

U.S. SENATE,

Washington, DC, February 25, 1999.

DEAR COLLEAGUE: As the 106th Congress begins, we wish to clarify to all colleagues, procedures governing the use of holds during the new legislative session. All Senators should remember the Grassley and Wyden initiative, calling for a Senator to "provide notice to leadership of his or her intention to object to proceeding to a motion or matter [and] disclose the hold in the Congressional Record."

While we believe that all Members will agree this practice of "secret holds" has been a Senatorial courtesy extended by party Leaders for many Congresses, it is our intention to address some concerns raised regarding this practice.

Therefore, at the beginning of the first session of the 106th Congress, all Members wishing to place a hold on any legislation or executive calendar business shall notify the sponsor of the legislation and the committee of jurisdiction of their concerns. Further, written notification should be provided to the respective Leader stating their intentions regarding the bill or nomination. Holds placed on items by a Member of a personal or committee staff will not be honored unless accompanied by a written notification from the objecting Senator by the end of the following business day.

We look forward to working with you to produce a successful new Congress.

Best regards,

TRENT LOTT,  
Majority Leader.  
TOM DASCHLE,  
Democratic Leader.

**DEPARTURE OF SANDRA STUART AS ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS**

Mr. LEVIN. Mr. President, last week the Defense Department and the Congress lost the services of an outstanding public servant when Sandi Stuart stepped down as the Assistant Secretary of Defense for Legislative Affairs.

For the last six years, beginning in 1993, Sandi Stuart has served as the senior legislative advisor to three Secretaries of Defense—our former colleague the late Les Aspin; Dr. Bill Perry; and the current Secretary of Defense Bill Cohen. During this time she has earned a well-deserved reputation as a skilled legislative strategist and an effective spokesperson for the Secretary of Defense and for the interests of the men and women in uniform and their families.

At the same time, because of her extensive experience over almost 15 years in senior staff positions in the House of Representatives, Sandi had tremendous credibility on Capitol Hill as someone who understood how Congress worked. She knew that to be successful working with Congress—particularly in the area of national security policy—requires an ability to work closely with members and staff on both sides of the aisle. She did that very well, and leaves the Defense Department with the respect and gratitude of Democratic and Republican members and staff alike.

Mr. President, I have worked closely with Sandi Stuart for the past six

years on a broad range of national security policy issues. She has done an outstanding job of meeting the needs of the Armed Services Committee, and I have come to rely heavily on her advice and counsel.

Mr. President, Sandi Stuart has also become a good friend, and we will miss her. I want to take this opportunity to thank her for her service to the country, and to wish her continued success in the private sector as she leaves the Department of Defense.

**THE VERY BAD DEBT BOXSCORE**

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, March 2, 1999, the federal debt stood at \$5,649,288,631,596.74 (Five trillion, six hundred forty-nine billion, two hundred eighty-eight million, six hundred thirty-one thousand, five hundred ninety-six dollars and seventy-four cents).

One year ago, March 2, 1998, the federal debt stood at \$5,514,791,000,000 (Five trillion, five hundred fourteen billion, seven hundred ninety-one million).

Five years ago, March 2, 1994, the federal debt stood at \$4,554,852,000,000 (Four trillion, five hundred fifty-four billion, eight hundred fifty-two million).

Ten years ago, March 2, 1989, the federal debt stood at \$2,743,744,000,000 (Two trillion, seven hundred forty-three billion, seven hundred forty-four million).

Fifteen years ago, March 2, 1984, the federal debt stood at \$1,468,923,000,000 (One trillion, four hundred sixty-eight billion, nine hundred twenty-three million) which reflects a debt increase of more than \$4 trillion—\$4,180,365,631,596.74 (Four trillion, one hundred eighty billion, three hundred sixty-five million, six hundred thirty-one thousand, five hundred ninety-six dollars and seventy-four cents) during the past 15 years.

**IMPROVING HUMAN RIGHTS IN CHINA**

Mr. ABRAHAM. I would like to call to the attention of my colleagues an article on "Improving Human Rights in China" written by Jim Dorn, vice president for academic affairs at the Cato Institute. Dorn advocates that Congress return to legislation "designed to change China's stand on human rights and to liberate the Chinese people from religious and political persecution." This call is particularly timely given the most recent wave of repression against those inside China who seek to widen freedom and political discourse in that country. Higher taxes in the form of higher tariffs is not the answer, as Dorn points out. However, that does not mean America and the U.S. Congress, and, indeed, the President, should not be strongly advocating the rule of law and respect for political dissent in China. I recommend Jim Dorn's piece to my colleagues and encourage continued vigilance in the

defense of civil liberties and freedom for the Chinese people. I ask unanimous consent that the text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Journal of Commerce, Feb. 8, 1999]

**IMPROVING HUMAN RIGHTS IN CHINA**

(By James A. Dorn)

The use or threat of trade sanctions to advance human rights in China has done relatively little to change policy in Beijing. Congress should consider alternative measures to improve human rights in China.

Trade sanctions are a blunt instrument; they often fail to achieve their objectives and end up harming the very people they are intended to help.

In the case of China, placing prohibitively high tariffs on Chinese products entering the United States in order to protest Beijing's dismal human rights record would cost U.S. consumers billions of dollars.

It would also slow the growth of China's nonstate sector, which has allowed millions of Chinese to move to more productive jobs outside the reach of the Communist Party. Isolating China would reverse the progress that has been made since economic reform began in 1978 and would create political and social instability.

A better approach is to continue to open China to the outside world and, at the same time, use non-trade sanctions and diplomacy to advance human rights. When China violates trade agreements or intellectual property rights, however, it should be held accountable, and carefully targeted trade sanctions may be warranted.

The piracy of intellectual property is a serious problem for Western firms. China has been a major offender of copyright laws and needs to comply with the rule of law. China's membership in the World Trade Organization should be conditioned on Beijing's adherence to international law.

The problem is that most less-developed countries, and even some developed countries, violate intellectual property rights. Using economic sanctions to punish pirates sounds good in theory, but in practice sanctions are seldom effective.

The real solution to piracy may have to wait for technological changes that make it very costly to steal intellectual property. And it may have to wait for the rule of law to evolve in China and other less-developed countries.

As China develops its own intellectual property, there will be a demand for new laws to protect property rights. The uncertainty created by China's failure to protect these rights can only harm China in the long run. Investors will not enter a market if they cannot reap most of the benefits of their investments.

Fan Gang, an economist at the Chinese Academy of Social Sciences, predicts that things will change in China as people discover that clearly defined and enforced property rights are to their advantage.

People, he said, "are bound to find that all this cheating and protecting yourself from being cheated consume too much time and energy, and that the best way to do business is playing by a set of mutually respected rules. New rules and laws will be passed, and people will be ready to abide by them."

The United States has considerable leverage in dealing with China and should not let it dictate U.S. foreign policy or allow human rights to be a nonissue.

The United States is China's largest export market, and U.S. investors rank third in terms of foreign direct investment in China.

Clearly China would be harmed by any significant cutback in trade with an investment from the United States.

The problem is that any sizable cutback would also harm the United States and the world economy.

To avoid the high costs (and low probable benefits) that stem from the use of trade sanctions, Congress should consider using non-trade sanctions such as cutting of the flow of taxpayer-financed aid to China—including aid from the International Monetary Fund, the World Bank, and the Asian Development Bank.

Another possible non-trade sanction is making public the names of companies known to be using prison labor or companies run by the People's Liberation Army so that U.S. consumers can boycott their products.

The China Sanctions and Human Rights Advancement Act, S. 810, introduced in the 105th Congress by Sen. Spencer Abraham, R-Mich., lists those and other measures designed to move China toward a free society.

The 106th Congress should return to that and other legislation designed to change China's stand on human rights and to liberate the China people from religious and political prosecution.

(The passage of H.R. 2647, one of four "Freedom of China" bills enacted by the 105th Congress as part of the 1999 Defense Authorization Act, is a step in the right direction. That bill requires publication of the names of PLA-run companies operating in the United States.)

Congress should recognize that advancing economic freedom in China has had positive effects on the growth of China's civil society and on personal freedom.

According to Chinese dissident Wang Dan, "Economic change does influence political change. China's economic development will be good for the West as well as for the Chinese people."

#### MESSAGES FROM THE HOUSE

At 1:17 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 221. An act to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products.

H.R. 514. An act to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes.

H.R. 609. An act to amend the Export Apple and Pear Act to limit the applicability of the Act to apples.

H.R. 669. An act to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes.

H.R. 818. An act to amend the Small Business Act to authorize a pilot program for the implementation of disaster mitigation measures by small business.

H.R. 882. An act to nullify any reservation of funds during fiscal year 1999 for guaranteed loans under the Consolidated Farm and Rural Development Act for qualified beginning farmers or ranchers, and for other purposes.

H.J. Res. 32. Joint resolution expressing the sense of the Congress that the President and the Congress should join in undertaking the Social Security Guarantee Initiative to strengthen the Social Security program and protect the retirement income security of all Americans for the 21st century.

The message also announced that pursuant to the provisions of section 6(b) of the National Foundation on the Arts and the Humanities Act of 1965, as amended by section 346(e) of Public Law 105-83, the Speaker appoints the following Member of the House to the National Council on the Arts: Mr. BALLENGER of North Carolina.

The message further announced that the provisions of subsection (c)(3) of the Trade Deficit Review Commission Act (division A, Public Law 105-277), the Speaker appoints the following person on the part of the House to the Trade Deficit Review Commission: Mrs. Carla Anderson Hills of Washington, D.C.

#### MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 221. An act to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products; to the Committee on Health, Education, Labor, and Pensions.

H.R. 514. An act to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 609. An act to amend the Export Apple and Pear Act to limit the applicability of the Act to apples; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 669. An act to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes; to the Committee on Foreign Relations.

H.R. 818. An act to amend the Small Business Act to authorize a pilot program for the implementation of disaster mitigation measures by small business; to the Committee on Small Business.

H.J. Res. 32. Joint resolution expressing the sense of the Congress that the President and Congress should join in undertaking the Social Security Guarantee Initiative to strengthen the Social Security program and protect the retirement income security of all Americans for the 21st century; to the Committee on Finance.

#### MEASURE PLACED ON THE CALENDAR

The following bills were read the second time and placed on the calendar:

H.R. 350. An act to improve congressional deliberations on proposed Federal private sector mandates, and for other purposes.

S. 508. A bill to prohibit implementation of "Know Your Customer" regulations by the Federal banking agencies.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1968. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's report on the military

expenditures of countries receiving U.S. assistance in 1998; to the Committee on Appropriations.

EC-1969. A communication from the Deputy Associate Director for Royalty Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a notice of proposed refunds or recoupments of offshore lease revenues dated February 17, 1999; to the Committee on Energy and Natural Resources.

EC-1970. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, certification that the Future Years Defense Program fully funds the support costs of the E-2C "Hawkeye" multiyear procurement program; to the Committee on Armed Services.

EC-1971. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyriproxyfen; Pesticide Tolerances for Emergency Exemptions" (FRL6062-4) received on February 22, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1972. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Election in Respect of Losses Attributable to a Disaster" (Rev. Rul. 99-13) received on February 22, 1999; to the Committee on Finance.

EC-1973. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a list of international agreements other than treaties entered into by the United States (99-14 to 99-18); to the Committee on Foreign Relations.

EC-1974. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determination" (64 FR7107) received on February 22, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1975. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (64 FR7109) received on February 22, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1976. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determination" (Docket FEMA7272) received on February 22, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1977. A communication from the Managing Director of the Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Freedom of Information Act Regulation" (RIN3069-AA71) received on February 22, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1978. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report under the Superfund Amendments and Reauthorization Act for fiscal year 1998; to the Committee on Environment and Public Works.

EC-1979. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans: Revisions to the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control