REGULATORY OPENNESS AND FAIRNESS ACT OF 1999

Mr. BURNS. Mr. President I rise today to speak on the Regulatory Openness and Fairness Act of 1999, of which I am an original cosponsor.

This legislation will ensure that the Food Quality Protection Act (FQPA) will carry out its original intent while protecting agricultural producers from unnecessary regulations. The FQPA, enacted in 1996, was put in place to ensure that highest level of food safety. This is a necessary and worthwhile goal. However, the EPA currently makes rulings that are based on data without a sound science base. Instead, assumptions are based on propaganda and worst-case scenarios.

This legislation requires EPA to modernize the laws governing pesticide use, using science-based data and evaluations. This will ensure that American consumers will continue to receive the world's safest food supply, and still allow those agricultural producers that provide food and fiber the means to do so.

This bill will also require EPA to establish and administer a program for tracking the effect of regulatory decisions of U.S. agriculture as compared to world trends. Producers in other countries often do not face the regulatory nightmare American producers do. This will provide a measure for that different and the impact it has on agricultural producers in the U.S.

Additionally, this bill will establish a permanent Pesticide Advisory Committee including food consumers, environmental groups, farmers, non-agricultural pesticide users, food manufacturers, food distributors, pesticide manufacturers, federal and state agencies. Such a diverse group will serve all interests and maintain a safe food supply.

I thank Mr. HAGEL for sponsoring this fine bill and look forward to working with him in its passage. Through it we can work for the good of agriculture and food consumers alike.

ADMINISTRATION'S CONSTRUCTIVE ENGAGEMENT WITH CHINA

Mr. GORTON. Mr. President, I submit for the CONGRESSIONAL RECORD a column by Michael Kelly that appeared in the July 28th edition of the Washington Post. Mr. Kelly asks in his column whether it ''strikes anyone as odd'' that the Clinton-Gore Administration continues desperately to hand onto its policy of ''constructive engagement'' with China, even as Beijing breaths fire in response to reasonable statement made by the freely- and fairly-elected President of Republic of China on Taiwan.

This Senator, for one, has serious questions about the wisdom of President Clinton's foreign policy as it relates to China, and the competence of the Clinton-Gore Administration to protect and advance America's interest in this vital region of the world.

In response to statements by Taiwan's President Lee Teng-hui that discussions and talks between Taiwan and China should be conducted on a ''special state-to-state'' basis, China has repeatedly issued not-so-veiled threats of its intent to use military force against Taiwan unless President Lee retracts his statements.

What was the response of the Clinton-Gore Administration? Let me reference a news story from the July 26th edition of the Washington Post entitled ''Albright, Chinese Foreign Minister Hold 'Very Friendly Lunch.' '' The article reads in part,

> Lee's announcement triggered a ferocious response by Beijing. Washington also criticized it and dispatched a representative to pressure Taiwan to modify its statement.
>
> Today, Albright said that Richard Bush, the U.S. envoy to Taiwan, told Lee ''that there needs to be . . . a peaceful resolution to this and a dialogue. And I think that the explanations offered thus far don't quite do it.''

Mr. President, this is an amazing as it is outrageous. Rather than defend the Republic of China on Taiwan and its right to live in peace and choose its own form of government, Secretary of State Albright has a ''very friendly lunch'' with one of the highest ranking members of the repressive communist Chinese regime while one of her assistants reprimands and pressures Taiwan to appease China. Can it truly be our nation's policy is to protect China from Taiwan?

Taiwan is not the bully in this matter. Taiwan deserves America's commitment to defend it against China's threats. Our nation should proudly and firmly stand by Taiwan, a blooming and prosperous democracy where free speech, religious freedom and the benefits of capitalism are practiced and enjoyed. The United States should stand in the future, as it has in the past, for freedom and democracy whenever those great qualities are threatened by the forces of repression.

Mr. President, I ask unanimous consent that the article ''On The Wrong Side,'' by Michael Kelly be printed in the RECORD.

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

[From the Washington Post, July 28, 1999]

ON THE WRONG SIDE

(By Michael Kelly)

Back in the dear, dead days when the Democratic Party stood for dreams a bit loftier than clinging to power, the labor wing of the party liked to ask a question: ''Whose side are you on?'' It was a good question because it was an awkward one and an inescapable one. The question presents itself these days, awkwardly and inescapably as always, in the matter of Taiwan and China. Whose side are we on?

On the one hand, we have Taiwan, which is an ally and a democracy. It is not a perfect ally nor a perfect democracy (but neither is the United States). Formed out of the nationalist movement that lost China to Mao's Communists, Taiwan increasingly has wished for independent statehood. In recent years, as the island has become more democratic and more wealthy, it has become more aggressive in expressing this wish.

On the one hand, we have China. The People's Republic is a doddering, desperate despotism, in which a corrupt oligarchy presides, only by the power of the gun, over a billion people who would rather live in freedom. China has always regarded Taiwan as an illegitimately errant province, ultimately to be subjugated to Beijing's rule. In recent years, as China's rulers have found themselves increasingly uneasy on their thrones, they have attempted, in the usual last refuge of dictators, to excite popular support by threatening belligerence against an exterior enemy—in this case, Taiwan.

For two decades, the United States has supported a deliberately ambiguous policy, which says that there should be ''one China,'' but carefully does not say who should rule that China. Ambiguity worked pretty well for a long time, but it is a Cold War relic whose logic has expired, and its days are running out.

Two weeks ago, Taiwan's president, Lee Teng-hui, recognized this reality and said that henceforth Taiwan and China should deal with each other on a ''state-to-state'' basis. Beijing reacted with its usual hysterical bellicosity. This week, Chinese Foreign Minister Tang Jiaxuan used a session of the Association of Southeast Asian Nations to again threaten Taiwan: ''If there occur any action for Taiwan independence and any attempt by foreign forces to separate Taiwan from the motherland, the Chinese people and government will not sit back,'' Tang said. He added a warning to Secretary of State Madeleine Albright to ''be very careful not to say anything to fan the flames'' of independence.

Not to worry. Neither Madame Secretary nor anyone else in the Clinton administration has the slightest intention of fanning freedom's flames. Quite the contrary. The administration has reacted to Lee's ''state-to-state'' remarks by repeatedly reassuring Beijing that the United States is entirely with it in this matter. On Monday Albright made a point of saying that Lee's efforts to back off of his remarks ''thus far don't quite do it.'' So, we are on China's side.

We are on the side of a regime that, the administration's own Justice Department tells us, has engaged in (1) a massive and perhaps still ongoing campaign to steal America's most valuable nuclear secrets; and (2) an effort to corrupt the 1996 elections by funneling cash to, principally, the Clinton-Gore campaign and the Democratic National Committee.

We are on the side of a regime that, the administration assures, is becoming more tolerant of political freedom. Is that so? Beijing has intensified the persecution of political dissidents since Clinton began his policy of ''constructive engagement'' with China. Most recently, Beijing has been hosting old-fashioned Stalinist show trials of democratic dissidents; three organizers of the fledgling China Democratic Party drew sentences of, respectively, 13, 12 and 11 years.

China also continues its campaign to destroy independent religious movements. Accordingly to the group Human Rights in China, the regime arrested 7,410 leaders of the Protestant house-church movement in two months last year. Currently, Beijing is undertaking a countrywide effort to stamp out the spiritual movement Falun Gong. The New York Times reports that more than 5,000 people have been arrested, and 1,200 government officials who are movement members have been shipped off to re-education schools to study Communist Party doctrine.

We are on the side of a regime that forces abortions on women who attempt to give ''unplanned'' births; a regime that exploits

the accidental bombing of its embassy to incite anti-American riots, threatening U.S. citizens; a regime that continues to sell weapons of mass destruction to rogue states inimical to U.S. interests.

We are acting against a regime that seeks democratic independence and a society rooted in the pursuit of life, liberty and happiness.

Doesn't any of this strike anyone as odd?

THE U.S. ARMY SCHOOL OF THE AMERICAS

Mr. CLELAND. Mr. President, I rise today to express my continued support for the U.S. Army School of the Americas (SOA), located at Fort Benning, Georgia. Legislation has been introduced by my colleagues both in the House and the Senate which would close the School of the Americas, and last evening the House adopted an amendment to do so. Mr. President, I rise to support the School of the Americas and the vital mission it performs in encouraging diplomacy and democracy within the militaries located in the Americas.

The School of the Americas has been a key instrument of U.S. foreign policy in Latin and Southern America for over fifty years and is the single most important instrument of our National Security Strategy of engagement in the Southern Hemisphere.

The legislation opposing the School has been accompanied by a mountain of communications alleging that this School, operated by the U.S. Army and funded by taxpayers' dollars, is the cause of horrendous human rights abuses in Central and South America. In twelve separate investigations since 1989, the Department of Defense, the Army, the GAO and others have found nothing to suggest that the School either taught or inspired Latin Americans to commit such crimes. Yet, sponsors of these measures reproduce the critics' list of atrocities allegedly committed by a small number of graduates in order to transfer responsibility for these crimes to the backs of the School and the Army rather than to the individuals themselves.

The School is, and always has been, a U.S. Army training and education institution teaching the same tactics, techniques, and procedures taught at other U.S. Army schools and imparting the very same values that the Army teaches its own soldiers. These U.S. military personnel receive the same training as all graduates of our military schools. To suggest that terrorist activities are taught to students would suggest that we in fact teach terrorist activities to all of our own military personnel. This is assuredly not the case.

The School is commanded by a U.S. Army colonel whose chain of command includes the Commanding General of the U.S. Army Infantry Center and the Commanding General of the U.S. Army Training and Doctrine Command. The School also receives oversight and direction from the Commander-in-Chief of U.S. Southern Command. The School's staff and faculty includes over 170 U.S. Army officers, noncommissioned officers, enlisted soldiers, and Department of the Army civilians. The School counts among its graduates over 1,500 U.S. military personnel including five general officers currently serving on active duty in our military.

I agree completely with critics of the School that ''Human rights is not a partisan issue,'' and I further agree that, in the past there were indeed some shortcomings in the School's fulfillment of its mission to transmit all of the values we hold dear in our country. In that regard, today, the U.S. Army School of the Americas has the U.S. Army's premier human rights training program. The program has been expanded in recent years in consultation with the International Committee of the Red Cross and Mr. Steve Schneebaum, a noted human rights attorney and a member of the School's Board of Visitors. Every student and instructor at the School receives mandatory human rights instruction and the International Committee of the Red Cross teaches human rights each year during the School's Command and General Staff and Peace Operations courses. Last year, over 900 Latin American soldiers, civilians, and police received human rights instruction at the U.S. Army School of the Americas.

Latin America is currently undergoing an unparalleled transformation to democratic governance, civilian control of the military, and economic reform along free market principles. Almost every nation in Latin America has a democratically elected government. During this transition, the region's militaries have accepted structural cuts, reduced budgets, and curtailed influence in society. In many cases, their acceptance of this new reality has been encouraged and enhanced by the strategy of engagement of which the U.S. Army School of the Americas is an integral part. However, many Latin American democracies are fragile. True change does not occur in days, months, or even years. We must continue to engage Latin American governments, including their militaries. Marginalizing or ignoring the militaries of the region will not help in consolidating hard-won democracy but, instead, will have the opposite effect. Our efforts to engage the militaries of the region are more important and more relevant than ever. The U.S. Army School of the Americas is unique in this regard because it trains and educates large numbers of Latin American students who cannot be accommodated in other U.S. military service schools due to limited student spaces and the inability of other U.S. military schools to teach in Spanish.

Over the years, changes have been made to enhance the School's focus on human rights and diplomacy. Recently introduced courses such as Democratic Sustainment, Humanitarian Demining, International Peacekeeping Operations, Counternarcotics Operations, and Human Rights Train-the-Trainer, directly support shared security interests in the region, and are not offered elsewhere. Other proposed changes include placing the School under the jurisdiction of U.S. Southern Command and expanding the Board of Visitors to include congressional membership—both proposals which I strongly support.

By focusing on the negative, critics ignore the many recent positive contributions that U.S. Army School of the Americas graduates have made. In 1995, this nation helped broker a cease fire between Peru and Ecuador when a historical border dispute threatened to ignite into war. The key members of the delegations that put together that accord were U.S. Army School of the Americas graduates, from Peru, from Ecuador, and from the guarantor nations of the United States and Chile. In fact, the Commander of the U.S. contingent to the multinational peacekeeping force, who received special recognition from the State Department for ''extraordinary contributions to U.S. diplomacy,'' was a 1986 graduate of the School's Command and General Staff course, and serves as the current Commandant of the School. More recently, in 1997, the President of Ecuador was removed from office, creating a constitutional crisis. Some of the people of Ecuador called for the military to take power, but their military refused. Many of the officers in the high command were U.S. Army School of the Americas graduates. Finally, less than four months ago, the President of Paraguay was impeached for misconduct. Once again, a constitutional crisis ensued. Once again, the military refused to take power. Once again many of the officers in that military were U.S. Army School of the Americas graduates, including one general officer who played a key role in the refusal.

I ask each of you to take a careful look at the U.S. Army School of the Americas as it exists today. Look to the future. As stated by the School's critics, ''The contentious politics of U.S. foreign policy in Central America in the 1980s are over.'' I strongly urge you to continue your support of the Army School of the Americas and the U.S. Army.

REGULATORY FAIRNESS AND OPENNESS ACT

Mr. GORTON. Mr. President, I rise today to signify my support for the introduction of the Regulatory Fairness and Openness Act of 1999.

According to data compiled in the last five years, the State of Washington produces more than 230 food, feed and seed crops; ranks in the top five for the value of the commodities produced; leads the nation in the production of apples, spearmint oil, red raspberries, hops, edible peas and lentils, asparagus, sweet cherries, and