

The bill (H.R. 4589) was read the third time and passed.

FREEDOM IN HONG KONG

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 494, S.J. Res. 33.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 33) expressing support for freedom in Hong Kong.

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Foreign Relations with an amendment and an amendment to the preamble.

[Strike the parts shown in black brackets and insert parts shown in italic.]

S.J. RES. 33

[Whereas according to the April 1, 2004, "U.S.-Hong Kong Policy Act Report" by the Department of State, "The United States has strong interests in the protection of human rights and the promotion of democratic institutions throughout the world. The Hong Kong people share many values and interests with Americans and have worked to make Hong Kong a model of what can be achieved in a society based on the rule of law and respect for civil liberties";

[Whereas according to section 103(3) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5713(3)), "The United States should continue to treat Hong Kong as a territory which is fully autonomous from the United Kingdom and, after June 30, 1997, should treat Hong Kong as a territory which is fully autonomous from the People's Republic of China with respect to economic and trade matters";

[Whereas the Government of the Hong Kong Special Administrative Region (SAR) and the People's Republic of China have frustrated the gradual and orderly process toward universal suffrage and the democratic election of the legislature and chief executive in Hong Kong as envisioned by the Basic Law of the Hong Kong SAR; and

[Whereas the Standing Committee of the National People's Congress of the People's Republic of China on April 6, 2004, declared itself, as opposed to the people of Hong Kong, the final arbiter of democratic reform: Now, therefore, be it]

Whereas according to the April 1, 2004, report by the Department of State entitled U.S.-Hong Kong Policy Act Report, "The United States has strong interests in the protection of human rights and the promotion of democratic institutions throughout the world. The Hong Kong people share many values and interests with Americans and have worked to make Hong Kong a model of what can be achieved in a society based on the rule of law and respect for civil liberties";

Whereas according to section 103(3) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5713(3)), "The United States should continue to treat Hong Kong as a territory which is fully autonomous from the United Kingdom and, after June 30, 1997, should treat Hong Kong as a territory which is fully autonomous from the People's Republic of China with respect to economic and trade matters";

Whereas the People's Republic of China has frustrated the gradual and orderly process toward universal suffrage and the democratic election of the legislature and chief executive in

Hong Kong as envisioned by the Basic Law of the Hong Kong SAR; and

Whereas on April 6, 2004, the Standing Committee of the National People's Congress of the People's Republic of China declared itself, as opposed to the people of Hong Kong, the final arbiter of democratic reform and, on April 26, 2004, declared that universal suffrage would not apply to the election of the third Chief Executive in 2007 or to the election of all members of the fourth Legislative Council in 2008: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That Congress—~~

[(1) declares that the people of Hong Kong should be free to determine the pace and scope of constitutional developments; and

[(2) calls upon the President of the United States to—

[(A) call upon the People's Republic of China, the National People's Congress, and any groups appointed by the Government of the People's Republic of China to guarantee that all revisions of Hong Kong law are made according to the wishes of the people of Hong Kong as expressed through a fully democratically elected legislature and chief executive;

[(B) declare that the continued lack of a fully democratically elected legislature in Hong Kong constitutes a violation of the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984 (the Sino-British Joint Declaration of 1984); and

[(C) call upon the Government of the People's Republic of China to honor its treaty obligations under the Sino-British Joint Declaration of 1984.]

~~That Congress—~~

(1) declares that the people of Hong Kong should be free to determine the pace and scope of constitutional developments; and

(2) calls upon the President of the United States to—

(A) call upon the People's Republic of China, the National People's Congress, and any groups appointed by the Government of the People's Republic of China to guarantee that all revisions of Hong Kong law reflect the wishes of the people of Hong Kong as expressed through a fully democratically elected legislature and chief executive;

(B) declare that the continued lack of a fully democratically elected legislature in Hong Kong is contrary to the vision of democracy set forth in the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984 (the Sino-British Joint Declaration of 1984); and

(C) call upon the Government of the People's Republic of China to honor its treaty obligations under the Sino-British Joint Declaration of 1984.

Mr. FRIST. Mr. President, I ask unanimous consent that the Feinstein amendment at the desk be agreed to, the committee amendment, as amended, be agreed to, the resolution, as amended, be read three times and passed, the preamble, as amended, be agreed to, the motions to reconsider be laid upon the table en bloc, and any statements relating to the joint resolution be printed in the RECORD.

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

The amendment (No. 3473) was agreed to, as follows:

(Purpose: To express support for democratic activity in Hong Kong)

On page 5, line 6, strike "all".

On page 5, line 8, strike "a fully" and insert "universal suffrage and a".

On page 5, beginning on line 11, strike all through line 23, and insert the following:

(B) declare that the lack of movement towards universal suffrage and a democratically elected legislature in Hong Kong is contrary to the vision of democracy set forth in the Basic Law of the Hong Kong Special Administrative Region and in the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing, December 19, 1984 (the Sino-British Joint Declaration of 1984); and

(C) call upon the Standing Committee of the National People's Congress to guarantee that the Hong Kong Government develop and implement a plan and timetable to achieve universal suffrage and the democratic election of the legislature and chief executive of Hong Kong as provided for in the Basic Law of the Hong Kong Special Administrative Region, promulgated on July 1, 1997.

The committee amendment, as amended, was agreed to.

The joint resolution (S.J. Res. 33) was passed.

The preamble, as amended, was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 33

Whereas according to the April 1, 2004, report by the Department of State entitled U.S.-Hong Kong Policy Act Report, "The United States has strong interests in the protection of human rights and the promotion of democratic institutions throughout the world. The Hong Kong people share many values and interests with Americans and have worked to make Hong Kong a model of what can be achieved in a society based on the rule of law and respect for civil liberties";

Whereas according to section 103(3) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5713(3)), "The United States should continue to treat Hong Kong as a territory which is fully autonomous from the United Kingdom and, after June 30, 1997, should treat Hong Kong as a territory which is fully autonomous from the People's Republic of China with respect to economic and trade matters";

Whereas the People's Republic of China has frustrated the gradual and orderly process toward universal suffrage and the democratic election of the legislature and chief executive in Hong Kong as envisioned by the Basic Law of the Hong Kong SAR; and

Whereas on April 6, 2004, the Standing Committee of the National People's Congress of the People's Republic of China declared itself, as opposed to the people of Hong Kong, the final arbiter of democratic reform and, on April 26, 2004, declared that universal suffrage would not apply to the election of the third Chief Executive in 2007 or to the election of all members of the fourth Legislative Council in 2008: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That Congress—~~

(1) declares that the people of Hong Kong should be free to determine the pace and scope of constitutional developments; and

(2) calls upon the President of the United States to—

(A) call upon the People's Republic of China, the National People's Congress, and any groups appointed by the Government of the People's Republic of China to guarantee that revisions of Hong Kong law reflect the wishes of the people of Hong Kong as expressed through universal suffrage and a

democratically elected legislature and chief executive;

(B) declare that the lack of movement towards universal suffrage and a democratically elected legislature in Hong Kong is contrary to the vision of democracy set forth in the Basic Law of the Hong Kong Special Administrative Region and in the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing, December 19, 1984 (the Sino-British Joint Declaration of 1984); and

(C) call upon the Standing Committee of the National People's Congress to guarantee that the Hong Kong Government develop and implement a plan and timetable to achieve universal suffrage and the democratic election of the legislature and chief executive of Hong Kong as provided for in the Basic Law of the Hong Kong Special Administrative Region, promulgated on July 1, 1997.

ORDERS FOR WEDNESDAY, JUNE 23, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 9:30 a.m. on Wednesday, June 23; I further ask that following the prayer and the pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of Calendar No. 503, S. 2400, the Department

of Defense authorization bill, as provided under the previous order.

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

The Senator from Nevada.

Mr. REID. Mr. President, this has been a very contentious day on occasion. I would like to add what I hope will be a moment of pleasantness to what we do here, and that is talk about the Presiding Officer who has the patience of—I don't know if it is a Job at this stage, but a lot of patience because he has sat through the longest quorum call we have had in a long time which the Presiding Officer called himself. So on behalf of the Senate, the junior Senator from Missouri deserves our applause and congratulations for his patience.

Mr. FRIST. Mr. President, I second the commendation of the Presiding Officer. At times, I wish I had been in his chair instead of my chair, as we went through these negotiations.

PROGRAM

Mr. FRIST. Tomorrow the Senate will resume consideration of the Defense authorization bill under the previous order. When the Senate resumes consideration of the Defense bill, there will be a total of 100 minutes of debate in relation to five separate amendments. At approximately 11:15 tomorrow, the Senate will proceed to up to

five stacked rollcall votes on amendments to the Defense bill. Following those votes, the Senate will continue working through amendments. The chairman and ranking member were able to dispose of a number of amendments tonight, but over 30 remain pending. Votes are expected throughout the afternoon tomorrow as the Senate moves toward passage of the bill. In addition to votes in relation to the amendments, the Senate will also vote on several judicial nominations during tomorrow's session. As I just stated, if we are unable to finish the bill tomorrow, a cloture vote will occur on Thursday to bring this bill to a close.

Finally, I would add that the Appropriations Committee finished their work on the Defense Appropriations bill. It is important that we address this bill as well prior to the week's close.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in recess under the previous order.

There being no objection, the Senate, at 9:58 p.m., recessed until Wednesday, June 23, 2004, at 9:30 a.m.