d) TRAINING ON RELIGIOUS PERSECUTION.—The Attorney General shall establish and operate a program to provide to immigration officers performing functions under subsection (b), or section 207 or 208, training on religious persecution, including training on—

“(1) the fundamental components of the right to freedom of religion;

“(2) the variation in beliefs of religious groups; and

“(3) the governmental and nongovernmental methods used in violation of the right to freedom of religion.”.

## AMENDMENT NO. 389

On page 155, between lines 13 and 14, insert the following:

**SEC. 1612. SANCTIONS ON THE PEOPLE'S REPUBLIC OF CHINA.**

(a) MULTILATERAL ASSISTANCE.—

(1) INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT.—

(A) OPPOSITION TO ASSISTANCE.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development to vote against any loan or other utilization of the funds of the bank to or for the People's Republic of China in fiscal year 1998.

(B) OPPOSITION TO MODIFICATION OF SINGLE COUNTRY LOAN LIMIT.—The Secretary shall instruct the United States Executive Director of the International Bank for Reconstruction and Development to vote against any modification of the limitation on the share of the total funds of the Bank that may be loaned to a single country in fiscal year 1998.

(C) LIMITATION ON DOMESTIC BORROWING.—

(i) LIMITATION.—The Secretary shall restrict the ability of the International Bank for Reconstruction and Development to borrow in United States capital markets in fiscal year 1998 by an amount equal to the amount of the loans approved for the People's Republic of China in fiscal year 1997 for purposes other than to meet basic human needs.

(ii) EXCEPTION.—Clause (i) shall not apply to borrowing for purposes of meeting basic human needs.

(2) ASIAN DEVELOPMENT BANK.—

(A) OPPOSITION TO ASSISTANCE.—The Secretary shall instruct the United States Director of the Asian Development Bank to vote against any loan or other utilization of the funds of the Bank to or for the People's Republic of China in fiscal year 1998.

(B) LIMITATION ON DOMESTIC BORROWING.—

(i) LIMITATION.—The Secretary shall restrict the ability of the Asian Development Bank to borrow in United States capital markets in fiscal year 1998 by an amount equal to the amount of the loans approved for the People's Republic of China in fiscal year 1997 for purposes other than to meet basic human needs.

(ii) EXCEPTION.—Clause (i) shall not apply to borrowing for purposes of meeting basic human needs.

(3) INTERNATIONAL MONETARY FUND.—The Secretary shall instruct the United States Executive Director of the International Monetary Fund to vote against any loan or other utilization of the funds of the Fund to or for the People's Republic of China in fiscal year 1998.

(4) REDUCTION IN CONTRIBUTIONS FOR MULTILATERAL ASSISTANCE.—The amount of the contributions of the United States to a multilateral development bank in or for fiscal year 1998 shall be the amount otherwise available for such contributions in fiscal year 1998 less the amount committed by the bank to lend, utilize, or otherwise make available to or for the People's Republic of China during fiscal year 1997 for purposes other than basic human needs.

(5) DEFINITIONS.—In this subsection:

(A) BASIC HUMAN NEEDS.—The term, “basic human needs” refers to human needs arising from natural disasters or famine.

(B) MULTILATERAL DEVELOPMENT BANK.—The term “multilateral development bank” means the following:

(i) The International Bank for Reconstruction and Development.

(ii) The International Development Association.

(iii) The International Finance Corporation.

(iv) The Asian Development Bank.

(b) REDUCTION IN ASSISTANCE FOR ORGANIZATIONS PROVIDING FAMILY PLANNING ASSISTANCE IN CHINA.—

(1) REDUCTION.—The amount of financial assistance provided by the United States in fiscal year 1998 to a covered organization shall be the amount otherwise available for financial assistance to the organization in that fiscal year less the amount utilized by the organization for family planning services or assistance in or for the People's Republic of China during fiscal year 1997.

(2) CERTIFICATION.—Not later than October 31, 1997, each covered organization to be provided financial assistance by the United States in fiscal year 1998 shall certify to the Secretary of State the amount, if any, utilized by the organization in fiscal year 1997 for family planning services or assistance in or for the People's Republic of China.

(3) DEFINITION.—In this subsection, the term “covered organization” means an organization that provides family planning services or assistance in or for the People's Republic of China.

(c) CONSULTATIONS WITH ALLIES.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the President should begin consultations with the major allies and other trading partners of the United States in order to encourage such allies and trading partners to adopt sanctions against the People's Republic of China that are similar to the sanctions imposed on the People's Republic of China by this section.

(2) REPORT.—Not later than 45 days after the completion of the first G-7 summit meeting after the date of enactment of this Act, the President shall submit to Congress a report on the results, if any, of consultations referred to in paragraph (1).

## AMENDMENT NO. 390

On page 155, between lines 13 and 14, insert the following:

**SEC. 1612. SANCTIONS REGARDING CHINA NORTH INDUSTRIES GROUP AND CHINA POLY GROUP.**

(a) SANCTIONS REGARDING CHINA NORTH INDUSTRIES GROUP AND CHINA POLY GROUP.—

(1) SANCTIONS.—Except as provided in paragraph (2), the President shall, during the period beginning on October 1, 1997, and ending on September 30, 1998—

(A) prohibit the importation into the United States of all products that are produced, grown, or manufactured by Poly or Norinco, the parent company of Poly or Norinco, or any affiliate, subsidiary, or successor entity of Poly or Norinco;

(B) deny or impose restrictions on the entry into the United States of any foreign national serving as an officer, director, or employee of an entity described in subparagraph (A);

(C) prohibit the issuance to a person or entity described in subparagraph (A) of licenses in connection with the export of any item on the United States Munitions List;

(D) prohibit the export to a person or entity described in subparagraph (A) of any goods or technology on which export controls are in effect under section 5 or 6 of the Export Administration Act of 1979;

(E) direct the Export-Import Bank of the United States not to give approval to the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit, with respect to a person or entity described in subparagraph (A);

(F) prohibit United States nationals from directly or indirectly issuing any guarantee

for any loan or other investment to, issuing any extension of credit to, or making any investment in, a person or entity described in subparagraph (A); and

(G) prohibit departments and agencies of the United States and United States nationals from entering into any contract with a person or entity described in subparagraph (A) for the procurement or other provision of goods or services from such person or entity.

(2) EXCEPTIONS.—

(A) IN GENERAL.—The President shall not impose sanctions under this subsection—

(i) in the case of the procurement of defense articles or defense services—

(I) under contracts or subcontracts that are in effect on October 1, 1997 (including the exercise of options for production quantities to satisfy United States operational military requirements);

(II) if the President determines that the person or entity to whom the sanctions would otherwise be applied is a sole source supplier of essential defense articles or services and no alternative supplier can be identified; or

(III) if the President determines that such articles or services are essential to the national security; or

(ii) in the case of—

(I) products or services provided under contracts or binding agreements (as such terms are defined by the President in regulations) or joint ventures entered into before October 1, 1997;

(II) spare parts;

(III) component parts that are not finished products but are essential to United States products or production;

(IV) routine servicing and maintenance of products; or

(V) information and technology products and services.

(B) IMMIGRATION RESTRICTIONS.—The President shall not apply the restrictions described in paragraph (1)(B) to a person described in paragraph (1)(A), if the President, after consultation with the Attorney General, determines that the presence of the person in the United States is necessary for a Federal or State judicial proceeding against a person or entity described in paragraph (1)(A).

(3) DEFINITIONS.—In this subsection:

(A) AFFILIATE.—The term “affiliate” does not include any United States national engaged in a business arrangement with a person or entity described in paragraph (1)(A).

(B) COMPONENT PART.—The term “component part” means any article that is not usable for its intended function without being embedded or integrated into any other product and, if used in the production of a finished product, would be substantially transformed in that process.

(C) FINISHED PRODUCT.—The term “finished product” means any article that is usable for its intended function without being embedded in or integrated into any other product, but does not include an article produced by a person or entity other than a person or entity described in paragraph (1)(A) that contains parts or components of a person or entity described in paragraph (1)(A) if the parts or components have been substantially transformed during production of the finished product.

(D) INVESTMENT.—The term “investment” includes any contribution or commitment of funds, commodities, services, patents, processes, or techniques, in the form of—

(i) a loan or loans;

(ii) the purchase of a share of ownership;

(iii) participation in royalties, earnings, or profits; and

(iv) the furnishing of commodities or services pursuant to a lease or other contract,

but does not include routine maintenance of property.

(E) NORINCO.—The term “Norinco” refers to China North Industries Group.

(F) POLY.—The term “Poly” refers to China Poly Group, also known as Polytechnologies Incorporated or BAOLI.

(G) UNITED STATES NATIONAL.—

(i) IN GENERAL.—The term “United States national” means—

(I) any United States citizen; and

(II) any corporation, partnership, or other organization created under the laws of the United States, any State, the District of Columbia, or any territory or possession of the United States.

(ii) EXCEPTION.—The term “United States national” does not include a subsidiary or affiliate of corporation, partnership, or organization that is a United States national if the subsidiary or affiliate is located outside the United States.

(b) PUBLICATION OF LIST OF COMPANIES OWNED BY THE PEOPLE'S LIBERATION ARMY.—

(1) PUBLICATION.—Not later than January 31 each year, the Secretary of State shall publish in the Federal Register a list of each corporation or other business entity that was owned in whole or in part by the People's Liberation Army of the People's Republic of China as of December 31 of the preceding year.

(2) PROTECTION OF SOURCES AND METHODS.—In publishing a list under paragraph (1), the Secretary shall take appropriate actions to ensure the protection of sources and methods of gathering intelligence.

AMENDMENT NO. 391

On page 155, between lines 13 and 14, insert the following:

**SEC. 1612. PROMOTION OF DEMOCRATIC VALUES IN THE PEOPLES REPUBLIC OF CHINA.**

(a) STUDENT, CULTURAL, AND LEGISLATIVE EXCHANGE PROGRAMS.—Notwithstanding any other provision of law, the aggregate amount utilized and made available by the Director of the United States Information Agency in fiscal year 1998 for programs and grants relating to student, cultural, and legislative exchange activities in or with the People's Republic of China may not be less than an amount equal to twice the aggregate amount utilized and made available for such programs and grants in fiscal year 1997.

(b) RADIO FREE ASIA.—Notwithstanding any other provision of law, the total amount of grants made to Radio Free Asia in fiscal year 1998 under section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) may not be less than an amount equal to twice the amount of grants made to Radio Free Asia in fiscal year 1997 under that section.

(c) NATIONAL ENDOWMENT FOR DEMOCRACY.—Notwithstanding any other provision of law, the amount of the grant made to the National Endowment for Democracy by the Director of the United States Information Agency in fiscal year 1998 for purposes of programs relating to the People's Republic of China may not be less than an amount equal to twice the amount of the grant made to the Endowment in fiscal year 1997 for purposes of such programs.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate that the hearing scheduled before the Subcommittee on Forests and Public Land Management will also

include S. 881, a bill to provide for a land exchange involving the Warner Canyon ski area and other land in the State of Oregon.

The hearing will be held on Wednesday, June 18, 1997, at 2 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing entitled “Small Business Reauthorization Act of 1997.” The hearing will be held on June 24, 1997, beginning at 9:30 a.m. in room 428A of the Russell Senate Office Building.

For further information, please contact Paul Cooksey at 224-5175.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Monday, June 16, 1997 at 10 a.m. to hold a hearing on: “State-Sanctioned Discrimination in America.”

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

SPECIAL COMMITTEE ON AGING

Mr. HELMS. Mr. President, I ask unanimous consent that the Special Committee on Aging be permitted to meet on June 16, 1997 at 2 p.m. for the purpose of a hearing.

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

ADDITIONAL STATEMENTS

TAX BENEFITS AT BROWNFIELDS

• Mr. ABRAHAM. Mr. President, this week, the Senate Finance Committee will begin consideration of the tax portion of this year's budget agreement. I strongly support the pro-family and pro-growth portions of that package and I intend to discuss these provisions at a later time. Today, I wanted to address the Senate regarding a smaller tax issue of interest to the State of Michigan and communities nationwide—targeting tax benefits at brownfields.

Mr. President, brownfields are abandoned commercial and industrial properties which are suspected of being environmentally contaminated. Earlier this year, I visited several locations in Michigan which fit this definition, and I want to relate to the Senate why this is an issue of national importance. It is an issue of community renewal, economic growth, job creation, and environmental remediation.

Heatherwood Farms in Lansing, MI is a good example of how brownfields affect all these issues. Located in a middle-class residential neighborhood with several other commercial properties, it was the former site of an industrial