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Senate

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The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

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

Eternal God, sovereign of history, who gives beginnings and ends to the phases of our work, on whom our mortal efforts depend, soon this hallowed Chamber will be silent for a time. The 105th Congress will be completed. Historians will write the human judgments of what has been accomplished, but You will have the final word about what has been achieved. It is Your affirmation that we seek. Senators in both parties have prayed to know and do Your will. Often there has been sharp disagreement on what is best for our Nation. Thank You for those times when debate led to deeper truth and compromise to the blending of aspects for a greater solution. We need that today. We remember those moving moments when we sensed Your presence, received supernatural power, and pressed on in spite of tiredness and tension. We need that today. Help us to forgive and forget any memories of strained relationships or debilitating differences. Preserve the friendships that reach across party lines. We need that today.

Father, help us to finish well. Give us strength to complete the work of this Congress with expeditious excellence. Renew the weary, reinforce the fatigued, rejuvenate the anxious. When it is all said and done, there is one last word we long to hear. It is Your divine accolade, "Well done, good and faithful servant." Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized.

Mr. LOTT. Thank you, Mr. President, and good morning to you.

SCHEDULE

Mr. LOTT. Mr. President, this morning there will be 15 minutes remaining for debate on the religious freedom bill. At 9:45, under a previous order, the Senate will proceed to vote on the passage of the religious freedom bill. I commend Senator ARLEN SPECTER and Senator NICKLES and Senators on both sides of the aisle who have worked on this. I am sure Senator LIEBERMAN was involved, and others. I think this is a really fine accomplishment in the waning hours of this session of Congress.

Following that vote, the Senate may consider any available appropriations conference reports—we have at least one that I believe could be taken up, that is the Treasury-Postal Service bill—and any other legislative or executive items cleared for action. It is anticipated that we will move at some point today to the nomination of Mr. Paez from California, to be a judge for the Ninth Circuit. There is opposition, significant opposition to that nomination, so there will have to be some debate and I am sure a vote.

The Senate will also consider a continuing resolution or an omnibus appropriations bill, should they become available or when they become available. Members should expect, then, rollcall votes throughout today's session and into the evening. I thank my colleagues for their attention.

I might just note, last night a lot of good work was done in the wrapup, including approval of the intelligence authorization conference report and the water resources bill. This is a very sig-

nificant bill that is important to every State in the Nation. It had been tied up with various and sundry problems, but with a lot of hard work and a lot of cooperation, that bill was cleared. We hope, now, the House will take expeditious action and we can complete action on the water resources bill before we go out for the year. Also, we did the human resources reauthorization and the vocational education bill. When you couple higher education and vocational education, plus the Coverdell A+ bill that Congress passed, there has been a significant achievement this year in education. Even though the President vetoed the ability for people to save for their children's education, higher education and vocational education are two areas where we have completed our action and will be signed into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

A PRODUCTIVE BIRTHDAY FOR THE MAJORITY LEADER

Mr. NICKLES. Mr. President, the majority leader announced several things we accomplished yesterday. It was a pretty productive day. Today I hope will be even a more productive day. Because it is one of the last days of our legislative session, but also because it is the majority leader's birthday, we want it to be a very productive day.

FREEDOM FROM RELIGIOUS PERSECUTION ACT OF 1998

Mr. NICKLES. Mr. President, I think the regular order is we are back on the International Religious Freedom Act?

The PRESIDING OFFICER (Mr. ALLARD). If the Senator will suspend, the clerk will report.

The assistant legislative clerk read as follows:

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



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S12091

A bill (H.R. 2431) to establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, and for other purposes.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. There are 15 minutes equally divided. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I spoke at length on this bill last night. I mentioned that we have had a lot of cooperation and effort on behalf of a lot of Senators to help make this bill a reality and hopefully to soon become law. Principal among those is Senator LIEBERMAN from Connecticut, who is not just a principal cosponsor, but a tireless worker on behalf of individuals throughout the world who have been suffering from religious persecution or who desire religious freedom. Senator LIEBERMAN has been working on their behalf. I am privileged to work with him on this bill and I yield him such time as he desires on this bill.

Mr. LIEBERMAN. Mr. President, I thank my friend and colleague from Oklahoma for his kind words and for his extraordinary leadership on this measure.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, we are heading rapidly to the end of this second half of the 105th Congress. There will be time for reviews and evaluations. Some will say what did we accomplish in this second part of this 105th Congress? I hope when we are asked that, one of the answers we will be able to give is that we adopted the International Religious Freedom Act, a historic piece of legislation, genuinely bipartisan, representing and expressing the core beliefs and values of the American people and putting those beliefs and values at the center of our foreign policy.

It is, in fact, a measure that has the potential to affect the freedom, the lives, the fates of tens of millions of people around the world today who are denied the basic right of freedom of religion that brought so many of our ancestors to the United States.

This kind of measure does not reach the edge of passage without a lot of strong support. I thank particularly the Senator from Oklahoma, Mr. NICKLES, and his outstanding staff—especially Steve Moffitt of that staff—for the hundreds of hours that they spent working on this legislation and the spirit of common purpose that guided them as we went on.

I thank also my friend and colleague from Delaware, Senator BIDEN, and his staff, particularly Brian McKeon, who contributed immeasurably to, not only the purpose, but to the way in which this legislation is crafted; to Senator FEINSTEIN and her staff, particularly Dan Shapiro, for their very constructive contributions; and Senator COATS as well, about whom I have a little more to say in a few moments. And I

want to recognize Cecile Shea who is on my staff for the literally hundreds of hours she worked to help craft this bill.

This effort began with some Pied Pipers outside the Congress who educated us to the fact that these religious freedoms that we hold so dear in the United States are not real for many people, millions of people around the world. Surprisingly to many of us, they are particularly not real for people of the Christian faith around the world, who are subjected to discrimination, and in many cases persecution.

One of the people who started this effort was Michael Horowitz of the Hudson Institute, and he deserves to be mentioned here and thanked for educating and opening our eyes to the persecution that exists. Senator SPECTER and Congressman WOLF introduced the initial bill. They were the pioneers here and blended together with the effort that Senator NICKLES and I initiated here in the Senate. I thank them for their support.

As we come to the conclusion, I want to thank the administration representatives, led by Under Secretary Stuart Eizenstat, who worked with us to craft the language that could finally be approved by National Security Advisor Sandy Berger and the President. The administration endorsement guarantees that when passed this legislation will become law.

The list of groups that endorsed the act is extraordinary, a true expression of all of God's children:

The Episcopal Church, the Catholic Conference, the United Methodist Church Women's Division, the Evangelical Lutherans, the American Jewish Committee, the Christian Coalition, the National Association of Evangelicals—the list goes on and on and on—the B'nai B'rith, the Anti-Defamation League, the Catholic conference of Major Superiors of Men's Institutes, the Jewish Council for Public Affairs, the National Conference of Soviet Jewry, the Union of American Hebrew Congregations, the Union of Orthodox Jewish Congregations of America, the American Coptic Association, Advocates International, the Religious Liberty Commission of the Southern Baptist Convention, Union of American Hebrew Congregations, the International Fellowship of Jews and Christians, the Traditional Values Coalition, the Justice Fellowship and the Church of the Disciples.

What brought all of these groups together? What brought them together is, in many ways, what brought the founders of our country to these shores and what led them to declare their independence ultimately from England. And that was faith, shared faith in God and a belief that no government has the right to tell people how to worship and certainly does not have the right to discriminate against them or persecute them for the way in which they choose to express their faith in God.

The founders of this country declared in the Declaration of Independence

that: "We hold these truths to be self-evident, that all men are created equal" and that they have certain endowments, not from the founders of the country, not from a group of politicians. The endowments come from their Creator, and the endowment is the right to life, liberty and the pursuit of happiness. Then in the very first amendment to the Bill of Rights, they established the freedom of religion that has been so dear to our country, so central to our country and such a magnet for our fathers and grandfathers and great grandfathers who came here driven by a desire to have that freedom.

On this day, I think of my grandmother who came here from Central Europe. My grandmother was probably one of the greatest American patriots I ever knew, for a simple reason: She said to me in her old age how much she loved the country. She said, "It may not seem that profound to you, it may not seem that complicated, but the fact I can walk to synagogue on Saturday morning and not only is no one harassing me or bothering me, not only do I live free of fear, not only do I have no hesitation about what I will find in the synagogue, nobody bothering the building or any of us worshipping there, but my neighbors who are not Jewish, as they see me, say "Good morning, Mrs. Manger, good Sabbath to you."

This to her expressed the essence of what it meant to be American and free and the gratitude that she felt. In some measure, I suppose many of us are supporting this legislation and trying to express that gratitude by extending as best we can that freedom and respect to people around the world.

Some say, "OK, it is good for the United States. What gives you the right to tell other countries how they should treat their citizens?" What we are saying here is that we have the right to express our values; we have the right to put our values at the center of our foreign policy. Countries can do what they will, but we have no obligation to deal with countries on a normal basis, to give them aid and comfort if they are violating a central animating principle of American life, which is freedom of religion.

Who else, if not a nation whose forebears and citizens, beginning with the Puritans and continuing to this day, suffered under persecutors in foreign lands before coming to this country? Who else will speak for those around the world who are denied those basic liberties?

Mr. President, this legislation, finely crafted, worked on for more than a year, expresses, in sensible terms, those values to which I have spoken. It clearly states America's unwavering commitment to religious freedom around the world. It requires that every succeeding American administration report once a year on the state of religious freedom in every country in the world—put it on the record—and

also report on the steps the administration has taken to encourage—and that is the way this proposal will best work—and raise the status of religious freedom in every country around the world to a level of visibility and report on it. We have given the administrations—this and all future administrations—a menu of choices to respond to, some modest and, in most extreme cases of persecution, some severe.

In nations where violations are particularly egregious, where torture, execution and inhumane punishment routinely are used to limit the free expression of religion, today the President may choose from a list of economic incentives to pressure the offending government to reform. The menu of sanctions in this bill is narrowly focused. It is designed to mitigate the offending behavior without causing economic hardship to our own country. The President has a waiver authority on the sanctions and is also required to seek, first, multilateral cooperation in this sanctions bill.

But this is much more than a sanctions bill. It is a reminder to the executive branch of the American Government, both now and in the future, that as it encourages human rights around the world, it must consider freedom of religion.

This bill requires training in religious freedom issues for foreign service and immigration officials. It establishes an independent commission to monitor religious persecution around the world and to make recommendations to the administration on how to encourage greater religious freedom.

Mr. President, right now somewhere in the world a man or woman languishes in prison, some on death row, because he or she did nothing more than choose faith in God over personal expediency. They probably wonder if anyone cares about what has happened to them. In too many places in this world today, a group, a village, perhaps a province, will suffer economic hardship, lack of access to medical care, systematic harassment and intimidation because its citizens refuse to turn their backs on the most fundamental definition of who they are. They wonder, I suppose, whether anyone cares or has noticed. And this bill, the International Religious Freedom Act, says to them that we notice, we care and the Government of the strongest nation in the world will speak up for them to protect their right to worship their God in the way in which they choose.

Mr. President, just a final word about our retiring colleague from Indiana, Senator DAN COATS. As fine a person of faith as I have ever known in my life, as trustworthy a man as I have ever had the privilege to work with, worked very hard on this piece of legislation because the principles embodied in this legislation spring from the inner core of this man of surpassing and illuminating Christian faith.

In some measure, I think this is one of the great testaments, one of the

great monuments that he will leave as he leaves the Senate. With this act, we send a message that our Nation, founded under God, with freedom of conscience on religion as its cornerstone is prepared to do what it can to extend those values reasonably, sensibly to people throughout the world.

Mr. DODD. Mr. President, I rise to support H.R. 2431—the International Religious Persecution Act of 1998—as amended by the substitute offered by Senator NICKLES and others. I believe that the changes that this amendment makes to the underlying bill vastly improve the effectiveness of this legislation in promoting religious freedom around the world and in better responding to actions that would deny people such freedom, regardless of where they reside.

Mr. President, we in the United States are very fortunate. Our Founding Fathers recognized the importance of religious freedom as a bedrock issue. That they did so is not surprising. It was borne out of their personal experiences having been forced to flee their countries because of religious intolerance and outright persecution. For that reason, religious freedom was given a prominent place by the drafters of the Constitution—in the Bill of Rights as the first amendment to the Constitution.

We as Americans are not the only ones who cherish and hold dear our religious freedom. This important and unalienable right is also a part of the universal collection of rights that people around the globe hold sacred. It is recognized in both the Universal Declaration of Human Rights and the International Covenant of Civil and Political Rights.

Despite the seeming universality of the right to religious freedom, people throughout the planet are every day being denied the right to practice their religion—Christian and Jew, Moslem and Buddhist, Hindu and Baha'i. At its most extreme, unthinkable acts have been perpetrated against an entire people in the process of denying them the right to practice their faith, I am speaking of the annihilation of more than 6 million Jews by Adolf Hitler while the world looked on.

Even today, religious intolerance remains rooted in too many societies throughout the planet—in Iran, in Sudan, in Burma, in the People's Republic of China, in Russia—and this is by no means an exhaustive list.

H.R. 2431, as amended, seeks to establish a policy and procedures for the United States government to follow in defending religious freedom internationally. It provides for the imposition of targeted sanctions against governments which practice religious persecution. However, it also gives the President and the Secretary of State some measure of flexibility in carrying out the policy.

I am also pleased to note that it excludes the denial of food and medicine as a sanctions option under this legis-

lation. I have never believed that to deny innocent men, women and children access to the very basic necessities of life places the United States as a government on a particularly high moral ground at the very time we are trying to elicit a higher standard of moral behavior by other governments. The bill also includes waiver authority that will enable the President to react with flexibility to changing events in furtherance of U.S. national interests. Finally, the bill includes a sunset provision that would lift any sanctions imposed pursuant to this act after two years, unless specifically reauthorized by the Congress.

I believe that President Clinton is committed to promoting international religious freedom. In no way should the passage of this legislation be interpreted as a criticism of the administration's efforts to champion the cause of international religious freedom. Rather, my support for this legislation should be viewed as an effort to complement the Administration's efforts. Passage of the pending legislation will signal to the world that the Congress stands fully behind all efforts to promote religious freedom along with other fundamental human rights as a core component in the United States foreign policy agenda.

I commend Senator NICKLES and my colleague from Connecticut Senator LIEBERMAN for all their work on this legislation. Thanks to their efforts to perfect and refine its provisions, this legislation will be far more effective in furthering U.S. efforts to promote respect for religious freedom throughout the world.

Mr. President, I am pleased to join with them and many others in this Chamber in voting for final passage of this bill at the appropriate time.

Mr. ASHCROFT. Mr. President, the International Religious Freedom Act of 1998 represents a vitally important piece of legislation to raise awareness of and combat religious persecution overseas. Some would downplay the problem of religious persecution abroad, but preserving religious freedom at home and promoting it in other countries is central to the purpose and objectives of the United States.

In our own history as a nation and in the histories of countries around the world, religious freedom has been at the center of movements for broader civil liberty. Efforts to restrict religious freedom strike at the heart of liberty itself. Thus, the United States has a duty to stand for religious liberty abroad as we continue to preserve it at home.

If the Administration had been more aggressive in confronting religious persecution, such legislation might not be necessary. In fact, at a White House meeting to discuss one of the major bills on religious persecution, President Clinton told religious leaders that legislation which actually required him to confront persecution abroad would put "enormous pressure on whoever is in the executive branch to fudge

an evaluation of the facts of what is going on."

That is a troubling statement by the President of the United States, which not only calls us to question this Administration's commitment to fight religious persecution, but the reliability of other presidential certifications on issues such as Chinese missile and nuclear proliferation. Such statements by Administration officials make it clear why legislation to address religious persecution is needed.

Religious persecution is a tragic fact of life in many countries, from Latin America to Asia to Africa. Religious persecution in Sudan and China has been of particular concern to me. As Chairman of the Africa Subcommittee, I held a hearing on religious persecution in Sudan in September of last year.

Religious persecution has become enmeshed in a brutal Sudanese civil war that has taken more than 1.5 million civilians since 1983, with over 4 million more being displaced by the fighting. An estimated 430,000 refugees have fled Sudan to seek safety in neighboring countries.

Human rights organizations working in Sudan have testified before Congress that the government uses "aerial bombardment and burning of villages, arbitrary arrests, torture, chattel slavery—especially child slavery—hostage taking, summary execution, inciting deadly tribal conflict, the abduction and brainwashing of children, the arrest of Christian pastors and lay church workers, and the imprisonment of moderate Muslim religious leaders" to suppress dissent and form a radical Islamic state. Such barbarous atrocities, along with Sudan's support for international terrorism, has led me to introduce legislation to cut off financial transactions with the Sudanese government.

The viciousness of religious persecution in Sudan should not callous us to the very real and brutal oppression taking place in other countries. As Nina Shea notes in *The Lion's Den*, China has more Christians in prison because of religious activities than any other nation. The State Department's first comprehensive review of persecution against Christians, issued in July 1997 and entitled "U.S. Policy in Support of Religious Freedom," says, "The Government of China has sought to restrict all actual religious practice to government-subsidized religious organizations and registered places of worship."

China's efforts to restrict religious freedom are driven by oppressive policies which seek to make all religion subservient to the state's secular objectives. In the book *China: State Control of Religion*, Human Rights Watch states that "the Chinese government believes that religion breeds disloyalty, separatism, and subversion." The book goes on to note: "Chinese authorities are keenly aware of the role that the church played in Eastern Europe during the disintegration of the Soviet empire."

Rather than embrace and encourage the free expression of faith, the Chinese government is engaged in a massive, ongoing, and brutal effort to repress non-sanctioned religious activity. Ministers or lay people who seek to practice their faith free from bureaucratic interference and oppression are subjected to imprisonment, torture, and worse. The Far Eastern Economic Review noted that 15,000 religious sites were destroyed by government police in the first five months of 1996 alone. Paul Marshall and Nina Shea note that "China's underground Christians are the target of what they themselves describe as the most brutal repression since the early 1980s when China was just emerging from the terror of the Cultural Revolution."

And yet, in spite of such repression by the Chinese Communist government, this Administration declined even to sponsor a resolution at the U.N. Commission on Human Rights condemning China's human rights record. Apparently, some type of back door deal was made with the Chinese government in which a few prisoners would be released and we would turn our head and close our ears to the thousands that remain in Chinese prisons and labor camps.

I am aware of mounting concern in the U.S. business community on the damage done to U.S. competitiveness due to unilateral sanctions. I want U.S. companies to compete and succeed in the international marketplace. The Nickles legislation, however, is a carefully crafted bill which offers the President an array of options to promote religious liberty abroad and will target any resulting sanctions on those countries most deserving of reproach for religious persecution. This legislation is a necessary first step to address the problem of religious persecution.

Mr. President, I submit that it is time for the Senate of the United States to take a stand on this issue of religious persecution, and passage of the Nickles legislation offers just such an opportunity. It is also time for the Executive Branch to take a stand on this issue. Rather than look at how we might "fudge" legislative requirements to avoid confronting oppression abroad, let us have the courage of our convictions. Mr. President, I yield the floor.

Mr. BREAUX. Mr. President, I rise today to express my enthusiastic support for the International Religious Freedom Act of 1998, which was passed by the Senate earlier today. This legislation condemns religious persecution and promotes what is indisputably a fundamental human right—the right to freedom or religion.

I am proud to have co-sponsored this legislation, which I might add was passed by the Senate without opposition. That is due in no small part to the efforts of Senators NICKLES and LIEBERMAN. I want to commend them and their staffs for all the hard work they've done to craft a bill that is meaningful and effective without being excessively rigid or inflexible.

Mr. President, it has amazed me to see how Americans' awareness of religious persecution abroad has grown just in this decade. It is, no doubt, a result of the incredible resources and vast amounts of information that ordinary Americans now have at their fingertips. As more and more people gain access to the Internet, the velocity of information continues to increase. Americans have learned about religious persecution by foreign governments around the globe and they expect our government to take serious action to curb this behavior.

Their can be no doubt that we have a responsibility to advocate and encourage freedom of religion in foreign lands. We, as a nation, have always held it to be the most sacrosanct of human rights. Indeed, it is not just enshrined in our Bill of Rights, it is a thread that is woven into the very fabric of our national identity.

The International Religious Freedom Act channels U.S. assistance to governments that are not gross violators of human rights, in particular the right to religious freedom. It provides for sanctions or other comparable action against countries that persecute citizens on religious grounds. The bill establishes a Commission on International Religious Persecution to publish yearly recommendations to the White House and the Congress on how to promote religious freedom abroad. It also establishes an Ambassador-at-Large of Religious Freedom within the State Department and a Special Advisor on International Religious Freedom within the National Security Council. As a result, it requires the Administration to produce a yearly "Annual Report on Religious Freedom Around the World."

Mr. President, these are reasonable provisions that I believe will help focus our efforts to stand up for religious freedom abroad while at the same time allowing the executive branch a degree of needed flexibility to deal with different facts and circumstances in different instances of persecution. It is an important bill, and I am hopeful that the Congress can send it to the President for signature before adjournment.

Mr. HATCH. Mr. President, it is fitting that, as we conclude the 105th Congress, we can add to our long list of accomplishments the passage of the International Religious Freedom Act of 1998.

This bill has been in the works throughout this Congress and is a fine example of the legislative results we can achieve through long, thoughtful study and debate. I would like to compliment the numerous members and their staffs who have worked on this bill since its inception. Senator SPETER introduced the first version of this bill last year. Senator LUGAR and Senator LIEBERMAN worked diligently to develop that initial draft. And Senator NICKLES took the final drafts and brought the bill to the version we will vote on today.

Numerous compromises were made, but the lasting product of this body rarely passes without such compromising, and again I wish to compliment all the senators who so assiduously developed the bill I expect will pass overwhelmingly this morning.

There is a conceptual problem whenever we seek to apply serious diplomatic and economic sanctions to worldwide problems. On the one hand, you risk over 70 cases of unintended consequences. I use that number because recent estimates are that at least 70 nations violate, abuse or proscribe outright religious freedom. One legislative solution mandating tangible and serious sanctions applied to over 70 cases can have a myriad of consequences we don't intend.

On the other hand, a mere resolution of disapproval of such behavior appears weak, and can give the signal that the Congress is strong on denunciation, but weak on action.

Mr. President, one of my favorite quotes on geopolitics comes from the British historian Paul Johnson, who wrote in his magisterial history of the blood-soaked 20th century, *Modern Times*, that "it is of the essence of geopolitics to be able to distinguish between different degrees of evil."

Of course, evil is evil. But, it takes sophisticated legislating to address it in a geopolitically sound way, and I believe that this current bill has succeeded in doing that.

By the detailed and considered list of incremental actions directed of the President, and by the selective waiver authorities, we have, in the International Religious Freedom Act of 1998, a piece of legislation that is both substantive and flexible. It conscientiously fulfills the Congress's intent to act against one of the most hideous violations of human rights, persecution based on faith.

We could not ignore the moral imperative to act, Mr. President. It would be impossible now to list all of the egregious abuses of this fundamental right that are occurring today, and I fear that to select a few examples risks suggesting other, unmentioned, abuses are less objectionable.

Nor would it be accurate to suggest that abuses of religion occur merely in totalitarian or authoritarian regimes. The renowned human rights organization Freedom House recently reported that the number of democracies in the world has grown over the past ten years from 66 democracies to 117. This is a remarkable accomplishment and bodes well for global political trends.

But we should not believe this trend is irreversible, nor should we assume that all of the new democracies are well-established in their institutions. While democratic development is required to further the protection of individual rights, including the right to conscience and faith, certain democratic regimes around the world still constrain complete freedom of religion.

There is a relation, however, between the degree of abuse of the right to indi-

vidual faith and authoritarian regimes, because it mostly is in authoritarian regimes do you the horrific abuses—torture, imprisonment, execution and disappearance—that are most disturbing to Americans. That is why all of us gathered today to support this bill must redouble our efforts to maintain a strong commitment to the development and expansion of democracy as a pillar of American foreign policy.

Mr. President, I take my own Mormon faith seriously; and, because of my faith, I am acutely aware of the historical suffering of an intolerant society. Perhaps that is what makes me more attuned to the sufferings of the faithful—of all the great religions—around the world. Perhaps it is because I am a conservative, who simply believes in a life based on faith, family and country, with faith underpinning the values of family and country.

But it is probably because I am an American, a proud citizen of a country where we have so developed a rule of law that enshrines the individual right to belief that we are the envy of freedom-seeking people around the world and the enemies of those regimes too insecure, too primitive, and, in some cases, too barbaric to countenance this most fundamental freedom.

Mr. President, I have traveled a great deal in this world, and I have met many leaders. I have met communists who believed, and believers who countenanced oppression of other faiths. The varieties of personal faith and its expressions are countless, but the fundamental political right to personal conscience is indivisible, and universally desired.

This bill before demonstrates that the United States Congress, and all its members with all their faiths, believe that the pursuit of this political right must be a conscious, vocal, activist, and determined part of our foreign policy. I urge my colleagues to support this bill.

Mr. HUTCHINSON. Mr. President, as an original cosponsor, I rise in strong support of the International Religious Freedom Act and hope for the persecuted everywhere. I commend my colleagues on both sides of the aisle in the Senate and House for their dedicated efforts in crafting this legislation.

Mr. President, the desire for religious freedom is not uniquely American. But as Americans we are in a unique position to advocate it. As a superpower, we have the resources. As a nation of free people, we have the responsibility. Religious freedom is at the core of our country and enshrined in our Constitution. Our nation's founders fled from religious persecution in search of a land where they could freely exercise their ideal of religious freedom. They stood recognizing that the suppression of their faith was tyranny over their hearts and minds. They knew that without the freedom to gather, to worship, to speak about their God, there would be no freedom. So they laid a

cornerstone for our democracy, establishing freedom in law. And from that day, the protection of religious freedom has become part of our legacy, part of our identity as a nation. We must exercise this identity or one day realize that we have lost it. For the fruits of democracy, hoarded in the hands of the few, become bitter and rotten.

Mr. President this legislation takes concrete steps to promote the basic right to religious freedom. It establishes three entities to cooperatively guarantee that combating religious persecution is a priority in U.S. foreign policy. Within the State Department, an Ambassador-at-Large for Religious Liberty will serve as a high level diplomat, raising issues of religious persecution in bilateral meetings and heading up the Office of International Religious Freedom at the State Department. A Special Advisor on Religious Persecution at the National Security Council will monitor incidents of persecution and act as an advisor and resource for the executive branch. The Commission on International Religious Liberty, a ten member, bipartisan commission, will investigate religious persecution and provide an outside voice for policy recommendations to both Congress and the White House. Under this legislation, the U.S. government collects information on religious persecution, through the compilation of an Annual Report on Religious Persecution, and responds to these violations through a broad range of options, ranging from diplomatic protest to economic sanctions. The apparatus under this legislation is not simply reactive, however. It also provides for active promotion of religious freedom through international broadcasts, Fulbright exchanges, and training for Foreign Service Officers and refugee and asylum personnel on these issues. While the apparatus may seem extensive, it only reflects the magnitude of the problem. I believe that is the least that we can do to lay a concrete foundation for religious freedom.

Religious persecution around the world may go unnoticed in the hectic run of our daily lives, but for millions of people it is a horrifying, incessant reality. They live in fear of arrest, imprisonment, torture, and death for simply exercising their faith. In Pakistan, fear reigns under the constitution, which stipulates the death penalty for blasphemy against Mohammed. Ayoob Masih, a Christian, was beaten by a mob for reading his Bible, arrested, imprisoned, fined, and sentenced to death by hanging for blasphemy. Local police have failed to control angry mobs destroying the homes and churches of Christians in Pakistan. Ahmadis, Hindus, Zakris, and other minority religious groups have also been targets of lynching. In Egypt, Coptic Christians are routinely denied permits to build or repair churches. In Cairo's Tora district, security forces forcibly closed the doors of the Church of St. Bishoi,

waxing its windows and preventing any further entry and any freedom to worship there. An eighteen year old girl in Laos was thrown into prison by government forces for teaching Bible classes to neighborhood children. In Iran, a man was shot in the street for not being in the mosque during prayer time. Bahai's have also been subject to a rash of executions. In Sudan, where civil war has ravaged the land and claimed over a million lives, Christians and Animists are subject to abduction, imprisonment, torture, enslavement, forced conversion to Islam, and execution. Christian children are abducted, forced into reeducation camps, given Arab names, and raised as Muslims. A Muslim sheik who Christianity was arrested, charged with apostasy, and faced with execution unless he returned to Islam within two months. Only government-certified clergymen are allowed to talk about religion in Uzbekistan. Private religious instruction is also formally banned under pains of stiff fines and labor camp sentences.

This type of insidious government control is also present in China, where Article 36 of the Chinese Constitution guarantees religious freedom, but religious repression is carefully meted out through an apparatus of government registration, intense scrutiny, unremitting intimidation, and brutal punishment. Only five religions are permitted and control is exercised over these official churches in matters such as personnel selection, sermon themes, congregation size, and dissemination of religious materials. Unofficial, or illegal, religious gatherings are forcibly broken up, its participants arrested, victims of extortion, torture, and even fatal beatings. Zheng Muzheng, who was active in sharing his faith, was beaten to death in a jail in Hunan Province. His grieving widow has been repeatedly interrogated and held without arrest. Members of unofficial churches fortunate enough not to be imprisoned live under the glare of government surveillance. They are arbitrarily and repeatedly detained without formal charges, threatened with loss of property and employment, subject to heavy fines—all for believing in and worshiping an authority higher than the Communist Party. Under their reign of terror, Tibetan Buddhist monasteries and temples cannot be constructed and are often destroyed. Monks and nuns are restricted in numbers and tortured. Palden Gyatso, a Tibetan Buddhist monk, testified before the House International Relations Committee about the routine use by the Chinese government of electric shock guns, serrated and hooked knives, handcuffs and thumbcuffs on those who would dare to exercise their constitutionally guaranteed freedom of religion.

The grim and disturbing reality is that religious persecution is not limited to a particular region or a particular faith. It beats on the backs of

Christians, Jews, Buddhists, Hindus, Muslims, Baha'is. It scourges over half the world's population in over seventy countries.

Mr. President, this legislation takes comprehensive action against this alarming trend of oppression. Through its reporting provisions, it sheds light on the dark practices of persecution—a radiant ray of hope for those languishing in prisons. By requiring the President to use those means deemed necessary to not allow these atrocious acts to persist, this legislation cracks the heavy yoke of persecution. In its active promotion of religious freedom, it sweeps open the gates of suppressed faith, preparing the way for the liberty.

Mr. President, I am aware that detractors of this legislation claim that it establishes a false hierarchy of human rights abuses. But I suspect that for those same critics, treating all human rights abuses on an equal basis means voting against all human rights provisions on an equal basis. Others claim that it binds the hands of the President, propelling him on a course of self-defeating foreign policy, forcing him to ultimately "fudge" sanctions. This well-crafted legislation has taken this concern into consideration, incorporating the views of its sponsors, the Administration, and the business community. It focuses on specific and particularly egregious instances of religious persecution. While it requires the President to act, it also presents the President with a wide berth of options and requires a review of the potential impact on American security and economic interests and its intended efficacy.

Still others claim that we should not be moralizing or imposing our values on other countries. Those suffering in prison for practicing their faith would certainly disagree. Freedom of religion is a universal right and aspiration, recognized and articulated in a number of international instruments including the Universal Declaration of Human Rights, which states that "Everyone has the right to freedom of thought, conscience, and religion . . . to manifest his religion or belief in teaching, practice, worship, and observance." The International Covenant on Civil and Political Rights recognizes that "Everyone shall have the right to freedom of thought, conscience, and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others in public or private, to manifest his religion or belief in worship, observance, practice, and teaching." By advocating this freedom, we are not imposing our values on others but reaffirming a universal right.

We must not cower under the covers of complacency. We must not be complicit actors, carried away in a current of oppression. We must not, for fear of taking a false step on the path of justice, refuse to walk at all. We

must be the voice of those muted by their oppressors, crying out for a land of the free. We must, in the words of Ronald Reagan, ". . . be staunch in our conviction that freedom is not the sole prerogative of a lucky few, but the inalienable and universal right of all human beings."

Mr. FEINGOLD. Mr. President, I offer my comments on the NICKLES substitute amendment to H.R. 2431, the International Religious Freedom Act of 1998.

Mr. President, I commend the Senator from Oklahoma [Mr. NICKLES] for all the hard work that he and others have devoted to this important piece of legislation. These Senators, and our House colleagues, have recognized the importance of promoting religious freedom abroad, and have tried to craft legislation that both emphasizes our serious concerns about this issue, and provides authority to the President to react to governments which abuse these fundamental rights.

In particular, I appreciate their efforts to make improvements to the original bill, most of which I support.

Mr. President, the issue of religious freedom is especially important for our country. Freedom of religion is one of the bedrock principles of American democracy. Our founders, who came to America in part to flee religious intolerance, championed freedom of religion as a universal right, and made it an integral part of the Constitution through the Bill of Rights.

Throughout our history, immigrants from every corner of the globe have arrived on our shores seeking a community where they could practice their religion openly and without fear of persecution. Today, we value the separation of church and state as one of our guiding principles.

But we are all well aware that such liberties are not fully enjoyed everywhere, and there are millions of people who daily face persecution or intolerance because of their religious beliefs. Worse yet, the exploitation of religious and ethnic differences for political ends has become all too common in the post-Cold War era.

These trends have been around for centuries, but have been getting more serious press attention in the last several years. They mirror the myriad other abuses that are conducted, or at least tolerated, by non-democratic regimes around the world. Examples of restrictions on basic freedoms—of expression, of association, of the press—abound, and those who dare violate such restrictions face imprisonment, repression or even death. As we consider this legislation today, it is likely that somewhere, a political prisoner is being beaten by the police or armed forces, or by some paramilitary group whose members might include police officers or soldiers. It is likely that somewhere a union organizer is being detained or harassed by authorities, that a woman is being raped by government thugs, that a newspaper is being

shut down, or that a prisoner has “disappeared.”

The question for us today is this: what is the appropriate U.S. policy response to such acts of oppression by other nations on the basis of religious beliefs? We should also ask: what is the appropriate response to oppression of any kind?

I firmly believe that the defense of human rights around the world relates directly to our “national interests” and therefore justifies leadership from the United States, a nation founded on respect for individual rights and liberties.

We are bound by our country’s founding principles to promote and defend certain ideas: that we are all created equal, that we are born with certain inalienable rights, that government is legitimate only with the consent of the people, and that government should exist to promote the general welfare and to secure the blessings of liberty for all. Our other national interests—security and economic opportunity—have the best chance for advancement in a climate of freedom and respect for individual rights, and are undermined where that climate does not thrive.

I have never shied away from the use of every economic, diplomatic, or rhetorical tool to advance our human rights agenda. It is through the vigorous use of these tools that the United States can exercise the type of leadership such fundamental violations of justice demand. To a certain extent, this is the approach implicit in the bill we are considering today, which provides a menu of presidential actions to respond to violations of religious freedom.

But, with deference to my colleague from Oklahoma and the work he has done on this bill and although I support the bill, I have some outstanding concerns regarding this legislation. I believe that if we had been able to fully consider this bill in the Committee on Foreign Relations, we would have been able to work out some of these issues.

I strongly support the basic premise of the bill, that the United States should defend religious liberty, but I am concerned that it might appear to subordinate other fundamental rights to the right to religious freedom. As we defend the freedom of religion, should we not just as vigorously defend the rule of law, basic human rights and the exercise of political rights? We would be pleased if, tomorrow, Sudan’s ruling National Islamic Front suddenly lifted its Shar’ia law and allowed Christians to worship freely. But would we then tolerate the forced conscription of children, the lack of press freedom and the manipulation of humanitarian assistance that also takes place in the Sudan?

I also have some concerns about a few specific provisions.

First, this bill creates a new commission, the “Commission on International Religious Freedom.” Although I am open to arguments on this

subject, I am not convinced a new commission is needed. We already have in operation the Advisory Committee on Religious Freedom. This body, which is broadly representative of various religious communities, has been in operation since early 1997 and has already produced several useful reports about the state of religious freedom around the world. Its work has helped focus administration attention on the issue of religious persecution and the conditions of religious minorities.

Second, Section 205 of the bill authorizes \$6 million over two years to carry out the work of this new Commission. The protection of religious freedom is vital work that must be done, but I believe this is an enormous amount of money to be devoting to a commission of any sort, and I have seen no explanation of why \$6 million is required. The Advisory Committee was able to conduct its work with existing resources from the Department of State. I understand that the Committee’s work greatly strained the resources of the Department’s Bureau for Democracy, Human Rights and Labor, but I also understand that, even if staff salaries are included, the Committee could have been run with a budget of less than \$500,000. Also, the new Commission proposed by the legislation would be comprised of nine commissioners, rather than the 20 on the existing Advisory Committee, so it might be expected to require less resources.

In addition, I am concerned that because of the narrow language of Section 205, the authorized funds might be used only for the specific activities of the Commission, and not for the many additional requirements of the bill which would then have to borne by the already stretched resources of the Bureau of Democracy, Human Rights and Labor.

Mr. President, I hope there will be further clarification of the intended uses of these funds, and—if the Congress does appropriate such high levels of funding—I hope it will be used to further the goals of the whole bill, and not simply Title II.

Third, another provision that raises some concerns is Section 107, which provides equal access to the premises of diplomatic missions to any U.S. citizen seeking to conduct religious activities. It is in the best American tradition to provide a haven for Americans of faith who find themselves in a country that is not hospitable to their religion, but I wonder if some might argue that this provision would expand what the Supreme Court has determined constitutes a “public forum” with respect to equal access for religion. In practice, it is possible that it might then be deemed by some court to be an unconstitutional endorsement of a particular religion. That is not what we intend, so I hope the provision allows for discretion on the part of the chiefs of mission to appropriately respond to requests from the American community.

My fourth concern relates to the provisions in Section 108—not what is in those provisions, but rather, what has been left out. Section 108 requires the Secretary of State to prepare and maintain issue briefs on religious freedom on a country-by-country basis. These will be similar to the annual country reports on human rights, which have proven to be an excellent source of information on conditions in individual countries. However, the briefs are also required to include lists of “persons believed to be imprisoned, detained, or placed under house arrest for their religious faith.” In cases where the production and publicizing of prisoner lists is useful, perhaps we should devote similar attention to individuals detained in the pursuit of other internationally recognized human rights. The Secretary should consider exercising her authority to broaden the list to include all prisoners of conscience, as appropriate. In addition, there may be cases where the production or publication of such a list might actually be harmful to the individuals in question, or indeed to our intelligence resources. I believe on this point the administration is given considerable discretion.

Fifth, in an earlier draft of this legislation, included in the description of what might constitute a violation of religious freedom was “arbitrary prohibitions or restrictions on the grounds of religion on holding public office, or pursuing educational or professional opportunities.” For unknown reasons, this language unfortunately was deleted from all subsequent drafts of this bill, including the current version. However, the bill’s definitional language is merely suggestive, indicating areas the administration can take into consideration when making a determination about a given country. I will assume that the administration will also consider restrictive prohibitions on education and employment, among other factors, when making such determinations. Any kind of religious discrimination is unacceptable.

Finally, Section 103 provides for the establishment of a religious freedom Internet web site which would contain major international documents relating to religious freedom, among other items. This is a fantastic way to disseminate information about this issue to individuals around the world who can use it to help promote their causes in their own countries. Already we have seen the importance of the Internet in promoting civil society. The Internet is the modern version of the underground literature of the Cold War, only it does not require printing presses which can be taken away, and it is more readily available to its audience. I hope, however, that the Secretary of State will take the opportunity to also include in the web site other important documents related more generally to human rights. In that way, we can be sure to pursue the protection of all human rights through the most modern technology possible.

Also, Mr. President, just to make the record clear, I do not support the provisions of Section 406 which allow an exception to the sanctions in this bill for defense contractors.

Again, I commend the sponsors of this legislation and everyone who has worked so hard to produce a consensus package.

Mr. D'AMATO. Mr. President, as a co-sponsor of the International Religious Freedom Act, I rise today to commend my colleagues for their efforts to bring this bill to the Senate. This legislation takes concrete steps to insure continued U.S. leadership and diplomatic focus on issues of religious liberty around the world. Few things are more precious to the American people than freedom of religion, and I strongly support our efforts to bring this freedom to those who are persecuted for their faiths around the world.

The vast majority of those who suffer abridgement of their right to religious liberty do not suffer torture, rape, or murder. Instead, they face harassment, discrimination, and onerous bureaucratic obstacles to registering their religious organizations. The Act covers all violations of religious liberty, not just the most egregious acts of persecution and I commend the drafters of this legislation for its broad coverage.

As Chairman of the Commission on Security and Cooperation in Europe, I am very concerned over rising religious intolerance and even oppression in the OSCE region. As Eastern European countries begin to loosen their grip on their economies, they must also learn to relinquish government control over legitimate private action by their citizenry that is protected by international commitments. I have written repeatedly strong letters to heads of state or government in support of religious liberty and to hold them to their international human rights commitments.

The Commission has had two hearings and several public briefings on this issue in the OSCE region. We have heard testimony that, contrary to our expectations when the Communist governments of the former Warsaw Pact states fell, a variety of official measures have been taken restricting, or in some cases denying, freedom of thought, conscience, religion or belief. One of the core values of the United States is freedom of religion. The various documents of the Helsinki Process and the Universal Declaration on Human Rights have adopted this fundamental freedom and established it as an international norm all nations are expected to meet. I strongly believe that adoption of this legislation will help the United States advocate religious liberty around the world, and address some of the specific problems our hearings and briefings have documented.

This year in Uzbekistan, for instance, a new law was passed which, among other restrictions, requires 100 Uzbek

citizens to sign a religious community's application for registration, criminalizes any unregistered religious activity, and penalizes religious free speech. In 1997, similarly restrictive laws were passed in Russia and Macedonia and a number of OSCE participating states are reportedly considering legislation imposing significant restrictions on religious liberty, particularly for minority religious groups.

In Western Europe, the trends toward increased religious intolerance has been more insidious. In the last few years, governments in Western Europe, particularly France, Germany, Belgium, and Austria, have targeted numerous groups that they label "dangerous" and have published official government propaganda against them, placed them under surveillance by security agencies, and revoked tax exempt status based on the determination that groups are not a positive influence on society. Furthermore, these Western European actions embolden the more intolerant sectors of Eastern European society to further restrict religious liberty for minority or ill-favored groups.

By requiring the President to take action against all countries engaged in violations of religious liberty, the Act insures that less egregious cases of religious liberty violations will not be ignored. By enumerating the specific policy responses required ranging from a private demarche to sanctions, the Act reflects the need for flexibility in diplomacy. Finally, by instituting a separate commission, the Act facilitates accurate and independent reporting on religious liberty violations around the world.

Mr. President, I am proud to be a co-sponsor of this important legislation and I urge my colleagues to support the International Religious Freedom Act.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I ask unanimous consent that I be able to proceed for 2 minutes on this legislation.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I support the International Religious Freedom Act presented by the Assistant Majority Leader, the Senator from Oklahoma and the Senator from Connecticut.

We have discussed this legislation at some length over the last couple of weeks, and my colleagues have been very gracious in trying to accommodate some of my concerns with the bill.

Although it is not a perfect bill, it is a compromise that I support.

The persecution of individuals for their faith, like persecution for political beliefs or ethnicity, is abhorrent to all Americans. Unfortunately, too many nations around the world fail to

protect the basic human rights of their citizens. The reasons for this are often complex and varied—but they are never justified.

What justification can there be, for example, for the jailing by the Chinese government of thousands of dissidents—not to mention a few Catholic leaders who choose to remain loyal to the Vatican, rather than bow to the dictates of the so-called "official" church in Beijing?

What justification can there be for a law in Russia which appears to discriminate between "established" religious organizations and those whose roots in Russia are not long-standing?

As a nation founded on the premise that "all men are created equal. . . endowed by their Creator with certain unalienable rights", Americans have long been committed to promoting and protecting human rights. Existing law, in place since the 1970s, prohibits U.S. assistance to nations which engage in a "consistent pattern of gross violations" of human rights—including the right to religious freedom. Since the 1970s, we have also had an Assistant Secretary of State specifically devoted to the task of advancing human rights.

In recent years, the Clinton Administration has taken important steps to promote religious freedom. In 1996, Secretary of State Christopher established an Advisory Committee on Religious Persecution Abroad, a 20-member panel which is broadly representative of many religious faiths, and has provided practical guidance to the Secretary and the State Department about this important subject.

More recently, Secretary of State Albright has appointed a Senior Adviser to take the lead on religious freedom in the State Department.

This legislation is designed to further elevate religious freedom on our foreign policy agenda. It does so by creating a new Office on International Religious Freedom at the Department of State, to be headed by an Ambassador-at-Large.

Under this legislation, the State Department will produce a new annual report on religious freedom, which will assess the state of religious freedom around the world. This report, which will expand on the information available in the annual human rights report already produced by the State Department, should prove an invaluable resource to Americans concerned about religious freedom.

Additionally, a new Commission will be established, for a period of four years, which will serve in an advisory capacity, producing a report of its own on an annual basis which will include recommendations for U.S. policy.

The bill also contains new provisions of law requiring that the President impose sanctions against the most severe violators of the right to religious freedom.

I must confess to some skepticism that new sanctions legislation is necessary, for two reasons. First, as I stated, current law already prohibits U.S. assistance to countries which engage in serious human rights violations.

Second, in recent months I have reconsidered my own view on sanctions policy—and have come to the conclusion that, even though Congress is well within its constitutional power to apply sanctions, it is not always wise, as a matter of sound foreign policy, for Congress to do so.

But I am willing to go along with this sanctions law because it includes many aspects that I believe must be present in any sanctions law that Congress enacts. Indeed, the sanctions provision in this bill offers considerable flexibility to the President.

First, the bill provides the President with a "menu" of options—seven different types of sanctions from which the President must choose just one sanction. If the President doesn't like the choices on the menu, he is free to take "commensurate action"—that is, action commensurate to the items on the menu of options.

Second, the bill provides a broad waiver authority.

The President may waive the application of the sanction if the foreign government has ceased the violations; if using the waiver would "further the purposes" of the Act; or if important national interests of the United States justified the exercise of the waiver.

Third, the bill provides that any sanctions sunset two years after they are imposed unless they are specifically reauthorized.

The President may also terminate the sanctions if the foreign government has "ceased or taken substantial and verifiable steps to cease" the violations that gave rise to the sanctions.

Fourth, there is an exemption from the sanctions for the provision of food, medicine, medical equipment or supplies, as well as other humanitarian assistance.

In sum, although I am not eager to enact a new sanctions law, I believe we are setting an important precedent with this bill in terms of what should be contained in any sanctions law.

We must make every effort to ensure that the steps we take under this law will help those who are suffering from persecution—and not increase the dangers they face. During the hearings in the Foreign Relations Committee on this legislation, several witnesses representing religious communities that operate overseas expressed this concern.

I know the sponsors of this bill share this concern—and so I hope that both Congress and the Executive Branch will be attentive to it in the coming years.

This bill takes several steps which I hope will lead to the advancement of religious freedom—one of the fundamental human rights—around the world.

We must be certain that in implementing this law, it is not to the detriment of other fundamental human rights that are recognized internationally.

As the columnist Stephen Rosenfeld has written, religious freedom deserves a seat at the human rights table, but it should not overturn the table.

Mr. President, I see my friend from Pennsylvania on the floor, Senator SPECTER. I compliment him—he is the one who got me into this, quite frankly—and my colleagues from Oklahoma and from Connecticut. I can claim no credit for starting this initiative. I can only claim that I have attempted to play a role here to make sure that the desire we all have to extend religious freedom around the world becomes a reality. I have tried to make sure that our sanctions meet a realistic test of promoting an actual change in the behavior of other nations. It was toward that end that I worked on a small part of this bill. I attempted to rationalize the sanctions legislation on this issue with what we are attempting to do on all the other sanctions legislation we have around here.

The thing we have all learned is, unilateral sanctions on any subject seldom ever work. Sometimes, and promoting religious freedom is one of those times, we may have to act even if it is not efficacious, just to state our principled commitment to religious freedom. I recommend my colleagues take a look at this legislation though because I think we have produced a sound sanctions bill.

For that, I have to thank the authors, Senator SPECTER and Senator NICKLES and Senator LIEBERMAN, for accommodating some of the changes I suggested in the functional way in which these sanctions would be employed.

I thank them for their consideration. They were very gracious to me and very patient with me. And I am very satisfied with the way the bill has turned out—not only the principle but the efficacy of the legislation.

I thank my colleague for the extra time, and I yield the floor.

Mr. NICKLES addressed the Chair. The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I thank my colleague from Delaware for his statement but also for his leadership. I have already complimented Senator LIEBERMAN for his leadership and his partnership in making this happen. But also I mentioned last night Senator SPECTER worked tirelessly on this; Senator COATS did as well. Senator FEINSTEIN came in and negotiated with us and I think made some important changes.

I also just quickly would like to thank a couple of staff people. Cecile Shea of Senator LIEBERMAN's staff worked tirelessly on this legislation; John Hanford of Senator LUGAR's staff and Steve Moffitt of my staff have put in maybe more hours on this piece of

legislation than most any I have seen. Others who helped were Laura Bryant and Willie Imboden.

Also, I thank Senator HELMS for his support and leadership, as well as Congressman WOLF for leading the effort in the House of Representatives. They have assured us that they will pass this legislation as soon as they receive it.

So I thank my colleagues and I yield the floor. And I yield the remainder of my time.

The PRESIDING OFFICER. The question is on final passage.

Mr. NICKLES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass? The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Ohio (Mr. GLENN) and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

The PRESIDING OFFICER (Mr. GRAMS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 310 Leg.]

YEAS—98

Abraham	Faircloth	Lugar
Akaka	Feingold	Mack
Allard	Feinstein	McCain
Ashcroft	Ford	McConnell
Baucus	Frist	Mikulski
Bennett	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Breaux	Gregg	Reed
Brownback	Hagel	Reid
Bryan	Harkin	Robb
Bumpers	Hatch	Roberts
Burns	Helms	Rockefeller
Byrd	Hutchinson	Roth
Campbell	Hutchison	Santorum
Chafee	Inhofe	Sarbanes
Cleland	Inouye	Sessions
Coats	Jeffords	Shelby
Cochran	Johnson	Smith (NH)
Collins	Kempthorne	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
D'Amato	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Warner
Dorgan	Levin	Wellstone
Durbin	Lieberman	Wyden
Enzi	Lott	

NOT VOTING—2

Glenn
Hollings

The bill (H.R. 2431), as amended, was passed.

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

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

The motion to lay on the table was agreed to.

The title was amended so as to read:

An act to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted in foreign countries on account of religion; to authorize United States actions in response to violations of religious freedom in foreign countries; to establish an Ambassador at Large for International Religious Freedom within the Department of State, a Commission on International Religious Freedom, and a Special Adviser on International Religious Freedom within the National Security Council; and for other purposes.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

PATIENT PROTECTION ACT OF 1998—MOTION TO PROCEED

Mr. DASCHLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 505, H.R. 4250, the House-passed health care reform bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. 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. LOTT. Mr. President, I move to table the pending motion to proceed and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Kentucky (Mr. MCCONNELL) is necessarily absent.

Mr. FORD. I announce that the Senator from Ohio (Mr. GLENN) and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 311 Leg.]

YEAS—50

Abraham	DeWine	Hutchison
Allard	Domenici	Inhofe
Ashcroft	Enzi	Jeffords
Bennett	Frist	Kempthorne
Brownback	Gorton	Kyl
Burns	Gramm	Lott
Campbell	Grams	Lugar
Chafee	Grassley	Mack
Coats	Gregg	McCain
Cochran	Hagel	Murkowski
Collins	Hatch	Nickles
Coverdell	Helms	Roberts
Craig	Hutchinson	Roth

Santorum
Sessions
Shelby
Smith (NH)

Smith (OR)
Snowe
Stevens
Thomas

Thompson
Thurmond
Warner

NAYS—47

Akaka
Baucus
Biden
Bingaman
Bond
Boxer
Breaux
Bryan
Bumpers
Byrd
Cleland
Conrad
D'Amato
Daschle
Dodd
Dorgan

Durbin
Faircloth
Feingold
Feinstein
Ford
Graham
Harkin
Inouye
Johnson
Kennedy
Kerrey
Kerry
Kohl
Landrieu
Lautenberg
Leahy

Levin
Lieberman
Mikulski
Moseley-Braun
Moynihan
Murray
Reed
Reid
Robb
Rockefeller
Sarbanes
Specter
Torricelli
Wellstone
Wyden

NOT VOTING—3

Glenn Hollings McConnell

The motion to lay on the table the motion to proceed was agreed to.

Mr. REID. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UTAH SCHOOLS AND LAND EXCHANGE ACT OF 1998

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 574, H.R. 3830.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3830) to provide for the exchange of certain lands within the State of Utah.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. Mr. President, I yield to Senator HATCH for 2 minutes, and then to Senator BENNETT for 2 minutes.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise to express my support for this legislation to exchange school trust lands located in Utah to the federal government. This timely piece of legislation has the full support of the Utah delegation, the Governor of Utah, and the Clinton administration, as well as the PTA and local educators from across our state. It is, in some small measure, the result of the unfortunate situation created several years ago when President Clinton created the Grand Staircase Escalante Monument that withdrew hundreds of thousands of additional Utah school trust lands from benefiting Utah's school children. This bill

represents the largest land exchange in the history of Utah.

I commend the President for being willing to do this, the Secretary of the Interior for being willing to do this, and others on the floor, including my colleague, Senator BENNETT, the chairman of the Energy Committee, Senator MURKOWSKI, and the distinguished Senator from Arkansas, Senator BUMPERS. Without their leadership and support, this legislation would not have been possible. I want to express that appreciation. This is a momentous day for the State of Utah that will leave a lasting legacy for our school children.

This bill passed the House of Representatives in July and was approved by the Senate Committee on Energy and Natural Resources last month. I am pleased the full Senate will consider it today and send it to the President.

I and all the citizens of Utah have looked forward anxiously to this day, which has been a long time coming.

When Utah became a state in 1896, Congress designated a portion of each township in the state to be set aside as School Trust Land which would be used to generate revenue for Utah's schools. The patchwork layout of these school trust lands across the state has historically created management difficulties between federal and state governments. As new national parks, forests, and monuments are designated, the school lands are often enveloped within them. This has the effect of closing off development of these lands and, therefore, any revenue they might produce for the school land trust fund.

As of 1995, over 200,000 acres of school trust land, called inholdings, were isolated this way. As I mentioned, President Clinton doubled this amount with his designation of the Grand Staircase-Escalante Monument in 1996.

At the time of the creation of the Grand Staircase-Escalante Monument, President Clinton gave numerous assurances that Utah's school children would not be hurt by this designation. H.R. 3830 represents the partial fulfillment of these promises.

The Utah Schools and Lands Exchange Act is the culmination of long and careful deliberations between Governor Leavitt and Secretary of the Interior Bruce Babbitt. As a result of this thorough and delicate planning, the act enjoys broad support from environmentalists, private landowners, educators, legislators, and the Administration.

The bill exchanges approximately 350,000 acres of school trust lands located in Utah monuments, recreation areas, national parks, and forests to the Federal Government. To provide equitable compensation for these lands, Utah will receive cash, lands, mineral rights, coal deposits, and other Federal properties. I assure my colleagues that this is a fair and equitable exchange of assets.

The land received by the Federal Government, totaling 376,739 acres of