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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable Wayne ALLARD, a Senator from the State of Colorado.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, we thank You for Your care. We can cast all our cares on You because You have shown us that You care for all our needs. Help us emulate the depth of Your caring in our relationships and responsibilities.

In a culture that has become careless, help us to really care. Seven words help us to express this character trait of caring. May we communicate to one another in word and action, "I really care about what concerns you!" Help us to truly mean that. Show us what we can do to affirm our caring for people. Whisper in our hearts the words of encouragement those around us need to hear from us.

Help us to care for our Nation and its future. May the Senators' caring for every phase of our society be an example to America. We intercede for our Nation. May there be a great crusade of caring beginning here and spreading across this land. May children see from their parents and leaders that caring is not only crucial, it is the crux of our civilization. We dedicate ourselves to caring because You care for us so consistently. Make us courageous, caring people. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 17, 2000.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WAYNE ALLARD, a Senator from the State of Colorado, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

SCHEDULE

Mr. SPECTER. Mr. President, I have been asked to make a statement on behalf of the leader at the outset.

Today, the Senate will resume consideration of the military construction appropriations bill. Senator SPECTER will be recognized to speak for up to 30 minutes under the previous order. Following that statement, the Senate will have approximately 3 hours and 30 minutes on the Daschle and Lott amendments to the military construction appropriations legislation. Votes on those amendments are scheduled to occur at approximately 1:30 p.m.

It is the intention of the leader to complete action on the military construction appropriations bill during today's session, with the hope of beginning consideration of the foreign operations appropriations bill no later than Thursday.

Senators can anticipate votes throughout the day and throughout the remainder of the week.

MEASURES PLACED ON THE CALENDAR—S. 2557 and S. 2567

Mr. SPECTER. Mr. President, I understand there are two bills at the desk due for their second reading. I make that statement on behalf of the leader.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (S. 2557) to protect the energy security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the year 2010 by enhancing the use of renewable energy resources, conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies, mitigating the effect of increases in energy prices on the American consumer, including the poor and the elderly, and for other purposes.

A bill (S. 2567) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes.

Mr. SPECTER. Mr. President, on behalf of the leader, I object to further proceedings on these bills at this time.

The ACTING PRESIDENT pro tempore. Under the rule, the bills will be placed on the calendar.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

The ACTING PRESIDENT pro tempore. The Senate will now resume consideration of the S. 2521, which the clerk will report by title.

The bill clerk read as follows:

A bill (S. 2521) making appropriations for military construction, family housing, and

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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base realignment and closure for the Department of Defense, for the fiscal year ending 2001 and for other purposes.

Pending:

Daschle amendment No. 3148, to express the sense of the Senate with regard to the Million Mom March and gun safety legislation.

Lott amendment No. 3150, to express the sense of the Senate with regard to the second amendment of the U.S. Constitution, the enforcement of Federal firearms laws, and the juvenile crime conference.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 4 hours of debate equally divided between the two leaders or their designees for the purpose of debating the Daschle amendment No. 3148 and the Lott amendment No. 3150.

Under the previous order, the Senator from Pennsylvania, Mr. SPECTER, is recognized to speak for up to 30 minutes.

NORMAL TRADE RELATIONS FOR THE PEOPLE'S REPUBLIC OF CHINA

Mr. SPECTER. Mr. President, I thank the leader for entering the order giving me 30 minutes for a statement this morning. I have sought that time to speak on what I believe to be one of the most important issues which will be presented to the Congress this year; that is, the issue of permanent normal trade relations for the People's Republic of China.

The Senate is scheduled to take up this issue sometime next month, depending upon what the House of Representatives does. The House of Representatives is scheduled to consider this matter next week. I thought it appropriate to make this statement at this time, to give my views on important issues of weapons of mass destruction and nuclear proliferation, insights which I gained, in large part, from serving on the Senate Intelligence Committee for some 8 years, including 2 years as chairman during 1995 and 1996, and other insights on related matters which I have seen in my capacity as chairman of the Judiciary subcommittee on oversight of the Department of Justice.

My own record has been that of a strong free trader. I have supported NAFTA, the North American Free Trade Agreement. I have supported free trade with the Caribbean nations. I supported, last week, free trade with the African nations. I believe the long tugs and pulls of the economy, both domestic and international, strongly support the notion of free trade.

But I am opposed, strongly opposed to granting permanent normal trade relations to the People's Republic of China because of their record on nuclear proliferation, of weapons of mass destruction, because of their record on human rights, and because the executive branch, the administration, has not imposed sanctions as required by law to stop or inhibit such nuclear pro-

liferation but, in fact, has taken affirmative action to grant waivers. So it is necessary for Congress to exercise our constitutional responsibility of checks and balances and congressional oversight of the executive branch, to see to it the national interest is preserved.

The Congress has authority under the Constitution. There are some constitutional inhibitions which prohibit the Congress from delegating that authority to the executive branch. I am not necessarily saying that permanent trade with China would be such an unconstitutional delegation, but at the very minimum it is an unwise delegation, based on this state of the record, based on the necessity to impose restraints on conduct of the People's Republic of China, not only as to human rights—fundamental, important human rights—but of greater magnitude, the threat to international peace through their proliferation of weapons of mass destruction.

During my tenure on the Intelligence Committee I saw many instances of the People's Republic of China supplying rogue nations, nations which constitute a threat to world order, with weapons of mass destruction.

For example, the People's Republic of China provided M-11 missiles to Pakistan back in 1992. Those missiles, now armed with nuclear warheads, are pointed at India, creating a nuclear threat to the subcontinent, the possibility of a nuclear exchange between India and Pakistan, and threatening world peace.

The People's Republic of China has assisted North Korea's missile program by providing specialty steel, accelerometers, gyroscopes, and precision grinding machinery. The People's Republic of China is providing assistance to Libya's long-range missile program by assisting in the building of a hypersonic wind tunnel which is useful for designing missiles and cooperating in the development of Libya's Al Fatah missile which has a range of some 600 miles, threatening peace and stability in that area.

The People's Republic of China has helped Pakistan, Iran, North Korea, and Libya in a way which is very destabilizing.

What has been the reaction of the Clinton administration to these issues? The transfer of M-11 missiles to Pakistan falls under category 1 of the Missile Technology Control Regime, which is set up to establish gradations in seriousness of violations. That is category 1.

The 1991 National Defense Authorization Act mandates the President to deny for not less than 2 years certain licenses, and we find not only has the President not taken those steps on sanctions, but has, in addition, moved ahead and granted affirmative waivers to facilitate developing China's ballistic missile capability. Those waivers were granted in a celebrated case on the application of Loral Space and Technology.

A series of events, beginning in 1992, involving both Hughes and Loral demonstrates a very serious problem on transmitting to the People's Republic of China high-level technology.

On December 21, 1992, a Chinese Long March 2E rocket carrying a Hughes manufactured satellite crashed shortly after takeoff. Without attaining the required State Department license, the Hughes personnel engaged in a series of discussions with Chinese officials, giving them very important information.

On January 26, 1995, a Chinese Long March 2E missile carrying another Hughes satellite exploded approximately 50 seconds after takeoff. A 1998 State Department assessment showed that, "Hughes directly supported the Chinese space program in the areas of [accident analysis] . . ."

The Cox committee reviewed these matters and called for a very detailed investigation as to what had actually occurred.

On February 15, 1996, the People's Republic of China's Long March 3B missile exploded with a communications satellite on board built by Loral. Following these explosions, Loral and Hughes transmitted to the People's Republic of China their assessments of why the rockets failed. The assessments required a prior license from the Department of State which had not been obtained.

In May 1997, a classified Department of Defense report concluded that Loral and Hughes significantly enhanced the guidance and control systems of the People's Republic of China's nuclear ballistic systems. As a result of the Department of Defense report, the U.S. Department of Justice began a criminal investigation of Loral and Hughes. Then Loral applied for a waiver from the Clinton administration to launch another satellite from a Chinese rocket.

The Department of Justice weighed in and objected to a Presidential grant of a waiver on the ground that such a waiver would have "a significant adverse impact on any prosecution that might take place based on a pending investigation of export violations by Loral."

Notwithstanding the very serious issue of China having sold M-11 missiles to Pakistan creating a threat of nuclear war, notwithstanding the fact that Loral and Hughes gave an assessment to China which significantly enhanced their nuclear capability system, notwithstanding the fact that there was a criminal investigation pending by the Department of Justice, notwithstanding the fact that the Department of Justice objected to the grant of a waiver on the ground that it would have an adverse impact on their criminal investigation potential prosecution, the President on February 18 of 1998 granted the waiver.

What are we to make of all of that, and why, in fact, was the waiver granted? A preliminary investigation has shown that in an early memorandum in