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Senators Voting for Legislation Favoring Croatia:

Robert Byrd (WV)
Donald Riegle (MI)
Don Nickles (OK)
Bob Dole (KS)
Claiborne Pell (RI)
Larry Pressler (SD)
Alan Simpson (WY)
D'Amato Alfonse (NY)
Howard Metzenbaum (OH)
John McCain (AZ)
Robert Kasten (WI)
Strom Thurmond (SC)
Connie Mack (FL)
Richard Lugar (IN)
Pete Domenici (NM)
Joseph Lieberman (CT)
John Warner (WV)
Jesse Helms (NC)

18 OF 18 37 LINES
PART CONGRESSIONAL RECORD (SENATE)
DATE June 2, 1987
TITLE STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

(CONTINUED)

TEXT BY MR. DECONCINI (FOR HIMSELF, MR. GRASSLEY, MR. LAUTENBERG, MR. D'AMATO, MR. NICKLES, MR. FOWLER, MR. SARBANES, MR. GORE, MR. EXON, MR. PRESSLER, MR. DURENBERGER, MR. BRADLEY, MR. DODD, MR. ADAMS, MR. MOYNIHAN, MR. GLENN, MR. LUGAR, MR. MCCLURE, MR. REID, MS. MIKULSKI, MR. LEVIN, MR. BUMPERS, MR. QUAYLE, MR. PELL, MR. LEAHY, MR. BOREN, MR. SIMON, MR. DOLE, MR. KARNES, MR. SANFORD, MR. RIEGLE, MR. PRYOR, MR. STAFFORD, MR. TRIBLE, MR. NUNN, MR. DIXON, MR. MITCHELL, MR. STEVENS, MR. GRAHAM, MR. HUMPHREY, MR. INOUE, MR. HEINZ, MR. HATCH, MR. WILSON, MR. BOSCHWITZ, MR. MCCAIN, MR. BAUCUS, MR. BENTSEN, MR. BINGAMAN, MR. BREAU, MR. DASCHLE, MR. HEFLIN, MR. HOLLINGS, MR. JOHNSTON, MR. KENNEDY, MR. MELCHER, MR. METZENBAUM, MR. SASSER, MR. SHELBY, MR. GARN, MR. ARMSTRONG, MR. EVANS, MR. MURKOWSKI, MR. SPECTER, MR. SYMMS, AND MR. FORD):

S.J. Res. 151. Joint resolution to designate August 1, 1987, as 'Helsinki Human Rights Day'; to the Committee on the Judiciary.

Whereas August 1, 1987, will be the twelfth anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (hereafter in this preamble referred to as the 'Helsinki Accords');

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Whereas on August 1, 1975, the Helsinki Accords were agreed to by the Governments of Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, the Federal Republic of Germany, Greece, the Holy See, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Spain, Sweden, Switzerland, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, and Yugoslavia;

Whereas the participating States have committed themselves to balanced progress in all areas of the Helsinki Accords;

24 OF 28 62 LINES
PART CONGRESSIONAL RECORD (HOUSE)
DATE March 21, 1989
PAGE
TITLE
TEXT

PAGE H759

GREEK INDEPENDENCE DAY

Our Democratic form of government not only takes its name from the Greek language but its basic tenets derive from the Ancient Greek philosophers such as Pericles and Plato. Like America, the Greeks had to fight a war of independence in order to throw off the shackles of domination by a foreign presence, the Ottoman Empire - modern day Turkey. It was on March 25, 1821, that Alexander Ypsilanti proclaimed Greek independence but it took almost a decade of wars before freedom was at last obtained.

We Americans have learned and borrowed so much from the Greeks. Much of our educational foundation is based upon study of the Greek classics. Many of our famous buildings contain architectural influence of the Greek columns. The origins of modern medicine, mathematics, astronomy, and law had their roots in ancient Greece. And today in America our citizens of Greek extraction continue to make significant contributions in all walks of life. Some examples are in medicine: Dr. George Papnicolau who invented the Pap test for cancer and Dr. George Kotzias who developed L-dopa to combat Parkinson's disease; in entertainment: Maria Callas, Terry Savalas and Alex Karras; in government: Senator Paul Sarbanes and members of our own body: Mike Bilirakis, Gus Yatron, Olympia Snowe, Nick Mavroules, and George Gekas. We also should recognize Michael Dukakis who waged such a strong effort to be President in the last election.

Celebration of Greek Independence Day is celebrated in various ways in many communities on this side of the Atlantic Ocean by the almost 3 million Greek-Americans living in the United States. One of the more notable and colorful events occurs in my hometown of New York City each spring on the third Sunday in May. The annual parade up Fifth Avenue is one that includes musicians, dancers, and marchers in colorful costumes representing various regions of Greece.

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Modern times have witnessed the willingness of the Greek people to fight for freedom and democracy again and again. While Hitler's legions marched virtually unopposed across much of Europe, the Greeks fought courageously. Over half a million of their number perished in the bitter fighting - some 9 percent of the country's population.

Greece had barely begun to recover from the war against the Axis when it faced the threat of communism. In what would be the genesis of the Truman Doctrine of containing communism around the world, the United States came to Greece's aid. Combined with the split between Stalin's Russia and Tito's Yugoslavia that resulted in a disruption of aid to the Communist insurgents, this American assistance facilitated the establishment of democracy in Greece. President Truman summed up the situation best when he stated: 'The valor of Greece * * * convinces me that the Greek people are equal to the task.'

Indeed they are equal to the task. Despite intermittent periods

of instability, the Greek people have consistently chosen the path toward freedom and democracy. Few countries have historically espoused the values so cherished in America as fervently as has Greece. The historian Will Durant once remarked that 'Greece is the bright morning star of that Western civilization which is our nourishment and life.' It is in recognition of Greece's contributions to Western civilization that I salute Greek Independence Day.

PAGE H764

23 OF 28 39 LINES
PART CONGRESSIONAL RECORD (SENATE)
DATE June 7, 1989

TITLE STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS
(CONTINUED)

TEXT BY MR. DECONCINI (FOR HIMSELF, MR. GRASSLEY, MR. LAUTENBERG,
MR. D'AMATO, MR. DIXON, MR. MCCLURE, MR. FOWLER, MR. LEAHY,
MR. MURKOWSKI, MR. PELL, MR. BRADLEY, MR. JEFFORDS, MR.
PRESSLER, MR. ROCKEFELLER, MR. SHELBY, MR. REID, MR.
SANFORD, MR. EXON, MR. WIRTH, MR. GLENN, MR. INOUE, MR.
SARBANES, MR. KOHL, MR. GORE, MR. COCHRAN, MR. WARNER, MR.
BIDEN, MR. ROBB, MR. WILSON, MR. MITCHELL, MR. HEINZ, MR.
METZENBAUM, MR. DODD, MR. BOREN, MR. LEVIN, MR. CHAFEE, MR.
MACK, MR. SIMON, MR. KENNEDY, MR. WALLOP, MR. BURDICK, MR.
BREAUX, MR. RIEGLE, MR. DASCHLE, MR. MOYNIHAN, MR. CONRAD,
MR. SASSER, MS. MIKULSKI, MR. NUNN, MR. GRAHAM, MR. BAUCUS,
MR. BINGAMAN, MR. HOLLINGS, MR. FORD, MR. BUMPERS, MR.
ADAMS, MR. JOHNSTON, MR. HATCH, MR. KERRY, MR. DURENBERGER,
MR. LIEBERMAN, MR. BOSCHWITZ, MR. ROTH, MR. SIMPSON, AND
MR. COATS):

PAGE S6338

S.J. Res. 150. A joint resolution to designate August 1, 1989, as
'Helsinki Human Rights Day'; to the Committee on the Judiciary.

PAGE S6338

Whereas August 1, 1989, will be the fourteenth anniversary of the
signing of the Final Act of the Conference on Security and
Cooperation in Europe (CSCE) (hereafter in this preamble referred
at as the 'Helsinki accord');

PAGE S6339

Whereas on August 1, 1975, the Helsinki accords were agreed to by
the Governments of Austria, Belgium, Bulgaria, Canada, Cyprus,
Czechoslovakia, Denmark, Finland, France, the German Democratic
Republic, the Federal Republic of Germany, Greece, the Holy See,
Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta,
Monaco, the Netherlands, Norway, Poland, Portugal, Romania, San
Marino, Spain, Sweden, Switzerland, Turkey, the Union of Soviet
Socialist Republics, the United Kingdom, the United States of
America, and Yugoslavia;

Whereas the participating States have committed themselves to
balanced progress in all areas of the Helsinki accords;

21 OF 28 12 LINES
PART CONGRESSIONAL RECORD (DAILY DIGEST)
DATE July 18, 1989
TITLE SENATE

PAGE D795

TEXT (3) Pressler Amendment No. 280, expressing the sense of the Congress on the Yugoslavian human rights situation.

Page S8124

(4) Sarbanes Modified Amendment No. 281 (to Amendment No. 280), expressing the sense of the Congress regarding human rights in Yugoslavia.

Page S8126

PAGE D795

Rejected:

AMENDMENTS SUBMITTED
(CONTINUED)

PAGE S8144

SARBANES AMENDMENT NO. 281

TEXT Mr. SARBANES proposed an amendment, which was subsequently modified, to amendment No. 280 proposed by Mr. Pressler (and others) to the bill S. 1160, supra, as follows:

HUMAN RIGHTS IN YUGOSLAVIA.

(a) Findings. - The Congress finds that -

PAGE S8144

(1) the United States continues to support the independence, unity, and territorial integrity of Yugoslavia;

(2) recent months have seen increased violence and social unrest in the Socialist Autonomous Province of Kosovo;

(3) the State Department's 1988 Country Report on Human Rights Practices cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards;

PAGE S8144

(4) these human rights abuses violate the high ideals of mutual equality, dignity, and brotherhood among all of the nations and nationalities in Yugoslavia, which have been the guiding principles of Yugoslavia since 1945; and

(5) the human rights of all ethnic groups in Kosovo must be preserved.

(b) Statement by the Congress. - The Congress -

PAGE S8144

(1) expresses concern regarding human rights abuses, violence and ethnic unrest in the Kosovo province;

(2) urges the Government of Yugoslavia to take all necessary steps to assure that further violence does not occur in Kosovo;

(3) urges the Government of Yugoslavia to observe fully its obligations under the Helsinki Final Act and the United Nations Declaration on Human Rights to assure full protection of the rights of all citizens of Kosovo.

PAGE S8144

(4) requests the President and the Department of State to continue to monitor closely the human rights situation in Kosovo; and

(5) calls upon the President to express these concerns of the Congress through appropriate channels to representatives in Yugoslavia.

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19 OF 28 751 LINES
PART CONGRESSIONAL RECORD (SENATE)
DATE July 18, 1989

PAGE PAGE S8107

TITLE FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 1990
TEXT The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. MOYNIHAN. Mr. Pell and Mr. Sarbanes, were original cosponsors.

PAGE S8107

Mr. President, this is simple legislation with a large purpose. The legislation is summarized in section 220(f). It says:
The PRESIDING OFFICER. The Senator from Maryland is recognized.

PAGE S8108

Mr. SARBANES. Mr. President, I thank the distinguished majority leader.

Mr. President, I rise in support of the Moynihan amendment. I commend the very able and distinguished Senator from New York for moving with this. This is a revised amendment from what was considered in the committee. It makes clear, of course, that the amendment applies in a wholly prospective way; in other words, it is setting standards for the future. And it also has made it very clear that it applies only to specific activities which have been prohibited. I think that is a very important change and improvement in the amendment from the way we had it worded.

The result was announced - yeas 57, nays 42, as follows:

PAGE S8109

(ROLLCALL VOTE NO. 119 LEG.)
YEAS - 57

Adams	Baucus	Bentsen
Biden	Bingaman	Boren
Bradley	Breaux	Bryan
Bumpers	Burdick	Byrd
Cohen	Conrad	Cranston
Daschle	DeConcini	Dixon
Dodd	Durenberger	Exon
Ford	Fowler	Glenn
Gore	Graham	Harkin
Hollings	Inouye	Johnston
Kennedy	Kerrey	Kerry
Kohl	Lautenberg	Leahy
Levin	Lieberman	Metzenbaum
Mikulski	Mitchell	Moynihan
Nunn	Pell	Pryor
Reid	Riegle	Robb
Rockefeller	Rudman	Sanford
Sarbanes	Sasser	Shelby
Simon	Specter	Wirth

PAGE S8110

NAYS - 42

Armstrong	Bond	Boschwitz
Burns	Chafee	Coats
Cochran	D'Amato	Danforth
Dole	Domenici	Garn
Gorton	Gramm	Grassley

Hatch	Hatfield	Heflin
Heinz	Helms	Humphrey
Jeffords	Kassebaum	Kasten
Lott	Lugar	Mack
McCain	McClure	McConnell
Murkowski	Nickles	Packwood
Pressler	Roth	Simpson
Stevens	Symms	Thurmond
Wallop	Warner	Wilson

All of us have been uneasy because of a series of candidates for ambassador posts recently that made us uncomfortable. We also know that the practice of making political appointments has now penetrated very deeply into the Department of State, down even to the Deputy Assistant Secretary level.

This morning in one of the Nation's newspapers our colleague from Maryland, Senator Sarbanes, was very thoughtful in his statements about this practice. And that same article discussed the example of a person who evidently went shopping around for countries where she wanted to be ambassador, and she wanted to check the school systems in different countries to see what kind of education her children would get before she decided which country she wanted to go to represent the interests of the United States of America.

PAGE S8110

Is that a way for us as a nation to decide who is going to conduct the Nation's business in whatever country she decides is suitable for her family and her lifestyle? I do not want to single this particular person out. The problem is not one of personalities.

I might say that many years ago the current chairman of the Senate Foreign Relations Committee and the former Republican Senator from Maryland, Senator Mac Mathias, joined forces to propose an amendment in an earlier Congress very similar to this one, and I want to acknowledge my debt to them.

PAGE S8110

I also want to acknowledge the very eloquent and persuasive leadership of the senior Senator from Maryland (Mr. Sarbanes) who has raised these concerns frequently in a very eloquent way, and I have consulted with both of these Senators in the drafting of this amendment.

It is an approach that I think is justified because we have not found any other way to do it and because the record of abuse is now such that some action by the Senate is required in order to reform this practice and serve the public interest well.

I hope very much that this amendment might be supported by my colleagues.

Mr. SARBANES. Mr. President, will the Senator yield?

Mr. PELL. I am glad to yield to the Senator from Maryland.

PAGE S8112

Mr. SARBANES. As I understand it, the distinguished Senator from Rhode Island and the former senior Senator from Maryland, Senator Mathias offered an amendment of this sort some years ago to which the distinguished Senator from Tennessee referred. Is that correct?

Mr. PELL. That is correct.

Mr. SARBANES. I join the Senator from Rhode Island in commending the very able Senator from Tennessee in offering this amendment.

PAGE S8112

While some may differ slightly on the percentage figures, I support this amendment and the figures therein because I think the current practice is so outrageous. In fact, some two-thirds of the country ambassadors which this administration has sent thus far to the Congress are political appointees, not out of the career service. The career service is being very sharply blocked out thus far in the nominating process.

I believe during the Reagan administration the number of so-called political nominations to be ambassador was something like 33 percent and thus far in the Bush administration 38 percent, and yet the Senator proposes to limit the President's constitutional authority again.

Mr. SARBANES. Mr. President, will the Senator yield on that point?

Mr. HELMS. I will not. I beg the Senator's pardon.

PAGE S8113

The PRESIDING OFFICER. The senior Senator from Maryland.

Mr. SARBANES. Mr. President, I think it is very important to get on the record some of the statistics relating to career and political nominations that have prompted this amendment by the very able Senator from Tennessee.

PAGE S8114

What is happening now is unprecedented. We have examined the figures back to President Kennedy - that is, almost 30 years ago. I just want to go through them very quickly because I share the same sorts of frustrations that the Senator from Tennessee obviously feels, while conceding some of the points that the Senator from Nevada has made.

Mr. GORE. Will the Senator yield?

Mr. SARBANES. Certainly.

PAGE S8115

The PRESIDING OFFICER (Mr. Reid). The Senator from Tennessee is recognized.

And it goes on and on quite extensively listing all of the statutes that have been enacted by the Congress and approved by the President, which are exactly like the pending amendment, which would, in responding to the record of abuse, so well described by the Senator from Maryland, put this Senate in the position of correcting a problem that threatens our national interest. I thank my colleague for yielding at length.

Mr. SARBANES. Mr. President, I simply want to close with this quotation from Hamilton. The very able Senator from Nevada in the course of his exposition made reference to Federalist Papers and Hamilton and the fact that one of the issues at the constitutional convention was whether the President should have the sole power to make appointments. In fact, some argued that Presidential appointments should be subjected to some screening requiring a concurrence on the part of the legislative branch, and in particular on the part of the Senate. Hamilton says in Federalist No. 76:

PAGE S8115

To what purpose then require the co-operation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the President, and would tend greatly to prevent the appointment of unfit characters from State prejudice, from family connection, from personal attachment, or from a view to popularity. And, in addition to this, it would be an efficacious source of stability in the administration.

The demonstrations and expulsions, the direct result of the forcible assimilation campaign, represent a refusal by the Bulgarian Government to implement the obligations entered into voluntarily in Helsinki in 1975 and in Vienna earlier this year. They are particularly evident against the backdrop of improvements in human rights compliance in some parts of Eastern Europe. The issue of the brutal treatment of the Turkish minority in Bulgaria was a subject raised by many delegations, including our own, at the recently concluded Paris meeting of the CSCE Conference on the Human Dimension. It is a subject that we must continue to raise to make absolutely certain that the Bulgarian Government recognizes that its persecution of the Turkish minority will not be tolerated. We need to become more forceful in expressing our outrage over recent events in Bulgaria. I hope that this amendment will send a loud and clear message to the Bulgarian Government as well as concretely assist these displaced Turkish refugees.

Mr. BYRD. Mr. President, I ask unanimous consent that the names of Messrs. Sarbanes and Lugar be added as cosponsors to the amendment.

PAGE S8119

The PRESIDING OFFICER. Without objection, it is so ordered

The result was announced - yeas 99, nays 0, as follows:

(ROLLCALL VOTE NO. 120 LEG.)

YEAS - 99

Adams	Armstrong	Baucus
Bentsen	Biden	Bingaman
Bond	Boren	Boschwitz
Bradley	Breaux	Bryan
Bumpers	Burdick	Burns
Byrd	Chafee	Coats
Cochran	Cohen	Conrad
Cranston	D'Amato	Danforth
Daschle	DeConcini	Dixon
Dodd	Dole	Domenici
Durenberger	Exon	Ford
Fowler	Garn	Glenn
Gore	Gorton	Graham
Gramm	Grassley	Harkin
Hatch	Hatfield	Heflin
Heinz	Helms	Hollings
Humphrey	Inouye	Jeffords
Johnston	Kassebaum	Kasten
Kennedy	Kerrey	Kerry
Kohl	Lautenberg	Leahy
Levin	Lieberman	Lott

Lugar
McClure
Mikulski
Murkowski
Packwood
Pryor
Robb
Rudman
Sasser
Simpson
Symms
Warner

Mack
McConnell
Mitchell
Nickles
Pell
Reid
Rockefeller
Sanford
Shelby
Specter
Thurmond
Wilson

McCain
Metzenbaum
Moynihan
Nunn
Pressler
Riegle
Roth
Sarbanes
Simon
Stevens
Wallop
Wirth

NAYS - 0

NOT VOTING - 1

Matsunaga

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(ROLLCALL VOTE NO. 121 LEG.)

YEAS - 37

Armstrong
Burns
DeConcini
Ford
Gore
Grassley
Heflin
Kasten
Lott
McConnell
Pressler
Symms
Wilson

Boschwitz
Coats
Dixon
Fowler
Graham
Harkin
Helms
Kerry
Mack
Murkowski
Roth
Thurmond

Breaux
D'Amato
Exon
Garn
Gramm
Hatch
Humphrey
Lieberman
McClure
Nickles
Shelby
Wallop

PAGE S8123

NAYS - 62

Adams
Biden
Boren
Bumpers
Chafee
Conrad
Daschle
Domenici
Gorton
Hollings
Johnston
Kerrey
Leahy
McCain
Mitchell
Packwood
Reid
Rockefeller
Sarbanes
Simpson
Warner

Baucus
Bingaman
Bradley
Burdick
Cochran
Cranston
Dodd
Durenberger
Hatfield
Inouye
Kassebaum
Kohl
Levin
Metzenbaum
Moynihan
Pell
Riegle
Rudman
Sasser
Specter
Wirth

Bentsen
Bond
Bryan
Byrd
Cohen
Danforth
Dole
Glenn
Heinz
Jeffords
Kennedy
Lautenberg
Lugar
Mikulski
Nunn
Pryor
Robb
Sanford
Simon
Stevens

NOT VOTING - 1

Matsunaga

The result was announced - yeas 20, nays 79, as follows:

PAGE S8123

(ROLLCALL VOTE NO. 122 LEG.)

YEAS - 20

Breaux	Bumpers	Burdick
Byrd	Cranston	Exon
Ford	Gore	Inouye
Kennedy	Leahy	Levin
Metzenbaum	Mikulski	Pell
Pressler	Pryor	Sarbanes
Sasser	Simon	

NAYS - 79

Adams	Armstrong	Baucus
Bentsen	Biden	Bingaman
Bond	Boren	Boschwitz
Bradley	Bryan	Burns
Chafee	Coats	Cochran
Cohen	Conrad	D'Amato
Danforth	Daschle	DeConcini
Dixon	Dodd	Dole
Domenici	Durenberger	Fowler
Garn	Glenn	Gorton
Graham	Gramm	Grassley
Harkin	Hatch	Hatfield
Heflin	Heinz	Helms
Hollings	Humphrey	Jeffords
Johnston	Kassebaum	Kasten
Kerrey	Kerry	Kohl
Lautenberg	Lieberman	Lott
Lugar	Mack	McCain
McClure	McConnell	Mitchell
Moynihan	Murkowski	Nickles
Nunn	Packwood	Reid
Riegle	Robb	Rockefeller
Roth	Rudman	Sanford
Shelby	Simpson	Specter
Stevens	Symms	Thurmond
Wallop	Warner	Wilson
Wirth		

At the end of the bill, add the following new section:

SEC. . HUMAN RIGHTS IN YUGOSLAVIA.

(a) Congressional Findings. - The Congress finds that -

PAGE S8124

(1) the United States continues to support the independence, unity, and territorial integrity of Yugoslavia;

(2) the Department of State's 1988 Country Report on Human Rights Practices cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards, including infringement upon and abrogation of the rights of assembly and fair trial, freedom of speech, and freedom of the press;

(3) the Country Report also indicates that these human rights violations are targeted at certain ethnic groups and regions, most

particularly against the ethnic Albanians in the Socialist Autonomous Province of Kosovo;

PAGE S8124

(4) the human rights of all ethnic groups in Kosovo must be preserved;

(5) those human rights violations, in addition to recent actions taken to limit the social and political autonomy of Kosovo, have precipitated a crisis in that region;

(6) the response of the Government of Yugoslavia to that crisis was a police crackdown that led to the deaths of many civilians and police officers, the wounding of hundreds more, and the imprisonment of additional hundreds;

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(7) these human rights abuses violate the high ideals of mutual equality, dignity, and brotherhood among all of the nations and nationalities in Yugoslavia, which have been the guiding principles of Yugoslavia since 1945; and

(8) the European Parliament of the European Community has condemned these actions by the Government of Yugoslavia.

(b) Statement by the Congress. - The Congress -

PAGE S8124

(1) expresses concern regarding human rights violations by the Government of Yugoslavia and its repressive handling of the crisis in the Socialist Autonomous Province of Kosovo;

(2) urges the Yugoslav Government to take all necessary steps to assure that further violence and bloodshed do not occur in Kosovo;

(3) urges the Government of Yugoslavia to observe fully its obligations under the Helsinki Final Act and the United Nations Declaration on Human Rights to assure full protection of the rights of the Albanian ethnic minority and all other national groups in Yugoslavia;

PAGE S8124

(4) requests the President and the Department of State to continue to monitor closely human rights conditions in Yugoslavia; and

(5) calls upon the President to express these concerns of the Congress through appropriate channels to representatives of Yugoslavia.

Mr. PRESSLER. Mr. President, I understood that the distinguished managers of the bill were prepared to accept this amendment regarding human rights in Yugoslavia. If that is the case, I wish to express my appreciation to the managers.

PAGE S8124

This amendment is quite similar to a resolution offered by Senators Domenici, D'Amato, Dole, and myself a few weeks ago.

It is identical to language adopted by the House during floor consideration of the foreign assistance authorization bill the week before last. It is also identical to an amendment adopted to the foreign assistance bill last week in the Foreign Relations Committee.

It is clear that there is a growing human rights problem in Yugoslavia. It affects Albanians, Croats, Slovenians, and other non-Siberian nationalities in that country.

PAGE S8124

I do not argue that there have been abuses against all sides, but I refer specifically to the recently issued Amnesty International report on Yugoslavia. The report details some of the torture and other violence that has occurred in the Province of Kosovo.

Mr. President, I urge all Senators to examine the May and June 1989 Amnesty International report on the Yugoslavian situation as well as the 1988 State Department country report on human rights practices on this subject.

As this amendment states, Yugoslavia is violating internationally accepted human rights standards with respect to certain ethnic minorities, particularly ethnic Albanians in Kosovo Province.

PAGE S8124

The European parliament has condemned these human rights abuses. The Congress of the United States should do the same.

This amendment basically takes the same position as the European Parliament.

PAGE S8124

The amendment expresses concerns about human rights violation in Yugoslavia, urges Yugoslavia to prevent further violence in Kosovo and fully observe the Helsinki Final Act and the United Nations Declaration on Human Rights. It requests our own Government to continue close monitoring of Yugoslavian human rights conditions and calls on the President to express these concerns of the Congress to representatives of Yugoslavia.

Mr. President, I urge the adoption of this amendment, and ask unanimous consent that Senators Dole, Domenici, and D'Amato be added as cosponsors.

There is not a sufficient second.

Mr. SARBANES addressed the Chair.

PAGE S8124

The PRESIDING OFFICER. The Senator from South Dakota has the floor.

The Chair recognizes the Senator from Maryland (Mr. Sarbanes).

AMENDMENT NO. 281 TO AMENDMENT NO. 280

PAGE S8124

Mr. SARBANES. Mr. President, I send a perfecting amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

PAGE S8124

The Senator from Maryland (Mr. Sarbanes) proposes an amendment numbered 281 to the Pressler amendment numbered 280.

Strike all after 'SEC. 862' and insert the following: 'Human Rights in Yugoslavia.'

Mr. PRESSLER. Mr. President, I did not yield the floor. Mr. President, I did not yield the floor.

PAGE S8124

The assistant legislative clerk continued reading the amendment.

Mr. SARBANES. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

PAGE S8124

The amendment is as follows:

HUMAN RIGHTS IN YUGOSLAVIA.

(a) Findings. - The Congress finds that -

PAGE S8124

(1) the United States continues to support the independence, unity, and territorial integrity of Yugoslavia;

(2) recent months have seen increased violence and social unrest in the Socialist Autonomous Province of Kosovo;

(3) the State Department's 1988 Country Report on Human Rights Practices cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards;

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(4) the Country Report also indicates that despite the Yugoslavian Government's efforts to provide for the equality of its citizens, some social prejudice continues to exist, particularly with regard to ethnic Albanians, and the Serbian minority in Kosovo has complained sharply of physical mistreatment and discriminatory practices on the part of the Albanian majority there;

(5) these human rights abuses violate the high ideals of mutual equality, dignity, and brotherhood among all of the nations and nationalities in Yugoslavia, which have been the guiding principles of Yugoslavia since 1945; and

(6) the human rights of all ethnic groups in Kosovo must be preserved.

PAGE S8124

(b) Statement by the Congress. - The Congress -

(1) expresses concern regarding human rights abuses, violence and ethnic unrest in the Kosovo province;

(2) urges the Government of Yugoslavia to take all necessary steps to assure that further violence does not occur in Kosovo;

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(3) urges the Government of Yugoslavia to observe fully its obligations under the Helsinki Final Act and the United Nations Declaration on Human Rights to assure full protection of the rights of all citizens of Kosovo;

(4) requests the President and the Department of State to continue to monitor closely the human rights situation in Kosovo;

(5) calls upon the President to express these concerns of the Congress through appropriate channels to representatives in Yugoslavia.

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Mr. SARBANES. Mr. President, I have had discussions earlier in the day with the able and distinguished Senator from South Dakota that prompted a discussion I had with the very able Congresswoman from Maryland, Helen Bentley of this issue. She makes the point, as in fact is made in the State Department's human rights report, that there have been allegations and complaints back and forth between the Serbian minority in Kosovo and the Albanian majority there.

There is a difficult human rights situation in Kosovo, and I believe the Senate must go on record with respect to it. I therefore think that the language must be worked out very carefully, and the language that I have just submitted I think accomplishes that.

PAGE S8125

On the 11th of July, Congresswoman Bentley made an extended

statement in the Congressional Record, having just returned from a trip to Yugoslavia and a visit to Serbia.

I am not trying to determine the rights and wrongs of these disputes. I think that we need to recognize the difficult situation there on the human rights front and call on Yugoslavia to abide by its Helsinki commitments, as the Senator from South Dakota has done.

What we have done in this perfecting amendment - and I will quote from it now for the benefit of the Senate - is to find that:

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The United States continues to support the independence, unity, and territorial integrity of Yugoslavia;

Recent months have seen increased violence and social unrest in Kosovo;

The State Department's 1988 Country Report on Human Rights Practices cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards;

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The Country Report also indicates that despite the Yugoslavian Government's efforts to provide for the equality of its citizens, some social prejudice continues to exist, particularly with regard to ethnic Albanians, and the Serbian minority in Kosovo has complained sharply of physical mistreatment and discriminatory practices.

So there are many allegations back and forth.

We also find that:

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These human rights abuses violate the high ideals of mutual equality, dignity, and brotherhood among all of the nations and nationalities in Yugoslavia * * *;

The human rights of all ethnic groups in Kosovo must be preserved.

The perfecting amendment then goes on with the statement by the Congress expressing concern regarding human rights abuses; urging the Government of Yugoslavia to take steps to assure that further violence does not occur; urging the Government of Yugoslavia to observe the Helsinki Final Act and the U.N. Declaration on Human Rights to assure full protection of the rights of all citizens of Kosovo; requesting the President and the Department of State to continue to monitor closely the human rights situation; and calling upon the President to express the concerns of the Congress through appropriate channels to representatives in Yugoslavia.

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Mr. President, this language focuses on the human rights issue, expressed the very deep concern of the Congress about it, and references the State Department Country Report which sets forth a number of the human rights practices about which we are concerned, and which violate internationally accepted human rights standards. By referencing that report, we bring in the exposition that the State Department has made with respect to the human rights situation in Yugoslavia while in effect, broadening it to cover all ethnic groups and all minorities there, and pressuring Yugoslavia to respond with respect to all of its people.

I hope that this perfecting amendment will be found acceptable

and that this matter can be disposed of, thus putting the Senate on record with respect to the human rights situation in Yugoslavia.

Mr. PRESSLER addressed the Chair.

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The PRESIDING OFFICER. The Chair recognizes the Senator from South Dakota.

Mr. PRESSLER. Mr. President, I wish to point out to the Senate that my amendment discusses 'the human rights of all ethnic groups in Kosovo.' It mentions the Albanian ethnic minority and all other national groups in Yugoslavia.

The Amnesty International report mentions specifically some of the torture that has occurred against Albanians. I see very little change in my colleague's version of the amendment, except that he has added a reference to undocumented complaints by the Serbian minority.

PAGE S8125

My amendment, as filed, mentions all other ethnic groups. My amendment urges the Government of Yugoslavia to observe fully its obligations under the Helsinki Final Act and the United Nations Declaration on Human Rights to assure full protection of the rights of the Albanian ethnic minority and all other national groups in Yugoslavia.

This is the exact language that passed the House. It has been crafted in part by Congressman Tom Lantos. It has passed the Senate Foreign Relations Committee.

The PRESIDING OFFICER. Does any Senator seek recognition?

Mr. SARBANES. Mr. President, I commend to my colleague Congresswoman Bentley's statement of the 11th of July. It seems to me that the perfecting amendment avoids the problem of being too one-sided and still gets at the human rights problem that exists in Yugoslavia, which I think we need to address.

I commend the perfecting amendment to my colleague as a way of resolving this matter and essentially accomplishing his purpose without, at the same time, creating needlessly, in my view, a further problem. Let me just quote from Congresswoman Bentley's letter.

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I do not really want to get into the middle of what is obviously a very difficult situation in terms of the ethnic enmities and rivalries which have existed for a very long period of time and have very strong historical antecedents.

It seems to me the way to accomplish our purpose here without becoming embroiled in that problem is to take the perfecting language which references the State Department's human rights report - which, incidentally, does make reference to practices on both sides - and then put us very strongly on record expressing our concern about human rights abuses. The language goes on to urge the Government of Yugoslavia to take necessary steps to assure no further violence; urges it to observe the Helsinki Final Act and the U.N. Declaration on Human Rights; requests the President and the Department of State to monitor closely the human rights situation in Kosovo; and calls upon the President to express these concerns through appropriate channels to representatives in Yugoslavia.

It seems to me this language achieves what the Senator from South Dakota is trying to achieve. I really have no difference with him on that purpose without drawing us into this other issue about what I have heard from Congresswoman Bentley. I mean I would prefer not to make a judgment on the relative merits of the alternative arguments.

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from South Dakota?

Mr. SARBANES. Certainly I yield for purposes of a question.

Mr. PRESSLER. With the greatest respect, is it not true that the second and third points of my amendment refer to the Department of State 1988 Country Report on Human Rights Practices, which cites many human rights practices in Yugoslavia that violate internationally-accepted human rights standards, including infringement upon and abrogation of the rights of assembly, fair trial, and freedom of speech? Is it not true that the Country Report also indicates these human rights violations are targeted at certain ethnic groups and regions, most particularly against the ethnic Albanians in the Socialist Autonomous Province of Kosovo?

Mr. SARBANES. But what the Senator has done is he has taken the State Department Human Rights Report and excerpted from it certain parts. What I think is fair and what ought to be done is to reference all of the report, which is what the perfecting amendment does. That, then, avoids our being drawn into the dispute.

The State Department has, in fact, referenced a range of human rights abuses involving both ethnic groups. To take only part of them or take it on one side, it seems to me, does not give a full picture.

Mr. PRESSLER. Mr. President, we have not seen the amendment. Perhaps to save the time of the Senate, we could see it to determine whether we could work the language out? My friend's amendment closely tracks mine in most respects?

Mr. SARBANES. I am sorry. I thought a copy had been delivered to the Senator. I will certainly take care of that right now.

Mr. PRESSLER. I do not want to delay the Senate's business. I would be willing, if it would be useful, to withdraw my amendment, perhaps work out something, and reoffer it tomorrow, if that is agreeable.

I do not think we are very far apart. If my colleague prefers to go forward with votes, I also am prepared to do that.

Mr. SARBANES. I am prepared to try to work something out. Why do we not leave it in the form in which it finds itself. I think, upon examining the amendment, the Senator may well reach the conclusion that it accomplishes his purposes, without drawing the Senate into trying to make a determinative judgment about a difficult ethnic conflict.

My problem is we cannot excerpt from the report part of the problem without referencing all of the problem.

Mr. PRESSLER. For example, part 4 of the Senator's amendment, which has been handed to me, mentions the Albanians. It is identical to my amendment. It says:

The Country Report also indicates that despite the Yugoslavian Government's efforts to provide for the equality of its citizens, some social prejudice continues to exist, particularly with regard to ethnic Albanians, and the Serbian minority in Kosovo has complained sharply of physical mistreatment.

Now, the Serbian minority, is that part of the Country Report?

PAGE S8126

Mr. SARBANES. That is right, page 1264.

Mr. PRESSLER. They have complained, but is that a factual finding? It is our understanding that the Country Report made a finding regarding the Albanians, but simply identified complaints of the Serbian minority.

Is it my friend's effort to add the word 'Serbian' to the amendment? Is that the intent of his perfecting amendment?

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Mr. SARBANES. I am happy to strike paragraph 4, if that makes the Senator feel any better about it. Perhaps we can agree on it and then just reference the Country Report and go on to the fact that the human rights abuses entailed in the Country Report violate the high ideals mentioned in paragraph 5: 'The human rights of all ethnic groups in Kosovo must be preserved.' And strike out the specific references in 4 which were intended to make the point that we have one ethnic group complaining about its treatment from the other and then we have the other ethnic group complaining about its treatment from the first.

If that would resolve the matter, we could strike paragraph 4 and simply reference the State Department's Country Report, which is in paragraph 3. Then we do not have to get into the specifics.

Mr. PRESSLER. That would be agreeable to me. I have no problem with that.

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Mr. SARBANES. If we do that, can we then go ahead and agree to this amendment and resolve the matter?

Mr. PRESSLER. Yes, as far as I am concerned. I do not think we have substantially changed it. If that would make the Senator from Maryland happy, that is agreeable to me.

AMENDMENT NO. 281 AS MODIFIED

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Mr. SARBANES. Mr. President, I ask unanimous consent to modify the perfecting amendment by striking paragraph (a)(4), which begins: 'The Country Report also indicates that'; strike that entire paragraph and renumber the following paragraphs 4 and 5.

The PRESIDING OFFICER. The Senator has the right. The perfecting amendment will be modified accordingly.

Amendment No. 281, as modified, is as follows:

PAGE S8126

HUMAN RIGHTS IN YUGOSLAVIA.

- (a) Findings. - The Congress finds that -
(1) the United States continues to support the independence, unity, and territorial integrity of Yugoslavia;

PAGE S8126

(2) recent months have seen increased violence and social unrest in the Socialist Autonomous Province of Kosovo;

(3) the State Department's 1988 Country Report on Human Rights Practices cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards;

(4) these human rights abuses violate the high ideals of mutual equality, dignity, and brotherhood among all of the nations and nationalities in Yugoslavia, which have been the guiding principles of Yugoslavia since 1945; and

PAGE S8126

(5) the human rights of all ethnic groups in Kosovo must be preserved.

(b) Statement by the Congress. - The Congress -

(1) expresses concern regarding human rights abuses, violence, and ethnic unrest in the Kosovo province;

PAGE S8126

(2) urges the Government of Yugoslavia to take all necessary steps to assure that further violence does not occur in Kosovo;

(3) urges the Government of Yugoslavia to observe fully its obligations under the Helsinki Final Act and the United Nations Declaration on Human Rights to assure full protection of the rights of all citizens of Kosovo.

(4) requests the President and the Department of State to continue to monitor closely the human rights situation in Kosovo; and

PAGE S8126

(5) calls upon the President to express these concerns of the Congress through appropriate channels to representatives in Yugoslavia.

Mr. SARBANES. Mr. President, I am prepared to go ahead and adopt that amendment and conclude the matter.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment of the Senator from Maryland to the amendment of the Senator from South Dakota.

PAGE S8126

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Maryland (Mr. Sarbanes).

Mr. SARBANES. Mr. President, I do want to commend the distinguished Senator from South Dakota for his leadership on this issue. As I explained to him earlier, my own involvement was essentially brought by the representations made to me by my able and distinguished colleague from Maryland, Congresswoman Bentley, who based them on a recent trip that she made. I think we are better off now without having actually gotten into the details. We have referenced the State Department human rights study. We have adopted essentially the Senator's version of the statement by the Congress. I think it is an important contribution on the human rights front.

PAGE S8127

I thank the Senator.

14 OF 28 165 LINES
PART CONGRESSIONAL RECORD (SENATE)
DATE October 25, 1989

PAGE
TITLE SUPPORT FOR EAST EUROPEAN DEMOCRACY ACT
TEXT OPIC ELIGIBILITY FOR POLAND AND HUNGARY

PAGE S14072

Sec. 902. (a) To provide for the eligibility of activities in Poland and Hungary for participation in programs of the Overseas Private Investment Corporation, Section 239(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2199(f)) is amended by inserting ', Poland, Hungary,' after 'Yugoslavia'.

PAGE S14075

(b) In accordance with its mandate to foster private initiative and competition and enhance the ability of private enterprise to make its full contribution to the development process, the Overseas Private Investment Corporation shall support projects in Poland and Hungary which will result in enhancement of the nongovernmental sector and reduction of state involvement in the economy.

The PRESIDING OFFICER (Mr. Lieberman). Without objection, it is so ordered.

PAGE S14083

The Chair recognizes the Senator from Maryland (Mr. Sarbanes).

Mr. SARBANES. Mr. President, I rise in very strong support of the substitute which has been sent to the desk. I commend the very able Senator from Illinois for his leadership in this matter, and my distinguished colleague from Delaware, who is managing this bill.

I see also on the floor the Senator from California and my colleague from Maryland, both of whom have been intimately involved with this legislation.

PAGE S14083

How can we afford such a program when there are unmet domestic needs in the United States? I believe this program is essential to our national security interests. It is part of our national defense effort. It is certainly more cost effective than much of the \$300 billion we now spend on military personnel and weapons. If democratic experiments in Poland and Hungary succeed, and military force levels and Warsaw Pact and NATO forces can be safely reduced, great savings, incredibly large savings, will ultimately ensue for the American taxpayer.

Mr. President, last August I was privileged to lead a delegation of Senators in meetings with the leadership of Poland and Hungary. Senator Paul Sarbanes, who was a member of that delegation, alluded to our trip a few moments ago. At that time, we pledged to do our best to advance a comprehensive program of aid to support democracy in those countries. Within days of the Senate's reconvening after our return, I introduced the Support for East European Democracy Act, the measure before us today. Paul Simon, Paul Sarbanes, Bob Graham, and Chuck Robb all joined in this initiative. In addition to Senator Sarbanes, Senator Graham was in our delegation in central Europe this summer. Senator Simon was also there on a separate trip. I was delighted when the Senate Foreign Relations Committee voted to adopt our proposal in the form of a Simon measure in a 10-to-1 vote

on September 20. The Senate committee took this action, and the full House moved last week, on a generous aid program for Eastern Europe.

The President's rhetoric has been in support of democracy but the reality of his program is that he does not come up with adequate funding for his even very modest proposals. Therefore, we had to act in Congress. We did. Hence the measure now before us.

PAGE S14084

I join Senator Simon also in paying tribute to Barbara Johnson for the magnificent effort she is making as a Polish-American to advance democracy in Poland and in central Europe by her investment in the Gdansk Shipyard, which is the place where Lech Walesa emerged as the startlingly effective political leader for democracy in that country. Barbara Johnson has done what I hope other Americans can do with lesser resources and lesser dimensions, invest in democracy in Poland with private enterprise funds. The public funds that we are talking about today are a public investment for the same purpose. I trust we will proceed to make that investment with no compromises and no lesser song, no cutback.

Mr. SARBANES. Mr. President, will the Senator yield.

Mr. CRANSTON. Of course.

PAGE S14084

Mr. SARBANES. Mr. President, I think it is important to put on the record the very strong leadership which the Senator from California has exercised on this issue. I was privileged to be a part of the delegation in Eastern Europe which he led during the August recess. I can remember his reaction as we examined the situation and his own commitment to return and to do what could be done, as I think was the way he put it, to provide American support and assistance with these transforming events.

He measured up to that commitment in every respect and has taken a very strong and active hand in this matter, in conjunction with the able Senator from Illinois, to move this matter forward. I simply want to thank him for that strong leadership.

PAGE S14085

Well, you know they need all the help they can get. So the priorities in this bill fashioned by the Committee on Foreign Relations I think meet those needs. It is going to help move Poland to an economy of the 21st century. It will strengthen democratic institutions. And most of all it will meet a commitment to Poland that we should have made at the end of World War II.

Pulaski and Kosciuszko came to this country to help us get our democracy, and I am glad that names like Simon, Sarbanes, Helms, and Dole will help Poland get theirs.

PAGE S14085

I yield the floor.

PAGE S14086

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

Mr. SIMON. I want to commend my colleagues who have spoken here, and Senator Sarbanes who was over in Poland, for his leadership when he says we send our hopes and not our fears. I cannot think of a better summary of what we are all about here right now. Senator Cranston has been a vigorous leader in this whole field. I also want to thank Senator Mitchell. I did not in my earlier

remarks. He has been very helpful. Senator Mikulski has an ethnic tie to Poland, and to hear about her grandmother coming over here, or great-grandmother, I forget which - great-grandmother - -

PAGE S14086

Ms. MIKULSKI. A really great grandmother.

Mr. SIMON. But to now have a chance to help provide freedom for that country. I know Senator Murkowski is not on the floor right now. I know he is very much interested. Let me add that among the cosponsors on this are Senator Boschwitz and Senator Humphrey, both of whom have taken a real interest in this.

Mr. SARBANES. Mr. President, will the Senator yield? I would like to be added as a cosponsor of the substitute. We just brought the bill out of the committee.

PAGE S14086

Second, I want to commend my very able colleague from Maryland. I know how much this moment means to her, which I think she just expressed very eloquently on the floor of the Senate. She has been a very strong leader over a sustained period of time to sort of fan the embers of freedom and democracy that have existed in Poland.

Mr. President, events such as those taking place this week in Budapest ought to convince the skeptics that the reformers in Hungary and Poland are serious, that this is not a trick, but a genuine attempt to liberate those countries by peaceful means. No one suggests that we ought to finance these processes by unlimited grants and loans. The proposals before Congress contain a whole set of measures that can provide meaningful initial assistance and incentives for the reforms to take hold.

As for the alternatives that are before us, I join my friend from Maryland Senator Sarbanes in stating that this is a moment when we have to bet on our hopes, not on our fears.

I have found the administration's proposal, unfortunately, inadequate to meet the pressing needs of Poland and Hungary. The substitute proposal of the distinguished Republican leader is an improvement but it still falls short of what is needed to give a chance to these countries to revive their economies. These two proposals are particularly deficient in not providing sufficient funding for the private enterprise funds that are so crucial in nursing vigorous private sectors into existence. As the chairman of the Senate subcommittee with jurisdiction over the Peace Corps, I also miss from the Dole substitute funding for the establishment of Peace Corps programs.

PAGE S14089

SEC. 303. OVERSEAS PRIVATE INVESTMENT CORPORATION.

(a) Eligibility of Poland and Hungary for OPIC Programs. - Section 239(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2199(f)) is amended by inserting ', Poland, (only during the period of three years immediately following the effective date of the Poland and Hungary Democrat and Free Enterprise Act of 1989), Hungary (only during the period of three years immediately following the effective date of the Poland and Hungary Democracy and Free Enterprise Act of 1989)' after 'Yugoslavia.'

(b) Participation by NonGovernmental Sector. - In accordance with its mandate to foster private initiative and competition and enhance the ability of private enterprise to make its full

contribution to the transition from a centrally planned to a market economy, the Overseas Private Investment Corporation shall support only nongovernmental sector projects in Poland and Hungary.

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13 OF 28 19 LINES
PART CONGRESSIONAL RECORD (HOUSE)
DATE November 9, 1989

PAGE
TITLE CONFERENCE REPORT ON H.R. 1487
TEXT Claiborne Pell,
Paul S. Sarbanes,

PAGE H8310

Christopher J. Dodd,
The conference substitute deletes the provision.

HUMAN RIGHTS IN YUGOSLAVIA

The Senate amendment (sec. 1018) contains congressional findings regarding human rights abuses in Yugoslavia and expresses the concern of Congress over such violations.

PAGE H8334

The House bill contains no comparable provision.
Claiborne Pell,
Paul S. Sarbanes,
Christopher J. Dodd,

PAGE H8346

PAGE H8348

TITLE ARMENIAN GENOCIDE DAY OF REMEMBRANCE
MOTION TO PROCEED

TEXT He reminds us that we are still a long way from being truly a 'family of man.' Earlier, this past Monday, he was quoted by the New York Times, saying that Czechoslovakian society 'has awakened, from the human and civic point of view. But it has slept for so long and so deeply that on waking it still feels a little groggy, not yet in full command of its capacities. It is necessary somehow to watch over this awakening, to arouse the people to take charge of their spirit, to lead them back to a state of calm, mature, daytime vigilance.' Mr. Havel said that he was coming to the United States to learn. 'We are going there to learn,' he said. 'We are going there to learn from a democratic system like the one we enjoyed for only so brief a period, only 20 years, and lost.' While this Czechoslovakian leader has come here to learn, we can also learn from him about taking the high road of responsibility for our actions, and for caring for the results of our actions as they might pertain to minorities which make up all these newly emerging states and societies.

That is a great lesson. Just before the recess I signed a letter authored by the distinguished minority leader, Mr. Dole, regarding the problem of minority rights in Yugoslavia. Mr. Dole indicated in his letter, which I jointed, that ethnic Albanians have suffered from 'extreme oppression at the hands of Serbian authorities.' He indicated that the current Yugoslav political authorities are repressive and tyrannical, and despite that, that 'democratic forces are emerging in various Yugoslav republics.' The letter went on to say that 'we are heartened by the development of democratic political parties in Yugoslavia and hope that these parties are given a chance to prosper.' The letter encouraged the administration to be 'more aggressive and public in its support for peaceful democratic change in Yugoslavia.' I agree with the assessment of the minority leader, and I joined him in that letter.

I would point out, Mr. President, that no such repression exists today in Turkey. Democracy is working well. The rights of minorities are being respected. Yet, Mr. President, evidence of tensions and conflicts abounds on Turkey's borders. Ethnic tensions in Greece and Bulgaria have recently been heightened. According to the New York Times of February 7, 1990, Western diplomats in Athens said that there was growing concern in Athens and Sofia over unrest among Muslim minorities. Bulgaria, as is well known, has tried to force their departure. Far worse in the situation in the Soviet Union. Rioting was reported last Saturday, February 17, 1990, in the Soviet Republic of Uzbekistan as Muslims clashed with ethnic Armenians in Samarkand. It was reported that 'the outbreak of violence in Uzbekistan follows 7 days of unrest in a neighboring Republic of Tadzhikistan, a mostly Muslim region bordering China and Afghanistan, where 20 people were killed and 568 wounded by Interior Ministry count.' So there are three separate regions now which have recently experienced this type of

ethnic violence in the Soviet Union.

SENATORS WHO HAVE MADE STATEMENTS ON THE ARMENIAN GENOCIDE

PAGE S1312

PAGE S1328

April 1983: Levin, Riegle, Jackson, Metzenbaum, Pell, Lautenberg, Biden, Specter, Sarbanes, Dole, Kennedy, Hollings, Bradley, Lugar, Glenn, Helms, and Dodd.

April 1985: Levin, Cranston, Glenn, DeConcini, Metzenbaum, Riegle, Wilson, Heinz, Mitchell, Kasten, Sarbanes, Lautenberg, Chafee, Bingaman, Pell, and Dodd.

April 1986: Levin, Wilson, Bradley, Simon, DeConcini, Lautenberg, Dodd, Boschwitz, D'Amato, Glenn, Metzenbaum, Sarbanes, Hollings, and Moynihan.

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April 1987: Levin and Lautenberg.

We cannot purge history of its ugly chapters. Lessons of terror are just as important as lessons of compassion and valor. An enlightened knowledge of our barbaric past is the only weapon we may bear to prevent future acts of genocide. Should another mad man ask the question, as Hitler did - 'who remembers the Armenians?' - we must all be able to answer - 'I do.'

Mr. Sarbanes. Mr. President, 2 months ago the Senate of the United States gave its advice and consent to the International Convention on the Prevention and Punishment of the Crime of Genocide, a document signed by the United States in 1948 and submitted to the Senate the following year. Ratification of the convention after nearly 37 years is a symbol of our commitment to the future; it is also a remembrance of the past, our commemoration of genocide's tragic victims.

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Our century, so notable for progress in other ways; has been profoundly scarred by genocide, a crime of such magnitude that it is difficult to grasp its dimensions or determine precisely the number of its victims. Indeed, the word genocide is itself a mid-twentieth-century word, coined in an effort to come to terms with the tragedy of deliberate mass extermination.

I thank the Senator from West Virginia and I yield back what time I did not use.

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Mr. BYRD. Mr. President, I understand the distinguished Senator from Maryland (Mr. Sarbanes) wishes to speak at this time. How much time would the Senator like?

Mr. SARBANES. I think 6 minutes would probably be sufficient.

PAGE S1341

Mr. BYRD. Mr. President, may I say that I am not acting as a traffic cop on the floor today. I came to the floor quite some time ago with a speech that is 65 pages in length or so and I have used 11 pages. I say that only to explain that I do not intend to be here all day. But I am very happy to yield to the distinguished Senator from Maryland (Mr. Sarbanes). I yield to him for 10 minutes, more than that if he wishes, under the same terms and conditions by which I have yielded previously today.

The PRESIDING OFFICER. The Senator from West Virginia yields to

the Senator from Maryland for such time as he may require.

Mr. SARBANES. Mr. President, I appreciate the courtesy of the very distinguished Senator from West Virginia.

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Mr. President, I rise in support of the resolution that is before us. I very much hope that the Senate will in the next day decide to move to consider the substance of this resolution. At the moment, we are simply engaged in the debate over whether to proceed. I think we should proceed to the resolution. I think we should consider it and I think we should pass it.

(FROM THE WASHINGTON POST, FEB. 16, 1990)

THE NEW CRESCENT OF CRISIS: GLOBAL INTIFADA

(BY CHARLES KRAUTHAMMER)

Pick up the newspaper, and look at the map. Where are the great explosions of ethnic and religious violence? Follow an arc from east to west then south: Kashmir, Azerbaijan, Kosovo (Yugoslavia), Lebanon, the West Bank. Along this new 'arc of crisis' some of the most violent, volatile conflicts in the world are being played out. The explosions appear random. But a deep historical current runs through them all.

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All of these conflicts are rooted in the same grievance: a Moslem population is demanding sovereign control over a piece of territory in which it constitutes a local majority. The Moslems are fighting for (1) dominion over their province and (2) domination over the local non-Moslem minorities. In all but Lebanon (which long ago achieved sovereignty), they demand (3) separation from the non-Moslem country to which they are now joined and (4) independence or unification with the Moslem heartland.

In Azerbaijan, the Soviet army was sent to crush a popular movement for secession and independence by Moslem Azerbaijanis.

In Kosovo province, Yugoslavia, the Albanian Moslem majority is demanding freedom from control by non-Albanian, non-Moslem Serbia.

In Lebanon, the Moslem majority backed powerfully by Syria surrounds and would subdue the now fratricidal Christian minority.

PAGE S1348

These are all long-standing conflicts. They are, of course, not centrally directed. They have their own origins and each its claim to justice. But they share not just a common political thread - the Muslim demand for hegemony - but a geographical unity. Look at the map. The Islamic heartland stretches contiguously from Morocco to Pakistan. These conflicts are all taking place at the edges of that heartland, precisely where the Moslem world meets the surrounding non-Moslems.

Kashmir is where the Moslem heartland meets Hindu India. Azerbaijan marks the border of Islam with the southern flank of the Soviet Union at the Caucasus, Kosovo (together with Bosnia, for now quiet) marks the farthest reach of Moslem populations into Christian Europe. In Lebanon and Israel, Islam confronts non-Moslem communities, one Christian, one Jewish, clinging to the edge of the Islamic world at the Mediterranean.

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The Islamic heartland has gone through its period of decolonization. From Morocco to Pakistan these countries threw off

European imperialism in a process that began earlier in the century and may be said to have culminated with the revolution in Iran. What we are seeing now is the further evolution of the Islamic awakening: the demand for local hegemony by Moslem populations at the borders of the Islamic heartland.

This demand is not without irony. In insisting upon self-determination, the activists demand what the Islamic world refuses to grant any of its ethnic and religious subgroups; neither its Kurds nor its Armenians nor its blacks (in southern Sudan, for example) are permitted sovereignty and territorial control over those lands in which they constitute a local majority.

Self-determination for whom? The Kashmiris are a minority within India. Kosovo Albanians are a minority within Yugoslavia. They demand political control of the subunit, Kashmir and Kosovo, where they constitute the local majority. But why does self-determination stop there? Will they grant similar autonomy, let alone independence, to the smaller groups within these territories? The Hindus of Kashmir and the Serbs and Montenegrins of Kosovo are hardly likely to enjoy very many civil rights, let alone national rights, under the rule of the separatists. (A reality that in the last decade has induced one-fifth of the non-Albanian population of Kosovo to flee.)

PAGE S1348

There is something arbitrary and nonreciprocal about these demands for independence. Nagorno-Karabakh is an overwhelmingly (Christian) Armenian province within Azerbaijan. It is demanding from Azerbaijan what Azerbaijan is demanding from the Soviet Union: freedom. Azerbaijan not only rejects that demand. It is prepared to go to war with Armenia to back that rejection.

I have done so because I have come to a recognition that there are real consequences of what we do in the U.S. Senate, that resolutions like this can have a profound effect. They are not cost-free opportunities to go on the record. I was particularly made aware of this last August.

Last year the Senate approved a resolution criticizing Yugoslavia for its treatment of the ethnic Albanians living in the Kosovo Province. This was a joint resolution which was passed late one evening without even the kind of discussion that we are having now on Senate Joint Resolution 212. What were the implications of that resolution?

The resolution contributed to Yugoslavia recalling its Ambassador from the United States. Last August, when I visited in Yugoslavia for purposes of attending a conference on United States-European Soviet relations, we were accosted by Yugoslavs who felt that the United States had taken the Albanian side in what was obviously a highly emotional issue.

PAGE S1353

The Foreign Minister of Yugoslavia spoke to this gathering and focused a considerable amount of his attention on the strain that this resolution had created between Yugoslavia and the United States of America. Here we have a country that, long before the events of 1989, had been a country that had been proud to stand for some values of independence, sovereignty, and resist Soviet domination in a very contentious corner of the world, and which we,

by a joint resolution passed without much appreciation of its consequences, had just condemned.

Of course, we want to speak out for human rights violations. The Senate has and will continue to do so, but in so doing we must speak knowledgeably, fairly, and with a full appreciation of the impact which our actions must have.

That action last year relative to the Yugoslavs, the Albanians, and Kosovo failed to meet those tests. I suggest that, if we were to take an affirmative action on Senate Joint Resolution 212, we would again fail to meet the test of acting knowledgeably, fairly, and with a full appreciation of the consequences of our actions.

PAGE S1353

There is no doubt that passage of this joint resolution would greatly harm relations with an important ally of the United States of America.

TITLE EXPORT ADMINISTRATION ACT AMENDMENTS
TEXT

Whether or not the cold war is in fact dead may still be debated, but it is certain that increased trade and investment throughout Eastern Europe will help nail the coffin shut on communism. By committing the recent Cocom agreements on east-west trade to statute, and by making sure that our export control regime will never again become overly prohibitive on trade with Eastern Europe, these amendments to the Export Administration Act give our businesses the chance to enhance both the economic power and the competitive position of the United States. Further, through this promotion of the economic stability and the feelings of trust in Eastern Europe, American business can play an active role in the quest for world peace and the United States' national security.

In closing, let me extend congratulations and thanks to the distinguished Senator from Maryland (Mr. Sarbanes), the chairman of the Subcommittee on International Finance and Monetary Policy. He and his excellent staff have worked diligently to ensure that this major overhaul of the export control system would be completed in a timely manner. Senator Sarbanes has invested a great deal of time and effort in crafting legislation which has thus far been widely accepted by Members on both sides of the aisle and by the administration; for this he deserves our deepest gratitude. I would also like to thank Senator Riegle for his help in moving this important legislation forward once work in the subcommittee had been completed.

Mr. President, I urge all of my colleagues to support this very important overhaul of the Export Administration Act. In the interests of continued U.S. international strength and security, the need for an effective and efficient export control structure cannot be ignored.

PAGE S13021

Thank you, Mr. President.

Mr. SARBANES. Mr. President, I repeat what I said earlier. We are now at the point of being prepared to act finally on this legislation. Unless there is some other Member who has an amendment to offer - -

The PRESIDING OFFICER. Are there further amendments?

PAGE S13021

Mr. SARBANES. I understand there is a Member on his way. In view of that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

These young men and women whom we have sent to the Persian Gulf are top-class military personnel, enduring very difficult conditions without complaint. The conditions are beyond belief to anybody who has not experienced them. On the day we were in Saudi Arabia, out on that desert, for example, there were temperatures of 126 to 128 degrees. I do not understand how these young people are able to endure such temperatures.

PAGE S13025

What is even more difficult for this Senator to understand is how our troops can survive in those plastic suits they have been issued to protect themselves from chemical weapons attack. I spoke to one young man - and I am sure Senator Sarbanes did likewise - about how hot it must get inside of one of those suits on a day when the temperature reaches 128 degrees. But do you know something? He did not complain. He would not complain. He said, 'Senator, it is my duty.' But he made it clear that he would have greatly preferred not to face the threat of chemical weapons. That is very much on their minds, and it is understandable that it is.

At that point, I could not help thinking how much Congress has let this young man down. We let all our troops in the Persian Gulf region down, because every Member of Congress knew in 1988 that Iraq had chemical weaponry. Every Member of Congress knew that Iraq was actively expanding its chemical weapons production facility. In the final run, Congress did nothing in response.

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

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

PAGE S13026

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

PAGE S13026

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

Mr. SARBANES. Mr. President, the amendment that the Senator from North Carolina has offered, as I understand it, is identical in every respect with the legislation passed by the Senate without dissent by an overwhelming vote with respect to chemical and biological weapons. It is going to complicate the conference, I assume, but we are prepared to take the amendment and see what can be worked out as we proceed on down the line. It is the bill passed by the Senate without any change whatsoever, as I understand it from the Senator from North Carolina.

Mr. HELMS. That is correct.

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Mr. SARBANES. So we are prepared to accept the amendment.

Mr. HEINZ. Mr. President, as the Senator from Maryland has stated, this is exactly what the Senate has passed on a previous occasion and the substance of it is perfectly acceptable to this Senator. Indeed, the Senator from Maryland and I and the Senator from North Carolina did a lot of work together to make sure that this legislation came out well, and it did come out well.

The PRESIDING OFFICER. Are there further amendments?

Mr. SARBANES. We are ready to go to final passage, Mr. President.

The PRESIDING OFFICER. If there are no further amendments - -

PAGE S13029

The legislative clerk proceeded to call the roll.

PAGE S13029

Mr. SARBANES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SARBANES. Mr. President, we are prepared to go to third reading.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. SARBANES. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of H.R. 4653, the House companion bill, and that the Senate proceed to its immediate consideration; that all after the enacting clause be stricken; that the text of S. 2927, as amended, be inserted in lieu thereof; and that the bill be read a third time.

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

Sec. 206. Financing defense articles and services.

Sec. 207. Human rights in Yugoslavia.

Sec. 208. Increase of membership of advisory committee.

(3) by striking 'and (F)' in subparagraph (H) and inserting '(F), and (G)'.

SEC. 207. HUMAN RIGHTS IN YUGOSLAVIA.

(a) Findings. - The Congress finds that the Department of State's Country Report on Human Rights Practices for 1989 cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards, including infringement upon and abrogation of the rights of assembly and fair trial, freedom of speech, and freedom of the press.

(b) Report. - The Secretary of State shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives, not later than 3 months after the date of enactment of this Act, explaining why Export-Import Bank funding for exports to Yugoslavia has not been restricted or denied pursuant to section 2(b)(1)(B) of the Export-Import Bank Act of 1945.

SEC. 208. INCREASE OF MEMBERSHIP OF ADVISORY COMMITTEE.

(c) No later than 60 days after enactment, the Commissioner of the Customs Service shall provide the President of the Senate and Speaker of the House of Representatives with a report outlining illegal activities being undertaken in the United States by the Palestine Liberation Organization or on behalf of the Palestine Liberation Organization; including such activities as illegal drug trafficking, money laundering, weapons purchases and arms shipments; estimating the amount of funds associated with such activities; and describing the extent to which members of the PLO Executive Committee, the PLO Central Council and the Palestine National Council are aware of, or are involved in such illegal activities.

Mr. SARBANES. Mr. President, I move to reconsider the vote.

Mr. HEINZ. I move to lay that motion on the table.
The motion to lay on the table was agreed to.

Mr. SARBANES. Mr. President, I ask unanimous consent that the Senate insist on its amendments and request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees.

PAGE S13041

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

Mr. SARBANES. Mr. President, I ask unanimous consent that S. 2927 be indefinitely postponed.

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

PAGE S13041

Mr. SARBANES. Mr. President, I thank my distinguished colleague from Pennsylvania for, as usual, his very effective cooperation on this legislation.

I thank the members of the staffs, whose names I will include in the Record, for their help. They have done an outstanding job, and we are most appreciative to them.

I would like to thank my staff, who discovered last night - John Walsh and Bill Reinsch - that we were going to take this legislation up today. They have done a very fine job. The majority and other staff I commend equally.

Mr. SARBANES. Mr. President, I want to mention the staff by name. I said I would put it in the Record, but I want to thank Martin Gruenberg and Patrick Mulloy and John Walsh and Bill Reinsch for really very fine contributions. We are most appreciative to them.

PAGE S13041

5 OF 28 68 LINES
PART CONGRESSIONAL RECORD (SENATE)
DATE October 12, 1990

PAGE S15106
TITLE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS
APPROPRIATIONS, FISCAL YEAR 1991

TEXT (d) In the administration of this provision, the Department of Defense shall take such measures as are necessary to expedite the transfer of equipment referred to in subsection (a).

ASSISTANCE FOR YUGOSLAVIA

PAGE S15129

Sec. 599E. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to provide any direct assistance to the Federal Republic of Yugoslavia: Provided, That for purposes of this section, the prohibition on obligation or expenditures shall include direct loans, credits, insurance, and guarantees of the Export-Import Bank of the United States or its agents: Provided further, That the Secretary of the Treasury shall instruct the United States Executive Director of each international financial institution to use the voice and vote of the United States to oppose any assistance of the respective institution to the Federal Republic of Yugoslavia: Provided further, That this section shall not apply if substantially all of the assistance provided to any program, project, or activity is used in a Yugoslav Republic which has held free and fair elections and which is not engaged in the systematic abuse of human rights: Provided further, That this section shall not apply to assistance intended to support democratic parties or movements, emergency or humanitarian assistance, or the furtherance of human rights: Provided further, That this section shall not apply if the Secretary of State certifies to the Congress that the Federal Republic of Yugoslavia is in compliance with the obligations of the Helsinki Accords.

TITLE VI - INTERNATIONAL FORESTRY COOPERATION

The result was announced - yeas 51, nays 38, as follows:

PAGE S15136

(ROLLCALL VOTE NO. 270 LEG.)

YEAS - 51

Adams	Akaka	Baucus
Bentsen	Bingaman	Bradley
Bryan	Burdick	Byrd
Chafee	Cohen	Conrad
Cranston	Daschle	DeConcini
Dodd	Glenn	Gore
Graham	Harkin	Heinz
Hollings	Inouye	Jeffords
Kennedy	Kerrey	Kerry
Kohl	Lautenberg	Leahy
Levin	Lieberman	Mikulski
Mitchell	Moynihan	Nunn
Packwood	Pell	Pryor
Riegle	Robb	Rockefeller
Rudman	Sanford	Sarbanes
Sasser	Shelby	Simon

Specter

Armstrong
Boren
Burns
D'Amato
Dole
Ford
Grassley
Helms
Kasten
Mack
Nickles
Roth
Wallop

Stevens

NAYS - 38

Biden
Boschwitz
Coats
Danforth
Durenberger
Gorton
Hatch
Humphrey
Lott
McConnell
Pressler
Symms
Warner

Wirth

Bond
Breaux
Cochran
Dixon
Exon
Gramm
Heflin
Johnston
Lugar
Murkowski
Reid
Thurmond

4 OF 28 155 LINES
PART CONGRESSIONAL RECORD (SENATE)
DATE October 22, 1990
PAGE
TITLE
TEXT

PAGE S16358

EGYPTIAN DEBT FORGIVENESS

The result was announced - yeas 95, nays 3, as follows:

PAGE S16362

(ROLLCALL VOTE NO. 299 LEG.)

YEAS - 95

Adams	Akaka	Baucus
Bentsen	Biden	Bingaman
Bond	Boren	Boschwitz
Bradley	Breaux	Bryan
Bumpers	Burdick	Burns
Byrd	Chafee	Coats
Cochran	Cohen	Conrad
Cranston	D'Amato	Danforth
Daschle	DeConcini	Dixon
Dodd	Dole	Domenici
Durenberger	Exon	Ford
Fowler	Garn	Glenn
Gore	Gorton	Graham
Grassley	Harkin	Hatch
Hatfield	Heflin	Heinz
Helms	Hollings	Humphrey
Inouye	Jeffords	Johnston
Kassebaum	Kasten	Kennedy
Kerrey	Kohl	Lautenberg
Leahy	Levin	Lieberman
Lott	Mack	McCain
McClure	McConnell	Metzenbaum
Mikulski	Mitchell	Murkowski
Nickles	Nunn	Packwood
Pell	Pressler	Pryor
Reid	Riegle	Robb
Rockefeller	Roth	Rudman
Sanford	Sarbanes	Sasser
Shelby	Simon	Simpson
Specter	Stevens	Symms
Thurmond	Wallop	Warner
Wilson	Wirth	

NAYS - 3

Armstrong

Lugar

Moynihan

PAGE S16362

(ROLLCALL VOTE NO. 300 LEG.)

YEAS - 1

Byrd

NAYS - 97

Adams	Akaka	Armstrong
Baucus	Bentsen	Biden
Bingaman	Bond	Boren
Boschwitz	Bradley	Breaux
Bryan	Bumpers	Burdick
Burns	Chafee	Coats

Cochran
Cranston
Daschle
Dodd
Durenberger
Fowler
Gore
Grassley
Hatfield
Helms
Inouye
Kassebaum
Kerrey
Leahy
Lott
McCain
Metzenbaum
Moynihan
Nunn
Pressler
Riegle
Roth
Sarbanes
Simon
Stevens
Wallop
Wirth

Cohen
D'Amato
DeConcini
Dole
Exon
Garn
Gorton
Harkin
Heflin
Hollings
Jeffords
Kasten
Kohl
Levin
Lugar
McClure
Mikulski
Murkowski
Packwood
Pryor
Robb
Rudman
Sasser
Simpson
Symms
Warner

Conrad
Danforth
Dixon
Domenici
Ford
Glenn
Graham
Hatch
Heinz
Humphrey
Johnston
Kennedy
Lautenberg
Lieberman
Mack
McConnell
Mitchell
Nickles
Pell
Reid
Rockefeller
Sanford
Shelby
Specter
Thurmond
Wilson

PAGE S16371

NOT VOTING - 2

Gramm

Kerry

SUPPORT FOR SECTION 599E

Mr. PELL. Mr. President, I strongly support section 599E regarding assistance to the Federal Republic of Yugoslavia. I commend Senator Nickles for offering this provision which would condition United States assistance upon progress on human rights and democratic reform by Yugoslavia and its republics.

PAGE S16391

Regrettably, intense nationalist rivalry in Yugoslavia is fueling a rash of repression and is hindering progress toward reform. Recent clashes in Serbian-inhabited areas of Croatia have many observers asking how long the Federal Republic can survive. The spate of unrest has raised the specter of civil war.

Mr. President, Yugoslavia is a multi-ethnic society, where tyranny against one group has broad repercussions for all who live in the federation, including Croatians, Slovenes, Montenegrans, and Serbs. And nowhere in Yugoslavia has that tyranny been more harshly felt than in Kosova, where the Serbian leadership continues a campaign of repression against the Albanian population. The Serbian Government has arrested hundreds of ethnic Albanians, shut down the Albanian press, and revoked the Province's autonomous state. Many Albanians have been brutally beaten and even killed during the past 2 years. Clearly, by these actions, Yugoslavia is violating its political obligations under the Helsinki Final Act and under the

Universal Declaration of Human Rights.

Human rights organizations have expressed increasing concern about the situation in Kosova. In August, the executive director of Helsinki Watch wrote to the Prime Minister of Yugoslavia, to say that the human rights group was 'dismayed at recent policies of the Government of Serbia and the Federal Government that have * * * significantly increased human rights violations in that province.' In a September press release, the chairman and cochairman of the United States Commission on Security and Cooperation in Europe, Senator DeConcini and Representative Hoyer, stated: 'Recent actions by Sarbian authorities in Kosovo have escalated an already tense situation to dangerous new levels.'

PAGE S16391

Despite these and other international outcries, repression continues. Apparently, Serbian officials are making it difficult for Albanians to receive medical care. In Pristina, Kosova's capital, Albanian doctors have been fired from the main hospital and replaced with Serbian physicians who do not speak Albanian. Medicine is apparently in short supply, and according to a recent newspaper account, Serbian police have harassed and seized medical supplies from Catholic nuns who had cared for Albanian citizens.

There are signs of hope, however: in Serbia, a democratic movement that apparently opposes its current leader's brand of nationalism is emerging; and in other republics - such as Slovenia and Croatia, free elections were held during the past year. Section 599E would encourage these trends toward democracy. This provision would not deny assistance intended to support democratic movements within the country; nor would it deny humanitarian assistance; nor would it deny assistance for activities in a Yugoslav Republic which has held free and fair elections and which is not engaged in systematic human rights abuses.

Mr. President, I believe this provision complements Senate Concurrent Resolution 124, a measure that Senator Dole and I introduced earlier this year condemning the violations of human rights in Kosova. Taken together, our resolution and section 599E of this legislation put the Congress squarely on the side of progress in Yugoslavia. I believe that the United States must keep the pressure on Yugoslavia to take effective action in support of reconciliation in Kosova and to protect the human rights of all citizens of the Federal Republic of Yugoslavia.

PAGE S16391

Mr. MITCHELL. Madam President, this is the third time that I have attempted to enable the Senate to complete action on this bill. The first time I tried, I was unable to bring the bill up because of an objection on the Republican side. The second time, despite their best efforts - and they were super efforts by the managers - the distinguished Senator from Vermont and the Senator from Wisconsin, we were unable to complete action on the bill.

3 OF 28 184 LINES
PART CONGRESSIONAL RECORD (SENATE)
DATE October 24, 1990

PAGE PAGE S16620
TITLE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS
APPROPRIATIONS, FISCAL YEAR 1991

TEXT Mr. President, I believe this small but significant grant of money will help accelerate the day when the Baltic States are once again free, and demonstrate our continued solidarity with their struggle.

PAGE S16623

AID TO YUGOSLAVIA

Mr. LAUTENBERG. Mr. President, I rise in support of the fiscal year 1991 foreign aid appropriations bill, and in particular, an amendment I cosponsored to deny funds to republics in Yugoslavia unless the aid will be used in a republic which has held democratic elections and is not engaged in systematic abuse of human rights. The amendment was adopted unanimously during consideration by the full Senate Appropriations Committee.

PAGE S16623

This provision sends a clear message to the Federal Government of Yugoslavia and to each Republic about our concern for human rights - in Kosovo and throughout Yugoslavia. And, it attempts to put teeth into our concerns.

Mr. President, in July, Serbia engineered a referendum to delay free, multiparty elections until after its Communist-controlled Parliament adopts a new constitution. When the ethnic Albanian majority of the Kosovo Legislature voted to declare Kosovo the equivalent of a republic, the Serbian authorities dissolved Kosovo's Parliament, assuming legislative and administrative powers in Kosovo. They also dismissed the editors of Kosovo's main Albanian-language newspapers and the managers of its radio and television stations, and dismissed thousands of Albanian workers who were replaced by Serbs.

These events represent serious curtailments of basic human rights which violate Yugoslavia's Helsinki obligations. The dispersal of peaceful Albanian demonstrations by the authorities, often through the use of force and mass arrest, constitutes a further abridgement of rights and reflects an attitude which stresses conflict over dialog.

PAGE S16623

The violations of human rights in Kosovo are perhaps the worst and most widely known symptoms of more general problems in Yugoslavia. The way this situation is handled by the Serbian and Yugoslav federal authorities may affect other republics and may, in fact, be the principal threat to Yugoslavia's stability and ultimately, its continued growth and economic development.

For these reasons, I am pleased that this amendment is included in this bill, expressing the priority our Nation attaches to seeing an improvement in the situation in Kosovo and Yugoslavia in general. I also ask unanimous consent that a copy of a letter I wrote to Secretary Baker on this subject be included following my statement.

There being no objection, the letter was ordered to be printed in

the Record, as follows:

U.S. Senate,
Washington, DC, September 26, 1990.
PAGE S16623

Washington, DC.

PAGE S16623

Dear Mr. Secretary: I am writing to express my deep concern about events in the Yugoslav province of Kosovo, especially the continuing violations of the rights of ethnic Albanians. I commend your efforts to date, and urge you to continue to press the Yugoslavian government to make good on its Helsinki promises, and to make clear to them that their hopes for increased American business investment are jeopardized by the current situation.

I was pleased that Ambassador Kampelman raised the issue of Kosovo at the Helsinki Conference in Copenhagen and that the Administration publicly expressed its concern over the situation last June. Congress, especially the Helsinki Commission, of which I am a member, has also tried to bring pressure to bear to improve the situation in Kosovo and end human rights violations. Despite our efforts, I remain concerned that the succession of events over the last year and the continued lack of a peaceful dialogue between interested parties in Kosovo raise the chances of further human rights violations, large scale unrest, and more hardship for residents of Kosovo. The situation thus requires our continued attention and pressure.

In July, Serbia engineered a referendum to delay free, multi-party elections until after its communist-controlled parliament adopts a new constitution. When the ethnic Albanian majority of the Kosovo legislature voted to declare Kosovo the equivalent of a republic, the Serbian authorities dissolved Kosovo's Parliament, assuming legislative and administrative powers in Kosovo. They also dismissed the editors of Kosovo's main Albanian-language newspapers and the managers of its radio and television stations, and dismissed thousands of Albanian workers who were replaced by Serbs.

PAGE S16623

These events represent serious curtailments of basic human rights which violate Yugoslavia's Helsinki obligations. The dispersal of peaceful Albanian demonstrations by the authorities, often through the use of force and mass arrest, constitutes a further abridgement of rights and reflects an attitude which stresses conflict over dialogue. These events wiped out the small measure of optimism that resulted after the April visit of the Helsinki Commission when there were several positive developments in the situation in Kosovo.

The violations of human rights in Kosovo are perhaps the worst and most widely known symptoms of more general problems in Yugoslavia. The way this situation is handled by the Serbian and Yugoslav federal authorities may affect other republics and may, in fact, be the principle threat to Yugoslavia's stability, and ultimately, its continued growth and economic development.

One very disturbing factor is the attitude of Serbian and Yugoslav federal authorities as portrayed in statements to the Helsinki Commission delegation and to the U.S. Congressional Human Rights Caucus. Two factors are apparently being used to justify

failure to deal with the problems in Kosovo: human rights violations by ethnic Albanians against the Serbian minority in Kosovo and the separatist motives and violent acts of some ethnic Albanians.

PAGE S16623

Using violations committed by members of one group to justify violations against that entire group in return is intolerable. Using separatist motives to justify violating human rights does not bode well for other Yugoslav republics where separatist sentiment is on the rise. And, dealing appropriately with violent criminals, no matter what their motives, does not require denying fundamental human rights.

Further, I was disappointed that the State Department's June 29, 1990 statement on Kosovo does not mention that the Yugoslavian federal government bears ultimate responsibility for what occurs in Kosovo, saying: 'It is incumbent on the ethnic majority in each republic and province to guarantee the security and fundamental human rights of all national and ethnic minorities living within its territory.' But the constitutional division of powers between the federal government and the republics and provinces is clearly no longer in effect. Serbia has been able to unilaterally override the 1974 Yugoslav constitution which provided for the autonomy of Kosovo. It was the government of Yugoslavia, not the republics and provinces, that signed the Helsinki Final Act. Therefore, it is incumbent on that government to take steps to fulfill its obligations.

Finally, it should be made clear to the Yugoslav government that this problem has tarnished the image of Yugoslavia, and could hurt its ability to attract American investment. President Markovic asked the Helsinki Commission delegation to do what it could to encourage U.S. business to look to Yugoslavia as a partner for trade and investment. I fear that the potential for political and social instability in Yugoslavia will discourage U.S. business.

PAGE S16623

I urge you to keep the pressure on the Yugoslavian government through every available channel to end all human rights abuses and assure that its Helsinki promises are fulfilled.

The result was announced - yeas 76, nays 23, as follows:

(ROLLCALL VOTE NO. 306 LEG.)

YEAS - 76

Adams	Akaka	Bentsen
Bingaman	Bond	Boschwitz
Bradley	Bryan	Bumpers
Burns	Chafee	Coats
Cochran	Cohen	Cranston
D'Amato	Danforth	DeConcini
Dixon	Dodd	Dole
Durenberger	Ford	Fowler
Glenn	Gore	Gorton
Graham	Gramm	Grassley
Harkin	Hatch	Heinz
Inouye	Jeffords	Kassebaum
Kasten	Kennedy	Kerrey
Kerry	Kohl	Lautenberg

Leahy
Lott
McCain
Mikulski
Murkowski
Packwood
Riegle
Sanford
Shelby
Specter
Wallop
Wirth

Levin
Lugar
McConnell
Mitchell
Nickles
Pell
Robb
Sarbanes
Simon
Stevens
Warner

Lieberman
Mack
Metzenbaum
Moynihan
Nunn
Reid
Rudman
Sasser
Simpson
Thurmond
Wilson

PAGE S16624

NAYS - 23

Armstrong
Boren
Byrd
Domenici
Heflin
Humphrey
Pressler
Roth

Baucus
Breaux
Conrad
Exon
Helms
Johnston
Pryor
Symms

Biden
Burdick
Daschle
Garn
Hollings
McClure
Rockefeller

PAGE S16625

TEXT Chairman: Senator Dennis DeConcini (D-AZ), Chairman of the Helsinki Commission.

Members: Senator Paul Sarbanes (D-MD), Mrs. Christine Sarbanes, Representative Jim Moody (D-WI), William Fritts (U.S. Department of Commerce).

Helsinki Commission Staff: Samuel Wise, Staff Director; David Evans, Senior Advisor; Robert Hand, Staff Assistant; Erika Schlager, Staff Assistant.

The Commission delegation visit to Albania came at a time of great change in Europe and, for the first time since World War II, potentially far-reaching change in Albania itself.

Albania, situated between Greece and Yugoslavia on the Adriatic coast, is a relatively small country with a population of about 3 million people. According to official figures, 98 percent of the population is ethnically Albanian, linguistically divided into the northern Ghegs and the southern Tosks. Reflecting Ottoman Turk, Greek, and Italian influences, Albanians can also be divided according to religious background, with around 70 percent coming from Muslim, 20 percent from Orthodox and 10 percent from Roman Catholic families, although Albania today claims to be the world's first atheist state. The remainder of the population consists mostly of a Greek minority, although there are also Macedonians, Montenegrins, Serbs, Jews, Gypsies and a few other ethnic groups as well. The number of Greeks is unknown but is believed to be somewhere between the official estimate of about 60,000 and the figure of 400,000 claimed by some Greek organizations.

Albania has a long history of foreign rulers and was the last Balkan state to achieve independence, freeing itself from the Ottomans only in 1912. Being a mountainous, relatively inaccessible region, however, the country was able to retain not only its linguistic uniqueness but the old, clan-oriented customs of the Albanian people as well. Albania was ruled before the war by King Zog. After Italy's invasion in 1939, the country was ruled by a puppet regime until liberated by the Communists, led by Enver Hoxha and closely aligned with the Tito's Partisans in Yugoslavia.

Enver Hoxha ruled Albania until his death in 1985. A devout Stalinist, Hoxha sided with the Soviet Union when Tito broke from the Communist block in 1948, only to break from the Soviets himself in the early 1960's following Khrushchev's rapprochement with Yugoslavia. Albania then enhanced its relationship with the People's Republic of China until that country initiated post-Mao reforms and expanded ties with the United States in the late 1970's. Since that time, Albania has maintained the hard Stalinist course on its own, although since Hoxha's death in 1985 there have been efforts to lessen the degree to which the country is isolated internationally, such as establishing bilateral relations with an increasing number of countries and participating in joint meetings

of Balkan countries. A member of the United Nations, Albania's participation has been low-key and only in some U.N. bodies.

Formal diplomatic relations between Albania and the United States ended with the Italian invasion of Albania in 1939. Immediately after the war an informal U.S. mission established itself in Tirane, but it was withdrawn in 1946 due to harassment by the authorities. Subsequently, Albanian official statements attacked U.S. policies and leaders, later giving the Soviet Union and then China similar treatment. Moreover, Albania declined participation in the CSCE process, calling the original Conference a Soviet-American attempt to maintain the division and control of Europe.

When the CSCE process was discussed, Albanian officials expressed a strong desire to advance from the status of observer it had been granted at recent meetings to that of a full member. Full members are permitted to speak in the meetings, introduce proposals, and participate in decisions based on the rule of consensus. The officials added that the Albanian government had reviewed all CSCE documents thoroughly and is willing to commit itself to all of them, from the Helsinki Final Act of August 1975 to the document of the Copenhagen Human Dimension Meeting which was adopted in June 1990.

On this point, Chairman DeConcini, Senator Sarbanes and Representative Moody expressed support granting Albania observer status at CSCE meetings. Noting that CSCE made human rights a subject for international scrutiny, however, they also said that the Albanian government bring its performance - i.e., policies and practices - significantly closer to what would be considered compliance with CSCE provisions being granted full membership in the process. The Albanian reaction was that 'preconditions' such as this were unfair, since many governments had signed the Final Act and then for years isolated its provisions. The delegation explained that there was a fundamental difference between the two situations. Albania, on the one hand, is now trying to attain full membership in the CSCE, since it was not a participant in the original CSCE negotiations by its own choice, while, on the other hand, there is no requirement to maintain membership once that status was attained. Mention was also made of the extent to which past non-implementation had restrained progress in the CSCE over the years. When asked why Albania declined to participate in the Helsinki process from the beginning, President Alia describe the original Soviet objectives for the Conference, which was to legitimize its hold on Eastern Europe. He said that the end of the Cold War has made it possible for Albania to become a more active player in European affairs.

PAGE S17963

On human rights in Albania, the Commission delegation questioned Albanian officials about political prisoners, denial of religious and minority rights, the lack of political pluralism and the shooting of individuals attempting to flee across the border. Albanian officials argued that reports in the West of human rights violations in Albania were either the result of misunderstanding the specific situation in Albania or foreign propaganda. The delegation suggested that Albania permit objective human rights

organizations, such as the International Helsinki Federation and Amnesty International, to visit Albania and examine the situation first hand.

On minority issues, the delegation raised concerns over allegations that members of minority groups were discriminated against and, at times, were forcibly dispersed from their native regions to other parts of the country. There were also reports that, in the past, parents could not give their children some Christian names common to their ethnic group. Albanian officials and the members of the Democratic Front for the Greek Minority denied these allegations. The members of Democratic Front, the delegation concluded, represented the Albanian government more than the Greek minority. The delegation was informed that the Greek-language newspaper did not cover issues of special concern to the Greek minority but simply translated the Albanian press into Greek. The only acknowledgement by the Democratic Front that there have been problems for Greeks in Albania was when they reported that things have improved for the minority in recent years.

On foreign policy, Albanian officials said that the apparent ending of the Cold War was the primary motive for Albania's increased international activity, which included their desire to join CSCE process and to establish relations with both the United States and the Soviet Union. Both President Alia and Foreign Minister Malile described past Soviet policies, especially the 1968 invasion of Czechoslovakia, as justification of Albania's previous course, both internationally and domestically. They also noted their increased participation in cooperative efforts among Balkan nations, including their decision to host a meeting of Balkan foreign ministers in October 1990. Alia and Malile both were highly critical of Yugoslavia in light of current developments taking place in Kosovo, the overwhelming majority of the population of which is ethnically Albanian. They emphasized, however, that Albania is not and will not make any territorial claims regarding Kosovo.

The most visible and immediate diplomatic problem in Albania is the relationship between the foreign embassies in Tirane and the Albanian government. Especially since the storming of the embassies in early July, which diplomats viewed as essentially a spontaneous event, this relationship has clearly worsened. The delegation heard reports about violations of diplomatic norms, such as Albanian authorities entering diplomatic premises and even the physical harassment of diplomats, including an Ambassador. The delegation was told that, after initially shooting at Albanian citizens trying to gain entry to embassies in July, the authorities began to encourage and assist entry in an apparent attempt to 'suffocate' the embassies. The Albanian authorities also refused permission for foreign air carriers to land in Albania to deliver additional supplies necessary to take care of the thousands of people who did enter and then stayed on embassy grounds.

PAGE S17963

V. CONCLUSION

On August 22, 1990, the day after the Commission visit to Albania had concluded, the three congressional members of the delegation -

Chairman DeConcini, Senator Sarbanes and Representative Moody, made the following joint statement:

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'Our congressional delegation went to Albania in the context of that country's desire to end its relative isolation in the world by developing relations with the United States of America as well as joining the 35-member Conference on Security and Cooperation in Europe, known as the CSCE or Helsinki process. The purpose of this 3-day visit was to move beyond simply welcoming this positive development by initiating a dialogue on CSCE-related issues, including human rights. We also wanted to obtain for ourselves a better picture of how the Albanian Government's policies and practices reflect the commitments it would undertake if it were to become a full member of the CSCE.

From a human rights standpoint, it must be remembered that President Havel comes to his new political prominence as a former dissident and member of the (formerly outlawed) Czechoslovak Helsinki Committee and the Charter 77 human rights movement, as does his Foreign Minister, Jiri Dienstbier; his Ambassador to the United States, Rita Klimova; and host of other now high-ranking government and parliamentary officials. In the human rights sphere, Czechoslovakia's new leaders have personally seen a direct cause-and-effect relationship between the reforms which have been achieved in Eastern Europe and the Helsinki process.

At the Copenhagen Meeting of the Conference on the Human Dimension, Czechoslovakia named Dr. Jiri Hajek - Foreign Minister during the Prague Spring and a man of impeccable human rights credentials - as head of their delegation. It was at this meeting that a new negotiating group emerged called the 'Pentagonal.' Consisting of Czechoslovakia, Hungary, Yugoslavia, Italy, and Austria, these neutral and non-aligned, NATO, and Warsaw Pact countries share a set of borders and many common interests. So far, their coordination has been limited to specific areas of interest: in Copenhagen, it was minority rights; elsewhere, they are coordinating road management and other transportation concerns. It remains to be seen how this relationship will evolve; so far, these five have not coordinated their efforts in the military talks in Vienna.

The new Czechoslovak leadership has decided to take on an active role in all areas of CSCE and has proposed several new initiatives. For example, while visiting the Council of Europe in Strasbourg in May, President Havel called for a 'Helsinki zone' from Vladivostok to Vancouver that would overcome the division of Europe and promote disarmament. At the Vienna Meeting on Confidence- and Security-Building Measures (CSBMs), Czechoslovakia put forward an ambitious initiative for a European Security Council leading eventually to European federation. When most Western countries rejected the idea as overly ambitious, the Czechoslovaks dropped the more long-range provisions and enlisted the support of the GDR and Poland; they then twice convened all the ambassadors from CSCE countries in Prague to lobby for the initiative prior to the preparatory conference began in July.

PAGE S17965

Vondra expects that local elections conducted in November will be

by majoritarian system, and that as a consequence party influence will be lessened. He did not believe that the 96% voter turn-out witnessed in the June elections would be repeated. Vondra hopes that the Civic Forum structure will be changed before the local elections, to give the political movement more direction from the center and a central staff capable of supporting local Civic Forum organizations.

PAGE S17966

Questioned about the so-called 'Pentagonale' group (Austria, Hungary, Czechoslovakia, Yugoslavia, and Italy), Vondra assured the delegation that this new negotiating alignment is not an attempt to create a later-day Hapsburg Empire, but rather a reflection of a vacuum on the map of Europe. The real goal of the group is to facilitate regional cooperation within the context of eventual European integration. Vondra expects that in the near future the group will focus primarily on mutual cooperation (e.g., transportation questions) and not security issues.

Vondra also addressed the Czechoslovak proposal for a new European security system. He characterized the concept of two blocs as anachronistic but also stated that he did not like the idea of a neutral Eastern Europe under the protection of NATO, recalling what happened with previous 'guarantees' to Czechoslovakia's security in the past. He encouraged those who oppose Czechoslovakia's proposals to improve and refine them. Echoing Matejka's assurances regarding NATO, Vondra went on to say that he favored the creation of a CSCE dispute resolution center to deal with, inter alia, ethnic conflicts. NATO and such new mechanisms could complement each other.

1 OF 28 65 LINES
PART CONGRESSIONAL RECORD (HOUSE)
DATE October 25, 1990

PAGE H13844
TITLE CONFERENCE REPORT ON H.R. 4653, OMNIBUS EXPORT AMENDMENTS ACT OF
1990

TEXT Sec. 207. Interest subsidy program. PAGE H13844

Sec. 208. Human rights in Yugoslavia.

Sec. 209. Increase of membership of advisory committee.

'(C) \$35,000,000, for fiscal year 1992.'

SEC. 208. HUMAN RIGHTS IN YUGOSLAVIA.

(a) Findings. - The Congress finds that the Department of State's Country Report on Human Rights Practices for 1989 cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards, including infringement upon and abrogation of the rights of assembly and fair trial, freedom of speech, and freedom of the press.

PAGE H13851

(b) Report. - The President shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance, and Urban Affairs of the House of Representatives, not later than 3 months after the date of the enactment of this Act, explaining why Export-Import Bank funding for exports to Yugoslavia has not been restricted or denied pursuant to section 2(b)(1)(B) of the Export-Import Bank Act of 1945.

PAGE H13852

SEC. 209. INCREASE OF MEMBERSHIP OF ADVISORY COMMITTEE.

Alan Cranston,

PAGE H13861

Paul Sarbanes,
Jake Garn,
Claiborne Pell,
Paul Sarbanes,

PAGE H13861

Jesse Helms,

Conference agreement - The conference agreement is the House position. The conferees believe that the committees of jurisdiction should hold hearings on this issue early in the next Congress.

SECTION 208 - HUMAN RIGHTS IN YUGOSLAVIA

PAGE H13867

Present law - Present law allows human rights to be taken into consideration in making decisions about financing.

House bill - The House bill contains no comparable provision.

Senate amendment - The Senate amendment requires the Secretary of State to submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance, and Urban Affairs of the House of Representatives within three months of the date of enactment of this Act explaining why Eximbank funding for exports to Yugoslavia has not been restricted or denied despite the provisions of the Export-Import Bank Act and State Department findings of human rights abuses. (section 207)

Conference agreement - The conference agreement is the Senate provision with an amendment providing that the report be submitted by the President.

Alan Cranston,
Paul Sarbanes,
Jake Garn,

PAGE H13870

Claiborne Pell,

PAGE H13870

Paul Sarbanes,
Jesse Helms,

TEXT The Senator from Pennsylvania (Mr. Specter) proposes an amendment numbered 3.

Mr. SARBANES. Mr. President, what is the amendment now pending before the Senate?

PAGE S1944

The PRESIDENT pro tempore. Pending before the Senate is amendment No. 3 by Mr. Specter.

Mr. SARBANES. I thank the Chair.

Mr. METZENBAUM. Mr. President, I suggest the absence of a quorum.

PAGE S1944

The PRESIDING OFFICER. Is there additional debate? If not, the question occurs on amendment No. 4.

PAGE S1948

Mr. SARBANES addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland (Mr. Sarbanes).

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

PAGE S1948

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

I yield the floor.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

PAGE S1949

The PRESIDING OFFICER (Mr. Wirth). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PAGE S1950

UNANIMOUS-CONSENT AGREEMENT

Mr. SARBANES. Mr. President, a number of Members have been asking when votes are to occur. There is one amendment that is being negotiated out that is important, and a good deal of time has been spent on that. We are not yet at a resolution of that. But there are amendments that have been offered and that are pending. I think we can go ahead and set times now for those votes so Members can plan accordingly.

Therefore, I ask unanimous consent that the Senate vote on the Hatfield amendment at 5 p.m.; that immediately upon the disposition of the Hatfield amendment, Senator Metzenbaum be recognized to offer a motion to table the Specter amendment No. 3, as amended, if amended; that if the Specter amendment No. 3 is not tabled, a vote occur on the amendment without any intervening action or debate immediately upon the conclusion of the tabling vote and that no other second-degree amendments be in order to the Specter amendments.

PAGE S1950

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none. It is so ordered.

Mr. SARBANES. I alert Members that the yeas and nays have been ordered on the Hatfield amendment, and, as I understand, they will be requested on the motion to table the Specter amendment. We should expect two rollcall votes back to back.

PAGE S1950

Senator Heinz has an amendment that he is going to be offering. Of course, we will be ready to consider that whenever he wants to bring it to the floor. I gather there will be those present at the vote who will then want to consider it, although he may want to lay it down ahead of time to just have it pending before the Senate. At least this puts Members on notice that there will be two votes. The first one will begin at 5 o'clock. In the meantime, we are trying to resolve the one major amendment that needs to be resolved.

Mr. GARN. Will the Senator yield?

Mr. SARBANES. Certainly.

PAGE S1950

Mr. GARN. I just add that I believe the unanimous-consent agreement we just agreed to will certainly help speed up the process while we continue to negotiate on this other amendment. I also think it is important to notify our colleagues that it is the intention of the managers of the bill and the leadership to finish this Export Administration Act this evening. I think we will put them on notice we do intend to stay until it is finished.

Mr. SARBANES. The majority leader has indicated that it is his intention to finish tonight, and it is, frankly, our view that we can finish tonight in a reasonable way, if everyone behaves reasonably. That is a very large 'if,' I understand.

Mr. President, I suggest the absence of a quorum.

PAGE S1950

'(3) if the killing is an involuntary manslaughter as defined in section 1112(a) of this title, be fined under this title or imprisoned not more than three years, or both.'

PAGE S1951

Mr. SARBANES. Mr. President, has the underlying Specter amendment now been modified pursuant to the request?

The PRESIDING OFFICER. The underlying Specter amendment has been modified.

(ROLLCALL VOTE NO. 12 LEG.)

YEAS - 25

Akaka	Burdick	Chafee
Cohen	Danforth	Durenberger
Glenn	Gore	Harkin
Hatfield	Kennedy	Kerry
Kohl	Lautenberg	Leahy
Levin	Metzenbaum	Mitchell
Moynihan	Pell	Sanford
Sarbanes	Sasser	Simon
Wellstone		

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NAYS - 72

Adams	Baucus	Bentsen
Biden	Bingaman	Bond
Boren	Bradley	Breaux

Brown	Bryan	Bumpers
Burns	Byrd	Coats
Cochran	Conrad	Craig
D'Amato	Daschle	DeConcini
Dixon	Dodd	Dole
Exon	Ford	Fowler
Garn	Gorton	Graham
Gramm	Grassley	Hatch
Heflin	Heinz	Helms
Hollings	Jeffords	Johnston
Kassebaum	Kasten	Kerrey
Lieberman	Lott	Lugar
Mack	McCain	McConnell
Mikulski	Murkowski	Nickles
Nunn	Packwood	Pressler
Pryor	Reid	Riegle
Robb	Rockefeller	Roth
Rudman	Seymour	Shelby
Simpson	Smith	Specter
Stevens	Symms	Thurmond
Wallop	Warner	Wirth

The motion to lay on the table was agreed to.

PAGE S1951

Mr. SARBANES. Mr. President, if I could have order in the Senate

- -

The PRESIDING OFFICER. The Senate will be in order.

ORDER OF PROCEDURE

PAGE S1951

Mr. SARBANES. Mr. President, we are operating under a unanimous-consent request. At the time that it was made the managers were trying to move this process forward. I understand that Senator Metzenbaum, who is scheduled now to offer the motion to table, would like a few minutes in order to explain his position.

Therefore, I make a unanimous-consent request that Senator Metzenbaum be accorded 5 minutes, and Senator Specter be accorded 5 minutes for the purpose of debating, and that then we proceed as outlined by the unanimous-consent request.

Mr. DANFORTH. Mr. President, reserving the right to object, I wonder if the manager or the leader could give us an indication as to whether this will be the last vote?

Mr. SARBANES. No, it will not be the last vote. We are hopeful of finishing the bill this evening.

Mr. LEAHY. Can we have order, Mr. President? I cannot hear the Senator who is 2 feet from me.

PAGE S1951

The PRESIDING OFFICER. The Senate will be in order.

Mr. SARBANES. I say to my distinguished friend from Missouri, we do not expect it will be the last vote. We think we will be able to finish this bill this evening, we hope in fairly short order. It, in part, depends on efforts that are now being made to work out the Dole-Garn amendment. That involves discussions with the White House. We have some reason to think that may have a positive outcome. If so, we will be prepared to move quickly.

Senator Heinz has an amendment that he will be offering very shortly on which I understand he is prepared to enter into a time agreement, a fairly reasonable time agreement, which we will discuss.

PAGE S1951

(ROLLCALL VOTE NO. 13 LEG.)

YEAS - 23

Akaka	Burdick	Chafee
Cohen	Danforth	Durenberger
Glenn	Harkin	Hatfield
Kassebaum	Kennedy	Kerry
Kohl	Lautenberg	Leahy
Levin	Metzenbaum	Mitchell
Moynihan	Pell	Sanford
Simon	Wellstone	

NAYS - 74

Adams	Baucus	Bentsen
Biden	Bingaman	Bond
Boren	Bradley	Breaux
Brown	Bryan	Bumpers
Burns	Byrd	Coats
Cochran	Conrad	Craig
D'Amato	Daschle	DeConcini
Dixon	Dodd	Dole
Exon	Ford	Fowler
Garn	Gore	Gorton
Graham	Gramm	Grassley
Hatch	Heflin	Heinz
Helms	Hollings	Jeffords
Johnston	Kasten	Kerrey
Lieberman	Lott	Lugar
Mack	McCain	McConnell
Mikulski	Murkowski	Nickles
Nunn	Packwood	Pressler
Pryor	Reid	Riegle
Robb	Rockefeller	Roth
Rudman	Sarbanes	Sasser
Seymour	Shelby	Simpson
Smith	Specter	Stevens
Symms	Thurmond	Wallop
Warner	Wirth	

PAGE S1953

NOT VOTING - 3

Cranston	Domenici	Inouye
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AMENDMENT NO. 2

Mr. SARBANES. Mr. President, what is now pending before the Senate?

The PRESIDING OFFICER. The pending question is amendment No. 2 offered by the Senator from Pennsylvania.

PAGE S1953

Mr. SARBANES. Mr. President, we have indicated to the Senator from Pennsylvania we are prepared to accept that amendment and we are ready to vote.

Mr. SPECTER. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. That is correct.

Mr. SARBANES. Mr. President, we are prepared to move to a vote on the Specter amendment No. 2, if the clerk will put the question.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment of the Senator from Pennsylvania.

PAGE S1953

The PRESIDING OFFICER. Objection is heard.

PAGE S1958

Mr. SARBANES. I am sure we can provide the Senator a copy of the amendment immediately. Did the Senator want it before it was read?

Mr. HEINZ. Yes.

The Senator from Pennsylvania.

Mr. SARBANES. Will the Senator from Pennsylvania yield for an inquiry?

Mr. HEINZ. If I may do so without losing my right to the floor, I am pleased to yield to the Senator from Maryland.

PAGE S1958

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

Mr. SARBANES. I wonder, now that the Senator from Pennsylvania has proposed his amendment and made a statement on it, and the Senator from Ohio has proposed a second-degree amendment and made a statement on it, whether we could arrive at some time agreement now for the consideration of this matter. It would be very helpful to our colleagues to have some notion of how long this debate would go and then when they might expect votes. I would like to try to accommodate them in that regard.

Of course, both Senators have had an opportunity to make somewhat extended statements. I wonder if a half-hour evenly divided would accommodate the Senators.

PAGE S1958

Mr. President, I think the Senator from Ohio and I want to enter into a unanimous-consent agreement.

PAGE S1961

Mr. SARBANES. If I could intrude into this debate for just a moment, I would like to make a unanimous-consent request along the lines that were discussed amongst all the parties just a few minutes ago. Why do I not read it and then I will defer for a moment in actually propounding it.

I ask unanimous consent that the pending Glenn amendment be withdrawn; that Senator Glenn be recognized to reoffer his amendment as a first-degree amendment; that a vote on the Glenn amendment occur at 7:30; that immediately upon the disposition of the Glenn amendment, without any intervening action or debate, the Senate proceed to vote on the Heinz amendment No. 5; that upon disposition of the Heinz amendment, no other amendments on the subject covered by these amendments be in order to this bill; and that the time between now and 7:30 be equally divided and under the control of the managers or their designees.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. SARBANES. Mr. President, I alert all Members therefore that there will be a vote beginning at 7:30 to be followed by another vote.

PAGE S1961

Mr. GLENN addressed the Chair.

Mr. GLENN. Mr. President, I will be very brief.

Mr. SARBANES. I designate the time to the Senator from Ohio.

PAGE S1962

Mr. GARN. Mr. President, I would designate my time to the Senator from Pennsylvania.

The result was announced - yeas 91, nays 0, as follows:

PAGE S1973

(ROLLCALL VOTE NO. 14 LEG.)

YEAS - 91

Adams	Akaka	Baucus
Bentsen	Biden	Bingaman
Bond	Boren	Breaux
Brown	Bryan	Bumpers
Burdick	Burns	Byrd
Chafee	Coats	Cochran
Cohen	Conrad	Craig
D'Amato	Daschle	DeConcini
Dixon	Dodd	Dole
Durenberger	Ford	Fowler
Garn	Glenn	Gore
Gorton	Graham	Grassley
Harkin	Hatch	Hatfield
Heinz	Helms	Hollings
Jeffords	Johnston	Kassebaum
Kasten	Kennedy	Kerrey
Kerry	Kohl	Lautenberg
Leahy	Levin	Lieberman
Lott	Lugar	Mack
McCain	McConnell	Metzenbaum
Mikulski	Mitchell	Moynihan
Murkowski	Nickles	Nunn
Packwood	Pell	Pressler
Pryor	Reid	Riegle
Robb	Rockefeller	Roth
Rudman	Sarbanes	Sasser
Seymour	Shelby	Simon
Simpson	Smith	Specter
Stevens	Symms	Thurmond
Wallop	Warner	Wellstone
Wirth		

NAYS - 0

NOT VOTING - 9

Bradley	Cranston	Danforth
Domenici	Exon	Gramm
Heflin	Inouye	Sanford

The motion to lay on the table was agreed to.

PAGE S1973

Mr. SARBANES. Mr. President, I ask unanimous consent to proceed for 2 minutes in order to outline to Members.

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

Mr. SARBANES. Mr. President, there is a Garn-Dole amendment that, as has been worked out, is acceptable on all sides and that we hope we can accept subsequently. We have another vote scheduled on the

Heinz amendment which deals with the subject matter of the vote that we just had. We have worked out an agreement on the Garn-Dole amendment which many of you are familiar with which, as far as the bill is concerned, is the most important and relevant amendment of all. One would not know that from the nature of our consideration of this legislation over the last day and a half.

PAGE S1973

We are hopeful that that can be done on a voice vote. We are also hopeful then that final passage could be done on a voice vote. There is one possible other amendment. I am not certain whether we still have that situation in front of us or not. If not, we could complete this matter and dispose of this bill this evening and it could be done by the managers after Members have cast this vote. But we need some guidance as to whether that scenario is the one we are actually dealing with.

Mr. DOLE. Will the Senator yield?

Mr. SARBANES. Certainly.

PAGE S1973

Mr. DOLE. I think there is one other potential problem. I hope it will not come to pass but it is in reference to Cuba. I have contacted General Scowcroft at the White House and I should have some response on that soon. But I wonder if we could accept the Garn-Dole amendment, go ahead and have the vote on the Heinz amendment and hopefully be able to finish the rest of it but, if not, if there must be another amendment, do that on tomorrow. My view is it can probably be resolved.

Mr. SARBANES. I take it from that we might be able to work that out tonight and do the whole thing and finish. Could we have an agreement that no other amendments would be in order, if in fact we have to deal with a Cuba amendment; that that amendment and any relevant amendments would be the only amendments in order so we do not find ourselves once again in an open-ended situation?

Mr. MITCHELL. Mr. President, may I suggest following the discussion between the distinguished Republican leader and the managers that we proceed to the vote with the understanding that has been reached in this colloquy that this would be the last rollcall vote; that we would then proceed to accept the Dole-Garn amendment by voice vote, and try to work out the Cuba amendment. But we now understand if we cannot work it out, we can reach an agreement which would limit that to the only relevant amendment and relevant amendments thereto, and then we will have the bill either completed tonight or completed with the exception of that one issue, which we could then complete in the morning.

PAGE S1973

Mr. MITCHELL. Is there any problem?

Mr. SARBANES. No problem.

PAGE S1974

Mr. GARN. Mr. President, may we have order.

Mr. SARBANES. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The majority leader is recognized.

PAGE S1974

The result was announced - yeas 38, nays 54, as follows:
(ROLLCALL VOTE NO. 15 LEG.)

YEAS - 38

Adams	Akaka	Boren
Bumpers	Burdick	Byrd
Coats	Conrad	D'Amato
Daschle	Dodd	Durenberger
Exon	Fowler	Grassley
Harkin	Hatfield	Heinz
Hollings	Kerrey	Kerry
Lautenberg	Lugar	Metzenbaum
Mikulski	Packwood	Pell
Pressler	Pryor	Riegle
Rockefeller	Roth	Sarbanes
Sasser	Shelby	Specter
Wellstone	Wirth	

NAYS - 54

Baucus	Bentsen	Biden
Bingaman	Bond	Breaux
Brown	Bryan	Burns
Chafee	Cochran	Cohen
Craig	DeConcini	Dixon
Dole	Ford	Garn
Glenn	Gore	Gorton
Graham	Hatch	Helms
Jeffords	Johnston	Kassebaum
Kasten	Kennedy	Kohl
Leahy	Levin	Lieberman
Lott	Mack	McCain
McConnell	Mitchell	Moynihan
Murkowski	Nickles	Nunn
Reid	Robb	Rudman
Seymour	Simon	Simpson
Smith	Stevens	Symms
Thurmond	Wallop	Warner

PAGE S1974

ORDER OF PROCEDURE

PAGE S1974

Mr. SARBANES. Mr. President, pursuant to the conversation we had just a few minutes ago, I ask unanimous consent that the only amendments remaining in order to the bill be the following: a Garn-Dole amendment, which has been agreed to by the managers; an amendment relating to Cuba, and any relevant second-degree amendments related to this issue; that no other amendments or motions be in order other than motions to reconsider and table votes on the above amendment.

The PRESIDING OFFICER. Is there objection?

I did not hear the first part of the unanimous-consent request. Will the Senator from Maryland be good enough to repeat it?

Mr. SARBANES. The first part of the request was that the only amendments in order be the two that were enumerated.

Mr. EXON. Before the final passage of the bill?

PAGE S1974

Mr. SARBANES. Yes.

Mr. EXON. I object, I have an amendment I am prepared to offer in just a very few moments. It may be acceptable to the Chair. It is

on the way over here.

Mr. SARBANES. This is the first we have heard about it to my knowledge.

PAGE S1974

Mr. EXON. I had incorrectly assumed we were going to move to tomorrow, and I assumed this was going to be held over until tomorrow. I was misinformed. I do want to take this amendment up with the leaders. It may be acceptable.

(e) On page 113, line 7, 'Whenever' insert 'persuasive'.

Mr. GARN. Mr. President, this is the amendment referred to by the distinguished manager of the bill, Senator Sarbanes. It has been agreed to by both sides and the administration. We are only checking at this time before passage to see if Senator Helms wanted to make a statement on it. Otherwise, I know of no other Senators who wish to be heard on it.

PAGE S1974

Mr. SARBANES. Mr. President, the able, distinguished Senator from Utah has stated the bill very effectively. We believe it represents a very positive and constructive resolution of the issue, and we certainly support it.

I particularly thank the Senator from Utah for his efforts in this regard in order to help move the legislation forward.

The amendment (No. 8) was agreed to.

PAGE S1976

Mr. SARBANES. Mr. President, I move to reconsider the vote.

Mr. GARN. I move to lay that motion on the table.

PAGE S1976

The motion to lay on the table was agreed to.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

PAGE S1976

Mr. EXON. Mr. President, I suggest the absence of a quorum.

PAGE S1977

Mr. SARBANES. Will the Senator withhold?

Mr. EXON. I withhold the request for the quorum call.

Mr. SARBANES. Mr. President, just in order to define the parameters, I am now going to make a unanimous-consent request that embraces this amendment as well.

PAGE S1977

I, therefore, ask unanimous consent that the only amendments remaining in order to the bill be the following: An amendment relating to Cuba and any relevant second-degree amendments related to this issue and the Exon amendment relating to sanctions against foreign violators and any relevant second-degree amendments related to this issue; and that no other amendments or motions be in order other than motions to reconsider and table votes on the above amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, it is so ordered.

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

PAGE S1977

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent that the

order for the quorum call be rescinded.

PAGE S1977

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

Mr. SARBANES. Mr. President, I understand that while the amendment was sent to the desk it was not actually reported, is that correct?

The PRESIDING OFFICER. The clerk will report the amendment.

PAGE S1977

(d) The President shall issue regulations within 30 days of the date of enactment of this section which create appropriate procedures to establish a violation of subsection (a) and to implement subsection (b) of this section.

PAGE S1978

Mr. SARBANES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

PAGE S1978

Mr. GARN. Mr. President, on behalf of the minority, I am willing to accept the amendment.

Mr. SARBANES. With the modifications the Senator has made as now reflected at the desk we are prepared to accept the amendment.

PAGE S1978

Mr. EXON. Mr. President, I appreciate very much the cooperation of the managers of the bill and ask for the amendment's adoption.

Mr. GARN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SARBANES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PAGE S1978

Mr. RIEGLE. Mr. President, I rise in support of S. 320, the Omnibus Export Administration Act of 1991, that will, among other things, revise and amend the Export Administration Act to strengthen America's ability to control the development and use of chemical and biological weapons. This bill: First, streamlines our national security controls governing exports to the newly emerging democracies of Eastern Europe; second, institutes new export controls on goods that could assist renegade governments to develop chemical and biological weapons and the means to deliver them; and third, imposes sanctions on Iraq for its invasion and occupation of Kuwait. The bill we are asking the Senate to pass today is identical to the conference agreement bill which we developed with the House last fall and that both Houses passed without objection and sent to the President in the closing days of the 101st Congress.

Last year the Banking Committee under Senator Sarbanes' leadership spent countless hours fashioning legislation to streamline our export control regime. All members of our committee participated in those efforts and the administration was fully involved in all our efforts to craft that legislation. After that bill passed the Senate, both Houses of the Congress continued to work closely with the administration during the conference to ensure that changes in our export control policy were consistent with U.S. policy in Cocom, the institution in which we and our allies coordinate controls on exports to Eastern Europe and the Soviet Union. We also labored in full consultation with the

administration to ensure that the new controls we fashioned on chemical and biological weapons and the means to deliver them would be workable and effective. We made the Iraq sanction portions of the bill a strong statement of support for the President's policy of utilizing economic sanctions as one means to punish Iraq's invasion of Kuwait.

PAGE S1978

Despite this, shortly after the Senate passed the conference report on H.R. 4653 and sent it to President Bush, we began to hear reports that some of his advisers were recommending that he veto the bill because it did not provide the President with complete discretion to waive sanctions against companies that knowingly and materially assisted in the development and use of chemical and biological weapons or against countries that used such weapons in violation of international law. To deter such activity the Congress provided that any such sanctions once imposed could not be removed for one year. Some officials in the administration wanted complete discretion to waive any such sanctions at any time. Frankly the Congress did not want the President to have that sort of discretion because of fears State Department officials would always recommend he use it for one pressing diplomatic reason of the moment or another. We felt the need to get tough on stopping the proliferation and use of such weapons outweighed any short term diplomatic gains. We also believed putting the threat of mandatory sanctions on the books would deter foreign companies from knowingly and materially aiding countries to develop such heinous weaponry.

Despite these many urgings on November 26 President Bush issued a veto message noting that he was not going to approve H.R. 4653, the Omnibus Export Amendments Act of 1990. In his message he noted that the major flaw in H.R. 4653 was not the requirement of sanctions, but the rigid way in which they are imposed, that is, they could not be waived for a year. The President stated in his veto message that 'the mandatory imposition of unilateral sanctions as provided in this bill would harm U.S. economic interests and provoke friendly countries who are essential to our efforts to resist Iraq.' I respectfully disagree that imposing nonwaivable sanctions on companies that knowingly and materially assist in the development of chemical or biological weapons for use by countries that use them in violation of international law is unjustifiable. I also strongly disagree that putting mandatory sanctions on countries that use chemical and biological weapons against innocent civilians is unwise. We simply must take a tough stand if we are to rid the world of the threat of such weapons.

Those of us who were conferees on the Omnibus Export Amendments Act, both Democratic and Republican and from both the Banking and Foreign Relations Committees are committed to seeing this legislation passed as quickly as possible this session of Congress. I want to thank Senators Pell and Helms for all the work they have put in to help develop this legislation over the past 2 years, and also to Senator Sarbanes, Senator Garn and Senator Heinz of the Banking Committee for their leadership on these issues. It is my strong hope that recent events in the Persian Gulf will have convinced the President that we are correct in urging him to pass the bill we developed last year. We must give President Bush

another opportunity to sign this much needed legislation and I urge the Senate to pass this bill today so he can do so.

I ask unanimous consent that the newspaper articles and letter I mentioned in my statement be reprinted in full at its conclusion. I also ask unanimous consent that a letter I received from the Chemical Manufacturers Association endorsing the imposition of strong sanctions against countries and companies that violate export controls on chemical-weapons related materials be put into the Record.

PAGE S1979

Sec. 207. Interest subsidy program.

PAGE S1985

Sec. 208. Human rights in Yugoslavia.

Sec. 209. Increase of membership of advisory committee.

'(C) \$35,000,000, for fiscal year 1992.'

PAGE S1992

SEC. 208. HUMAN RIGHTS IN YUGOSLAVIA.

(a) Findings. - The Congress finds that the Department of State's Country Report on Human Rights Practices for 1989 cites many human rights practices in Yugoslavia that violate internationally accepted human rights standards, including infringement upon and abrogation of the rights of assembly and fair trial, freedom of speech, and freedom of the press.

(b) Report. - The President shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance, and Urban Affairs of the House of Representatives, not later than 3 months after the date of the enactment of this Act, explaining why Export-Import Bank funding for exports to Yugoslavia has not been restricted or denied pursuant to section 2(b)(1)(B) of the Export-Import Bank Act of 1945.

PAGE S1992

SEC. 209. INCREASE OF MEMBERSHIP OF ADVISORY COMMITTEE.

Mr. GARN. Mr. President, I move to reconsider the vote.

Mr. SARBANES. I move to lay that motion on the table.

PAGE S2004

The motion to lay on the table was agreed to.

Mr. SARBANES. Mr. President, I want to acknowledge first of all the pleasure of working with the distinguished Senator from Utah and thank him for his efforts in bringing this legislation to fruition. I also want to acknowledge Martin Gruenberg, Patrick Mulloy, John Walsh, and Bill Reinsch from the Banking Committee staff; and William Ashworth, Peter Galbraith, Darryl Nirenberg, and William Triplett of the Foreign Relations Committee staff, who worked so effectively in supporting our efforts not only now in bringing this legislation to pass, but throughout most of last year as this legislation was formulated and refined, in conference and so on. Hopefully, we will now see it enter the statute books. I extend my appreciation to my colleagues and to the staff who have been enormously helpful and effective.

The PRESIDING OFFICER. The Senator from Utah.

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82 OF 89 40 LINES
PART CONGRESSIONAL RECORD (SENATE)
DATE June 4, 1991
TITLE STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

(CONTINUED)

TEXT BY MR. DECONCINI (FOR HIMSELF, MR. GRASSLEY, MR. PELL, MR. STEVENS, MR. WALLOP, MR. LUGAR, MR. PRESSLER, MR. BRADLEY, MR. CRAIG, MR. D'AMATO, MR. GLENN, MR. SASSER, MR. KERRY, MR. SIMON, MR. DIXON, MR. KENNEDY, MR. MITCHELL, MR. COHEN, MR. ROBB, MR. MOYNIHAN, MR. JEFFORDS, MR. RIEGLE, MR. LAUTENBERG, MR. KOHL, MR. BROWN, MR. CHAFEE, MR. METZENBAUM, MR. ROCKEFELLER, MR. CONRAD, MR. COCHRAN, MR. SARBANES, MR. BRYAN, MR. BIDEN, MR. DODD, MS. MIKULSKI, MR. JOHNSTON, MR. WARNER, MR. THURMOND, MR. NUNN, MR. PACKWOOD, MR. DOLE, MR. HATCH, MR. BREAUX, MR. LIEBERMAN, MR. ADAMS, MR. MURKOWSKI, MR. SPECTER, MR. REID, MR. HOLLINGS, MR. SHELBY, MR. DOMENICI, MR. HATFIELD, MR. GORE, AND MR. CRANSTON):

PAGE S7041

S.J. Res. 154. Joint resolution to designate August 1, 1991, as 'Helsinki Human Rights Day'; to the Committee on the Judiciary.

PAGE S7042

Whereas August 1, 1991, is the sixteenth anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (CSCE) (hereafter in this preamble referred to as the 'Helsinki accords');

Whereas on August 1, 1975, the Helsinki accords were agreed to by the Governments of Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, the Federal Republic of Germany, Greece, the Holy See, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Spain, Sweden, Switzerland, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, and Yugoslavia;

PAGE S7042

Whereas the Helsinki accords express the commitment of the participating States to 'repect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion';

TITLE FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993

TEXT An essential purpose of the United States foreign assistance is to foster the development of democratic institutions and free enterprise systems. Stabel economic growth, fostered by free enterprise and free trade, is also important to the development of democratic institutions. In regard to those nations which are in transition from communism to democracy, it is the policy of the United States, to the extent feasible and consistent with United States national interest, to provide foreign aid to, and to encourage expanded trade with, democratic governments at the republic level that exist within countries which include a ruling communist majority in other republic governments and/or at the Federal level.

Mr. DOLE. Mr. President, last week during Senate consideration of the fiscal year 1992 foreign aid authorization bill, the Senate passed a provision expressing Senate support for democratic republics in the Soviet Union. This amendment builds on that principle and extends it to the Democratic Republics of Yugoslavia.

This amendment makes it the policy of the United States to support those democratic republics directly - through foreign aid and trade relations. At the present time, United States policy provides only for assistance to, and trade relations with, the Soviet and Yugoslav central governments. Under the present system, we have only two options: to support these central governments or withhold support to these central governments. What we don't have as an option, is direct support to the freely-elected democratic governments at the republic level within the Soviet Union and Yugoslavia. As all of my colleagues know, while there are some reformers in both the Soviet and Yugoslav central governments, these are not elected, democratic governments - they are Communist governments. And, as we have seen in the Baltics, in Kosova, and most recently in Slovenia and Croatia, these are governments which still resort to violence against democratic movements, democratic republic governments and their citizens. Therefore, the real hope for democracy's ultimate victory in the Soviet Union and Yugoslavia is the survival and growth of democratic republic governments.

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I believe that this amendment will substantially strengthen, as well as implement - in the Soviet Union and in Yugoslavia - the principles upon which United States foreign assistance is based, namely the development of democratic institutions and free enterprise systems. This amendment will let us put our money where our mouth is, it will be possible now to back our rhetoric in support of democracy with tangible support.

Mr. President, we know who the true democrats are, and where they are. What's left to do is to support them, so that they will not be crushed under the weight of Communist central governments. This amendment offers new hope for these fledgling democratic republic governments which are still struggling against communism. I urge my colleagues to support this amendment.

In the course of human events, it may become necessary to dissolve political bands which connect one people with another; and

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The Government of Yugoslavia, among others, has denied its people these fundamental rights and used its armed forces to attack and kill its own citizens.

Therefore, it is the sense of the Senate that the United States, in accord with the philosophy of the Declaration of Independence, support the right of the people of Slovenia and Croatia to establish new governments that honor the unalienable rights of all of their citizens.

Mr. GORTON. Mr. President, at certain times, it seems to this Senator that it is appropriate to refer to our historic backgrounds and to our first principles. In that connection, in sponsoring this amendment, I would like to refresh the memories of my colleagues with one paragraph from the Declaration of Independence of the United States.

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I have never had a feeling, politically, that did not spring from the sentiments embodied in the Declaration of Independence. * * * I have often inquired of myself what great principle or idea that kept this Confederacy so long together. It was not the mere matter of separation of the colonies from the motherland, but that sentiment in the Declaration of Independence which gave liberty not alone to the people of this country, but hope to all the world, for future time. It was that which gave promise in due time the weights would be lifted from the shoulders of all men, and that all should have equal chance. This is the sentiment embodied in the Declaration of Independence. * * * I would rather be assassinated on this spot than surrender it.

As Lincoln noted, the principles of the Declaration of Independence are universal and are applicable throughout the world. For this reason, the United States, in accordance with the philosophy of the Declaration of Independence, should, in the view of this Senator, support independence movements in Slovenia and Croatia.

PAGE S11178

Mr. President, not all human events counsel separation, whether for the United States or in Yugoslavia. Light and transient causes are certainly not reasons to resolve longstanding boundaries and political unions. But as the Thirteen Colonies recognized, some acts of existing governments cannot be overlooked. For the colonists, living under an absolute tyranny was one such condition.

In Yugoslavia, Slovenia and Croatia have endured nearly 50 years of Communist rule, and three quarters of a century of union with Serbia, reason enough, perhaps, for wanting a new system of government. But Slovenia and Croatia have been subjected to an absolute tyranny under a Serbian-dominated government that rivals in severity that experienced by our forefathers.

Slovenia and Croatia have been subjected to standing armies used to quell demonstrations for freedom. Yugoslavia is nearly as ethnically diverse as the United States. Unlike the United States, it is not a melting pot. Historically and geographically independent ethnic groups have not, regrettably, melded into one

nationality. Yet, rather than agree to a looser federation, the central government maintained ethnically segregated, generally Serbian-dominated, armies to preserve peace in the republics. Like the British, the Yugoslav Government did this without the consent of the people affected.

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Finally, Yugoslav Armed Forces, under Serbian control 'independent of and superior to the civil power,' to use the words of the Declaration, took control. In June, they rolled into Slovenia to quell calls for reform and demonstrations for freedom.

Since then, they have continued to incite the domestic insurrections in Croatia. This use of the armed forces of the central government to kill its own citizens irretrievably broke the social contract binding the people of Yugoslavia into one nation. Our colonists were subjected to treatment, which they duly noted in the Declaration.

Mr. President, this senator holds second place to none in his respect for the historic struggles of the Serbian people. One of the most profound and moving books I have ever read is by Rebecca West, entitled 'Black Lamb & Grey Falcon,' a peek into the history of Serbia and its attempt to escape from the domination of others.

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Nevertheless, that domination has not been accepted by many of its minority groups. Three quarters of a century of attempting a centralized government seems at least in the views of the citizens of Slovenia and Croatia to have failed. Having been the subject of attempts to - -

Mr. KERRY. Mr. President, will my colleague yield for a moment?

Mr. KERRY. I thank the Senator.

Mr. GORTON. Mr. President, this binding among the peoples of Yugoslavia has been destroyed by the central government. As our forefathers believed in 1776, and the Slovenes and Croats believe now, it is a people's right to change so oppressive a form of government. This is an unalienable right we Americans must not ignore.

The PRESIDING OFFICER. Is there further debate on the amendment?

PAGE S11178

(ROLLCALL VOTE NO. 154 LEG.)

YEAS - 55

Bentsen	Bond	Boren
Breaux	Brown	Bryan
Bumpers	Burns	Chafee
Coats	Cochran	Cohen
Craig	D'Amato	Danforth
Dole	Domenici	Durenberger
Garn	Glenn	Gorton
Gramm	Grassley	Hatfield
Heflin	Helms	Hollings
Inouye	Jeffords	Kassebaum
Kasten	Kerry	Lott
Lugar	Mack	McCain
McConnell	Murkowski	Packwood
Pressler	Robb	Rockefeller
Roth	Rudman	Seymour

Shelby
Smith
Symms
Warner

Simon
Specter
Thurmond

Simpson
Stevens
Wallop

NAYS - 42

Adams
Biden
Burdick
Cranston
Dixon
Ford
Graham
Kennedy
Lautenberg
Lieberman
Mitchell
Pell
Sanford
Wellstone

Akaka
Bingaman
Byrd
Daschle
Dodd
Fowler
Harkin
Kerrey
Leahy
Metzenbaum
Moynihan
Reid
Sarbanes
Wirth

Baucus
Bradley
Conrad
DeConcini
Exon
Gore
Johnston
Kohl
Levin
Mikulski
Nunn
Riegle
Sasser
Wofford

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NOT VOTING - 3

Hatch

Nickles

Pryor

The result was announced - yeas 25, nays 72, as follows:

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(ROLLCALL VOTE NO. 155 LEG.)

YEAS - 25

Adams
Bryan
Cranston
Glenn
Jeffords
Moynihan
Reid
Sarbanes
Wofford

Bradley
Burdick
Durenberger
Gore
Kennedy
Packwood
Robb
Simon

Breaux
Byrd
Fowler
Hatfield
Kerry
Pell
Sanford
Wellstone

NAYS - 72

Akaka
Biden
Boren
Burns
Cochran
Craig
Daschle
Dodd
Exon
Gorton
Grassley
Helms
Johnston
Kerrey
Leahy
Lott
McCain
Mikulski

Baucus
Bingaman
Brown
Chafee
Cohen
D'Amato
DeConcini
Dole
Ford
Graham
Harkin
Hollings
Kassebaum
Kohl
Levin
Lugar
McConnell
Mitchell

Bentsen
Bond
Bumpers
Coats
Conrad
Danforth
Dixon
Domenici
Garn
Gramm
Heflin
Inouye
Kasten
Lautenberg
Lieberman
Mack
Metzenbaum
Murkowski

Nunn
Rockefeller
Sasser
Simpson
Stevens
Wallop

Pressler
Roth
Seymour
Smith
Symms
Warner

Riegle
Rudman
Shelby
Specter
Thurmond
Wirth

The result was announced - yeas 57, nays 40, as follows:
(ROLLCALL VOTE NO. 156 LEG.)

YEAS - 57

Adams
Bentsen
Boren
Bryan
Byrd
D'Amato
Dixon
Ford
Gore
Heflin
Johnston
Kohl
Levin
Mikulski
Nunn
Riegle
Sanford
Shelby
Wellstone

Akaka
Biden
Bradley
Bumpers
Cohen
Danforth
Dodd
Fowler
Graham
Inouye
Kennedy
Lautenberg
Lieberman
Mitchell
Pell
Robb
Sarbanes
Simon
Wirth

Baucus
Bingaman
Breaux
Burdick
Cranston
Daschle
Durenberger
Glenn
Harkin
Jeffords
Kerry
Leahy
Metzenbaum
Moynihan
Reid
Rockefeller
Sasser
Warner
Wofford

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NAYS - 40

Bond
Chafee
Conrad
Dole
Garn
Grassley
Hollings
Kerrey
Mack
Murkowski
Roth
Simpson
Stevens
Wallop

Brown
Coats
Craig
Domenici
Gorton
Hatfield
Kassebaum
Lott
McCain
Packwood
Rudman
Smith
Symms

Burns
Cochran
DeConcini
Exon
Gramm
Helms
Kasten
Lugar
McConnell
Pressler
Seymour
Specter
Thurmond

The third requires that USIA maintain the same proportionate levels of personnel overseas to those in the United States as they had in 1981. This requirement has clearly outlived its usefulness. The world has changed dramatically since 1981 as have the United States foreign policy commitments. As a result, Congress has mandated significant change at USIA since 1981. In the last 10 years, USIA has added 911 positions to support congressionally mandated or congressionally sponsored programs. This requirement is another example of Congress' ability to cut off its nose to spite its face: USIA reports an effort to comply completely with

that section would require drastic reductions in broadcasting and educational exchange personnel - the very programs Congress has favored.

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The bill is strongly grounded in support for the Baltic countries, for Israel, and for the growing democratic movement in Yugoslavia. It requires the administration to start investigating the feasibility of a Radio Free China and launches a top-to-bottom review of the State Department's personnel system.

We have undertaken efforts in this bill to ensure the National Endowment for Democracy begins an effective reform and gets back on its feet. In the Endowment's early years, many problems were uncovered with the Endowment's ability to account for its funds and to evaluate the effectiveness of its programs. Congress was assured in 1984, 1985, and 1986 these problems would be fixed. However, this year, the General Accounting Office released an audit of the Endowment that demonstrated, beyond any doubt, that these problems had not been rectified.

The result was announced - yeas 86, nays 11, as follows:

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(ROLLCALL VOTE NO. 157 LEG.)

YEAS - 86

Adams	Akaka	Baucus
Bentsen	Biden	Bingaman
Bond	Boren	Bradley
Breaux	Brown	Bryan
Bumpers	Burdick	Chafee
Coats	Cochran	Cohen
Cranston	D'Amato	Danforth
Daschle	Dodd	Dole
Domenici	Durenberger	Exon
Ford	Fowler	Garn
Glenn	Gore	Gorton
Graham	Gramm	Grassley
Harkin	Hatfield	Heflin
Hollings	Inouye	Jeffords
Johnston	Kassebaum	Kasten
Kennedy	Kerrey	Kerry
Kohl	Lautenberg	Leahy
Levin	Lieberman	Lugar
Mack	McCain	McConnell
Metzenbaum	Mikulski	Mitchell
Moynihan	Murkowski	Nunn
Packwood	Pell	Pressler
Reid	Riegle	Robb
Rockefeller	Roth	Rudman
Sanford	Sarbanes	Sasser
Seymour	Shelby	Simon
Simpson	Specter	Stevens
Thurmond	Warner	Wellstone
Wirth	Wofford	

NAYS - 11

Burns	Byrd	Conrad
Craig	DeConcini	Dixon

Helms
Symms

Lott
Wallop

Smith

Mr. KERRY. Mr. President, I move that the Senate insist on its amendment, request a conference with the House, and that the Chair be authorized to appoint conferees.

The motion was agreed to; and the Presiding Officer (Mr. Sanford) appointed Mr. Pell, Mr. Kerry, Mr. Simon, Mr. Moynihan, Mr. Biden, Mr. Sarbanes, Mr. Dodd, Mr. Helms, Mr. Lugar, Mrs. Kassebaum, Mr. Pressler, Mr. Murkowski, and Mr. Brown conferees on the part of the Senate.

Mr. PELL addressed the Chair.

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