

The Clerk will redesignate the amendment, as modified, to the amendment.

The Clerk redesignated the amendment, as modified, to the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 110 noes 313, not voting 11, as follows:

[Roll No. 363]

AYES—110

|                 |               |                |
|-----------------|---------------|----------------|
| Abercrombie     | Frelinghuysen | Ose            |
| Aderholt        | Frost         | Oxley          |
| Baca            | Gerlach       | Pallone        |
| Baird           | Gilchrest     | Pastor         |
| Ballance        | Gonzalez      | Platts         |
| Ballenger       | Graves        | Quinn          |
| Barton (TX)     | Green (TX)    | Radanovich     |
| Bass            | Greenwood     | Renzi          |
| Becerra         | Grijalva      | Reyes          |
| Bell            | Gutierrez     | Rodriguez      |
| Biggert         | Gutknecht     | Rothman        |
| Bishop (NY)     | Harris        | Rothbal-Allard |
| Boehlert        | Hill          | Ryan (OH)      |
| Bono            | Hinchev       | Sandlin        |
| Boucher         | Hinojosa      | Serrano        |
| Bradley (NH)    | Houghton      | Shadegg        |
| Brown (OH)      | Johnson (CT)  | Shays          |
| Cannon          | Kaptur        | Sherwood       |
| Capuano         | Kelly         | Simmons        |
| Carson (OK)     | Kilpatrick    | Smith (WA)     |
| Castle          | Kirk          | Snyder         |
| Clyburn         | Kolbe         | Solis          |
| Cole            | Maloney       | Stupak         |
| Crenshaw        | Markey        | Sullivan       |
| Crowley         | Marshall      | Sweeney        |
| Davis, Tom      | Matheson      | Thomas         |
| DeFazio         | McCarthy (MO) | Thomas         |
| DeGette         | Meehan        | Towns          |
| Delahunt        | Menendez      | Udall (CO)     |
| Diaz-Balart, L. | Miller (NC)   | Upton          |
| Diaz-Balart, M. | Miller, Gary  | Van Hollen     |
| Ehlers          | Moore         | Velazquez      |
| Evans           | Napolitano    | Visclosky      |
| Farr            | Neal (MA)     | Weiner         |
| Foley           | Nethercutt    | Weldon (FL)    |
| Ford            | Olver         | Weldon (PA)    |
| Frank (MA)      | Ortiz         | Wicker         |

NOES—313

|                |              |               |
|----------------|--------------|---------------|
| Akin           | Capps        | Dunn          |
| Alexander      | Cardin       | Edwards       |
| Allen          | Cardoza      | Emanuel       |
| Andrews        | Carson (IN)  | Emerson       |
| Bachus         | Carter       | Engel         |
| Baker          | Case         | English       |
| Baldwin        | Chabot       | Eshoo         |
| Barrett (SC)   | Chocola      | Etheridge     |
| Bartlett (MD)  | Clay         | Everett       |
| Beauprez       | Coble        | Fattah        |
| Berman         | Collins      | Feeney        |
| Berry          | Conyers      | Filner        |
| Billirakis     | Cooper       | Flake         |
| Bishop (GA)    | Costello     | Fletcher      |
| Bishop (UT)    | Cox          | Forbes        |
| Blackburn      | Cramer       | Fossella      |
| Blumenauer     | Crane        | Franks (AZ)   |
| Blunt          | Cubin        | Gallely       |
| Boehner        | Culberson    | Garrett (NJ)  |
| Bonilla        | Cummings     | Gibbons       |
| Bonner         | Cunningham   | Gillmor       |
| Boozman        | Davis (AL)   | Gingrey       |
| Boswell        | Davis (CA)   | Goode         |
| Boyd           | Davis (FL)   | Goodlatte     |
| Brady (PA)     | Davis (IL)   | Gordon        |
| Brady (TX)     | Davis (TN)   | Goss          |
| Brown (SC)     | Deal (GA)    | Granger       |
| Brown, Corrine | DeLauro      | Green (WI)    |
| Brown-Waite,   | DeLay        | Hall          |
| Ginny          | DeMint       | Harman        |
| Burgess        | Deutsch      | Hart          |
| Burns          | Dicks        | Hastings (FL) |
| Burr           | Dingell      | Hastings (WA) |
| Burton (IN)    | Doggett      | Hayes         |
| Buyer          | Doolley (CA) | Hefley        |
| Calvert        | Doolittle    | Hensarling    |
| Camp           | Doyle        | Heger         |
| Cantor         | Dreier       | Hobson        |
| Capito         | Duncan       | Hoefel        |

|                |                |                  |
|----------------|----------------|------------------|
| Hoekstra       | McDermott      | Ryun (KS)        |
| Holden         | McGovern       | Sabo             |
| Holt           | McHugh         | Sanchez, Linda   |
| Honda          | McInnis        | T.               |
| Hyde           | McIntyre       | Sanchez, Loretta |
| Hostettler     | McKeon         | Sanders          |
| Hoyer          | McNulty        | Saxton           |
| Hulshof        | Meek (FL)      | Schakowsky       |
| Hunter         | Meeke (NY)     | Schiff           |
| Hyde           | Mica           | Schrock          |
| Inslee         | Michaud        | Scott (GA)       |
| Isakson        | Miller (FL)    | Scott (VA)       |
| Israel         | Miller (MI)    | Sensenbrenner    |
| Issa           | Miller, George | Sessions         |
| Istook         | Mollohan       | Shaw             |
| Jackson (IL)   | Moran (KS)     | Sherman          |
| Jackson-Lee    | Moran (VA)     | Shimkus          |
| (TX)           | Murphy         | Shuster          |
| Jenkins        | Murtha         | Simpson          |
| John           | Musgrave       | Skelton          |
| Johnson (IL)   | Myrick         | Slaughter        |
| Johnson, E. B. | Nadler         | Smith (MI)       |
| Johnson, Sam   | Neugebauer     | Smith (NJ)       |
| Jones (NC)     | Ney            | Smith (TX)       |
| Jones (OH)     | Northup        | Souder           |
| Kanjorski      | Norwood        | Spratt           |
| Keller         | Nunes          | Stark            |
| Kennedy (MN)   | Nussle         | Stearns          |
| Kennedy (RI)   | Oberstar       | Stenholm         |
| Kildee         | Obey           | Strickland       |
| Kind           | Osborne        | Tancredo         |
| King (IA)      | Otter          | Tanner           |
| King (NY)      | Owens          | Tauscher         |
| Kingston       | Pascrell       | Tauzin           |
| Klecicka       | Paul           | Taylor (MS)      |
| Kline          | Payne          | Taylor (NC)      |
| Knollenberg    | Pearce         | Terry            |
| Kucinich       | Pelosi         | Thompson (CA)    |
| LaHood         | Pence          | Thompson (MS)    |
| Lampson        | Peterson (MN)  | Thornberry       |
| Langevin       | Peterson (PA)  | Tiahrt           |
| Lantos         | Petri          | Tiberi           |
| Larsen (WA)    | Pickering      | Tierney          |
| Larson (CT)    | Pitts          | Toomey           |
| Latham         | Pombo          | Turner (OH)      |
| LaTourette     | Pomeroy        | Turner (TX)      |
| Leach          | Porter         | Udall (NM)       |
| Lee            | Portman        | Vitter           |
| Levin          | Price (NC)     | Walden (OR)      |
| Lewis (CA)     | Pryce (OH)     | Walsh            |
| Lewis (GA)     | Putnam         | Wamp             |
| Lewis (KY)     | Rahall         | Waters           |
| Linder         | Ramstad        | Watson           |
| Lipinski       | Rangel         | Watt             |
| LoBiondo       | Regula         | Waxman           |
| Lofgren        | Rehberg        | Weller           |
| Lowey          | Reynolds       | Whitfield        |
| Lucas (KY)     | Rogers (AL)    | Wilson (NM)      |
| Lucas (OK)     | Rogers (KY)    | Wilson (SC)      |
| Lynch          | Rogers (MI)    | Wolf             |
| Majette        | Rohrabacher    | Woolsey          |
| Manzullo       | Ros-Lehtinen   | Wu               |
| Matsui         | Ross           | Wynn             |
| McCarthy (NY)  | Royce          | Young (AK)       |
| McCollum       | Ruppersberger  | Young (FL)       |
| McCotter       | Rush           |                  |
| McCrery        | Ryan (WI)      |                  |

NOT VOTING—11

|               |          |            |
|---------------|----------|------------|
| Ackerman      | Ferguson | Jefferson  |
| Bereuter      | Gephardt | Millender- |
| Berkley       | Hayworth | McDonald   |
| Davis, Jo Ann | Janklow  | Wexler     |

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1541

Mr. SANDERS changed his vote from “aye” to “no.”

Mr. PALLONE changed his vote from “no” to “aye.”

So the amendment, as modified, to the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HAYWORTH. Mr. Speaker, as you know, I was absent today for medical reasons. If I had been in attendance, I would have voted “no” on rollcall vote No. 363.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, on rollcall vote No. 363 I was in a meeting with the Commissioner of the EU. Had I been present, I would have voted “no.”

Mr. BEREUTER. Mr. Chairman, a few minutes ago, I was chairing a meeting with the Commissioner of External Affairs, Chris Patton, of the European Union; and we were not able to conclude it in time. Therefore, I missed the vote on the Kolbe amendment to the Hyde amendment. Had I been here, I would have voted “no” on the Kolbe amendment.

AMENDMENT NO. 2 OFFERED BY MR. HYDE, AS AMENDED

The CHAIRMAN pro tempore. The question is on the amendment No. 2 offered by the gentleman from Illinois (Mr. HYDE), as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 6 printed in House Report 108-206.

AMENDMENT NO. 6 OFFERED BY MR. PAUL

Mr. PAUL. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. PAUL:

Page 32, after line 3, insert the following (and amend the table of contents accordingly):

Subtitle C—Limitations

SEC. 131. LIMITATION ON USE OF FUNDS AUTHORIZED TO BE APPROPRIATED BY THIS ACT FOR ANY UNITED STATES CONTRIBUTION TO THE UNITED NATIONS OR ANY AFFILIATED AGENCY OF THE UNITED NATIONS.

Notwithstanding any other provision of this Act, none of the funds authorized to be appropriated by this Act may be obligated or expended to pay any United States contribution to the United Nations or any affiliated agency of the United Nations.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from Texas (Mr. PAUL) and a Member opposed (Mr. HYDE) each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

□ 1545

Mr. PAUL. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment takes away the funding from the United Nations as well as any affiliated U.N. agency.

Mr. Chairman, last year we spent \$3.25 billion on the U.N. as well as the other agencies at the U.N. I do not believe that is money worthwhile. It is not a good investment. I do not think the money is spent well. The amendment, as I said, defunds the United Nations as well as its agencies. We pay 21 percent of the budget, and on peace-keeping missions we pay over 27 percent. I think this is essentially wasted money.

We also lose our sovereignty when we look to the U.N. for guidance. When we

declared war or when we went to war without declaration of war last fall, we had a resolution on the floor which cited the U.N. 23 different times. I do not believe we should go to war under U.N. resolutions, and we have essentially been in Iraq under U.N. resolution because in the early 1990s it was under U.N. resolution that we went to war. The old-fashioned way of going to war was a declaration of war.

We went into Korea over 50 years ago under a U.N. resolution. We are still in Korea. We still have serious problems in Korea. There is still a confrontation that we have with the government of North Korea. I do not see where it is to our benefit, I do not see where it is a benefit to world peace to rely on the United Nations. Even though we rely on the United Nations for authority, when we want the United Nations to go along with our policy as our President asked earlier this year, it was refused. So in many ways we have a policy that does not make a whole lot of sense. We first rely on the United Nations, spend a lot of money, then they do not do our bidding.

It gets to be almost a joke around the world about some of the things the U.N. does. When you think about the Commission of Human Rights and who is appointed as the chairman of the Commission of Human Rights, nobody else other than Libya. And before the war it was actually Iraq who was supposed to chair the Disarmament Commission.

So this I think in many ways reflects the ineptness of the United Nations and its inability to pursue any policy that is in our interest. So it is for this reason, whether it is rejoining UNESCO and throwing more money down another on another useless program, we here are spending a lot of money giving up our sovereignty. Much of this money should be spent here at home.

Mr. HYDE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I thank the distinguished chairman of the committee for yielding me time.

I rise, Mr. Chairman, in the strongest possible opposition to the Paul amendment which would cause great harm to our national interests. Mr. Chairman, I do not look upon the United Nations through rose-colored spectacles. It is obvious that for every criticism my good friend, the gentleman from Texas (Mr. PAUL), has of the United Nations, I could probably cite a half dozen. But the fact remains that many of the activities of the United Nations are clearly in the U.S. national interest.

The International Atomic Agency monitors and exposes countries such as North Korea and Iran attempting to develop nuclear weapons. The World Health Organization works to prevent infectious diseases throughout the world, and it was critical recently in putting a stop to the spread of SARS. UNESCO, which the President wisely

decided to rejoin, will provide us an opportunity to make our voice heard in the educational, cultural and scientific field of the international organization. UNICEF, the United Nations International Children's Fund, is providing invaluable assistance across the globe to millions of children in desperate need; and the U.N. itself, more often than not, is helpful in attaining our own foreign policy objectives.

The absurdity of the United States, the one remaining superpower, the most powerful civilizing force on the face of this planet in the 21st century, withdrawing from the United Nations is nothing short of absurd; and I strongly urge all of my colleagues to reject overwhelmingly this amendment.

Mr. PAUL. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Mr. Chairman, whether you think the U.N. is an efficacious organization or you think it is a useless organization, whether you think that we are advantaged as a country of being a member of the U.N. or you think we ought not be a member of the U.N., you can vote for the Paul amendment with confidence that you are doing the right thing. Let me explain.

Both the Department of Defense and the Congressional Research Service have documented that we have spent over \$19 billion of taxpayers' money on legitimate U.N. peacekeeping activities. Now, the U.N. has legitimized our claim that this ought to be credited against our dues because they have credited \$1.8 billion of this against our dues.

I am going to vote for this amendment. I will vote for any amendment that denies funding to the U.N. without any argument whether we ought to belong, any argument of whether it is good or bad, but the simple argument that, in all fairness, please do an accounting of the monies we have spent on legitimate U.N. peacekeeping activities. Please credit appropriate amounts of that to our U.N. dues. Then, if there are dues left over, we will pay those dues. But until that accounting is done, everybody in this Congress, we are in very tough financial times now, ought to vote yes for the Paul amendment that will demand that the accounting is done; and then we can debate another day whether or not we ought to be members of the U.N. or whether or not it is an efficacious organization.

But, for today, the simple fact that we have not been credited for almost \$17 billion of monies that we have spent on legitimate U.N. peacekeeping activities is more than a legitimate right to vote for this amendment. Vote for the Paul amendment.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a tempting amendment to the bill, but more mature thought says no, it is not all that

good of an idea. The fact is we still need the U.N. and its agencies to promote peacekeeping efforts in some parts of the world, to assist in the global anti-terrorist campaign to help rebuild Iraq and Afghanistan, to promote nuclear non-proliferation by rogue states such as Iran and North Korea, and help implement our legislation designed to fight against HIV/AIDS.

Without the World Food Program, there would be more starvation and suffering in the world. Without the Food and Agricultural Organization, there would be scant support for global food standards. And without the International Civil Aviation Organization, there would be no effective management of civilian airplane traffic around the world.

Finally, to the extent that we decide to commit any U.S. troops as part of a regional West African peacekeeping force in Liberia, we certainly should not be cutting off funding for U.N. peacekeeping when we will need those same peacekeepers to relieve our troops, providing us with an exit strategy, safeguarding our interests.

With great respect, I urge the defeat of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. PAUL. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from Texas (Mr. PAUL) is recognized for 1½ minutes.

Mr. PAUL. Mr. Chairman, I once again urge a yes vote on this amendment to limit the funding to the United Nations and to all its agencies.

The gentleman from California (Mr. LANTOS) mentioned that there were some programs under the United Nations which were sort of "feel-good" programs, social welfare programs, and I think I would grant that some of these programs have had some benefit. That in itself is not enough for me to endorse the concept of international welfare through the United Nations.

However, too often I think they leave doing these programs that are designed to help people who are truly suffering versus getting involved with what we call peacekeeping missions. The United Nations are not allowed to declare war. They never go to war, and yet too often we get involved in war. That is why they were called peacekeepers in Korea. That is why it is a peacekeeping mission when we go to Iraq. But, still, the armies are raised, and young men are called off, and people are killed on these peacekeeping missions. Therefore, I say that the United Nations has tended to take away the responsibilities of this Congress to make these very, very important decisions.

I believe in many ways that by joining the United Nations we have allowed our Constitution to be amended merely by U.N. vote. If the U.N. votes and says something and we go along with that, we do that by majority vote here in the Congress. Where if we look to the Constitution for the authorities that we

are allowed to do and what we are not permitted to do, we look to article I, section 8; and what the U.N. is doing is not permissible under the article.

□ 1600

Mr. PAUL. Mr. Chairman, I yield back the balance of my time.

Mr. HYDE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. LANTOS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. PAUL) will be postponed.

It is now in order to consider amendment No. 7 printed in House Report 108-206.

AMENDMENT NO. 7 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment, and I am the designee of the gentleman from Arizona (Mr. HAYWORTH).

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. KING of Iowa:

Page 88, after line 17, insert the following new section (and amend the table of contents accordingly):

**SEC. 406. LIMITATION ON THE UNITED STATES SHARE OF ASSESSMENTS FOR UNITED NATIONS REGULAR BUDGET.**

Section 11 of the United Nations Participation Act of 1945 (22 U.S.C. 287e-3) is amended by striking "22 percent of the total of all assessed contributions for that budget" and inserting "the largest assessed contribution of any other permanent member country of the United Nations Security Council".

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

As a cosponsor of H.R. 2303, sponsored by the gentleman from Arizona (Mr. HAYWORTH), I am happy to offer this amendment, which is the first step in reforming the United Nations.

In the run-up to the war with Iraq, France was able to hold U.S. policy hostage by virtue of its status as a permanent member of the Security Council and the veto power that goes with it, but France was not alone. The other permanent Security Council Members, China, Russia, United Kingdom, of course, also the United States, they all have a veto power; and they regularly obstruct our foreign policy goals and vote the opposite of the United States.

According to the State Department's voting practices in the United Nations of 2002, on votes important to U.S. interests, France and the U.K. voted with us just 50 percent of the time, Russia 22 percent of the time and China, 20 percent.

Even though the U.S. has no more power on the Security Council than any of the other four permanent members, it pays the lion's share of the United Nations' budget. The United States pays \$341 million a year, or 22 percent of the overall budget. China pays just \$24 million, even though it has the world's second largest economy. Russia pays a paltry \$19 million, which is less than Canada, Holland, Australia, or Switzerland.

This amendment would limit the U.S. contribution to the regular U.N. budget to no more than the highest amount paid by any other member of the Security Council. Our veto power should cost us no more than what China, France, Russia, or the U.K. pay for theirs.

This proposal would not affect U.S. payments to the U.N. for peacekeeping operations, voluntary programs, or membership organizations. It would only affect the U.N. regular budget. Even at this reduced amount, the U.S. would still contribute over \$1.4 billion in various U.N. programs, far more than any other country.

So aside from simple equity, enactment of this amendment would hopefully lead to reconsideration of how U.N. dues are assessed among permanent members. China and Russia are now essentially getting a free ride at our expense. The solution would be for all permanent members to pay equal amounts of the regular budget because of their veto power, and I say this amendment is a first step in the direction of reforming the United Nations.

Mr. Chairman, I reserve the balance of my time.

Mr. HYDE. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from Illinois (Mr. HYDE) is recognized for 5 minutes.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

The amendment offered by the gentleman from Arizona by way of Arizona does raise an important issue of how our dues to the U.N. regular budget are calculated. I would be glad to hold follow-up briefings and a hearing in the committee on our role at the U.N. and how our membership should promote our national interests and how our current assessment should reflect a fair share of all the other member states of the U.N.

There are, however, serious problems with the way this amendment is written insofar as it unilaterally alters our existing financial obligations to the United Nations. It will reduce our assessment from the current 22 percent to the level of 6.5 percent, thereby generating close to \$250 million in new arrearages to the U.N. It would reduce

our share of the funding of the regular budget of the U.N. far below the level currently being paid by Japan and Germany and would give those countries every reason to reduce their contributions accordingly.

The amendment mistakenly makes the assumption that the permanent members of the U.N. Security Council are assessed their dues on the basis of their inclusion in this body. The assessments are made instead on the basis of a member state's share of the world gross domestic product. In the case of the U.S., however, our share should actually be well over 22 percent.

In short, the amendment would have the same practical effect as that of the gentleman from Texas' (Mr. PAUL) amendment, undercutting any role we would have in the U.N. and eventually leading to our withdrawal from the world body. If my colleagues voted against the Paul amendment, they should oppose this amendment as well.

In short, it takes a unilateral approach which could potentially harm U.S. interests and objectives around the world. Our contributions to the U.N. regular budget and to all other U.N. programs and agencies are agreed to by mutual consent of all U.N. members. If the U.S. were to unilaterally cut its assessment, we would start building arrears to the U.N. again just after completing a 3-year arrearage repayment effort under the Helms-Biden legislation where we obtained substantial management and administrative reforms in return for the payment of our back dues.

Adoption of this amendment would undercut those ongoing reform efforts, and I urge it be defeated.

Mr. Chairman, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, might I inquire as to the amount of time I have remaining.

The CHAIRMAN pro tempore. The gentleman from Iowa (Mr. KING) and the gentleman from Illinois (Mr. HYDE) both have 2½ minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I yield myself the balance of my time.

I appreciate the gentleman from Illinois' remarks with regard to the United Nations and some of the implications of any change that we might make in how the dues are assessed against the United States, and I would point out that our gross domestic product is comparable to that of the balance of the Security Council and all the other priority members that are there; and even though it is indexed to the gross domestic product, it is certainly out of proportion.

Additionally, these members of the United Nations Security Council have exerted far more influence than their economy contributes to the world economy or to the United Nations dues or any type of forces that we might have out there, and so I would suggest that the United Nations has become a

Third World class envy debating society where the strongest and most powerful countries' foreign policy is dictated by countries who wish to undermine the United States. It is entirely inappropriate that the United States must contribute an inordinate amount to provide a democratic platform to dictators and tyrants, and that is a broad fellowship in the approach of the United Nations.

People tend to believe that because each country has a vote in the United Nations, and we set things up in kind of a proportional method as far as the dues are concerned in the Security Council, that somehow or another we have got a democratic debating society there; but we see dictators and tyrants at the United Nations, who give them full voice to utter their opinions, their tyrannical opinions, when they would not let a single one of their citizens do the same within their own country; and this is the flaw in the United Nations that we have lived with all of these years.

We have got to move down the path of reforming the United Nations, and this is the first good step to do so.

U.N. membership, structure, and policy aside, it is preposterous that the United States continues to pay for 22 percent of the entire U.N. regular budget. That 22 percent is \$341 billion; and in fact, the U.N. votes against the United States 32 percent of the time on important issues. The United States contributes currently \$115 million more to the regular budget than France, Germany, Russia, and China combined; but our veto power should cost no more than what France, Russia, or China pays for theirs. China only pays \$24 million, even though it is the world's second largest economy. The Russians pay \$19 million, which is less than Canada, Holland, Australia, or Switzerland. It is ridiculous to have this position. The United States is funding its political opposition.

I want to make it clear that this amendment would not affect U.S. payments to the U.N. for peacekeeping operations, voluntary programs, or membership organizations. If this amendment is adopted, the U.S. will still contribute more than \$1.4 billion to various programs. In summary, this amendment would simply limit the U.S. contributions to the U.N. regular budget.

I urge my colleagues to vote "yes" on this amendment. A "yes" vote is not a vote against the U.S., but rather a vote to make it more accountable.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

I might just say that the gentleman is certainly making common sense, and the problem is we just cannot do it unilaterally. It might be wise for us to constantly review our dues and payments to the U.N., but there is a process that is not unilateral in getting them changed.

Mr. Chairman, I am pleased to yield such time as I have remaining to the

gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I want to thank the distinguished chairman of our committee for yielding me the time, and I want to identify my views with his and just add a few footnotes.

The United Nations was founded at the end of the Second World War when the United States was economically not only a superpower but had a vastly disproportionate share of global gross domestic product. At that time, our contribution to the U.N. was 40 percent. It is now 22 percent; and I think a legitimate case can be made for multilaterally, through negotiation, adjusting our contributions to the U.N. as gross domestic products of the various countries change. But to take unilateral action at this stage, when the United Nations is so badly needed, despite all of its flaws, would be a singularly ill-advised move; and I strongly urge all of my colleagues to reject this amendment.

Mr. HAYWORTH. Mr. Chairman, I rise today in support of the Hayworth/King Amendment that would limit what the U.S. pays in U.N. dues to an amount no more than the highest amount paid by any other permanent U.N. Security Council member.

Let's put this amendment in perspective. In the run-up to the war against Saddam Hussein, we saw all too clearly the real goal of France in obstructing and sabotaging U.S. policy—to challenge U.S. global leadership and set itself up as the leader of a competing coalition.

By itself, however, France is incapable of countering or competing with the U.S. militarily or economically, and that situation will only grow worse as France faces a demographically-driven decline. The key to France's strategic ambition is therefore based solely on its permanent membership on the UN Security Council, or UNSC, and, most importantly, the veto power that goes with it. Without its veto, France would lose its chief claim to geopolitical relevance.

I don't mean to pick on France, Mr. Chairman, but its actions leading up to the war with Iraq make it an easy target. The truth is, the entire Security Council regularly obstructs our foreign policy goals and permanent members—China, France, Russia, and the U.K.—regularly vote the opposite of the U.S.

According to the State Department's Voting Practices in the United Nations 2002, on votes important to U.S. interests, France and the U.K. voted with us just 50 percent of the time, Russia 22 percent, and China 20 percent. Overall, the General Assembly voted the U.S. position only 32 percent of the time on important issues. Areas of specific disagreement include the Middle East, nuclear disarmament, certain human rights issues, and the International Criminal Court.

What makes all this even more galling is that even though the U.S. has no more power on the Security Council than any of the other four permanent members, it pays the lion's share of the U.N. budget. Indeed, even though the aggregate GDP of the other permanent members nearly equals that of the U.S., the U.S. contributes about \$115 million more to the U.N. regular budget than those four countries combined.

What's more, U.N. dues are supposed to be based on ability to pay. Yet there are a dozen countries that in 2003 will pay more in dues than China's \$24 million even though it now has the world's second largest economy. The Chinese are clearly getting a lot of bang for their U.N. buck. So are the Russians. Their 2003 assessment is a paltry \$19 million, less than Canada, Holland, Australia, and Switzerland.

The Hayworth/King Amendment would restore some balance to this picture. It would limit the U.S. contribution to the regular U.N. budget to no more than the highest amount paid by any other permanent UNSC member. The rationale is simple. Our veto power should cost us no more than what China, France, Russia, or the U.K. pay for theirs.

The U.S.'s 2003 assessment for the U.N. regular budget is \$341 million. Under this amendment, we would pay no more than France, which has been assessed the second-highest amount, or \$100 million. This proposal would not effect U.S. payments to the U.N. for peacekeeping operations, voluntary programs, or membership organizations. It would only affect the U.N. regular budget. Even at this reduced amount the U.S. would still contribute over \$1.4 billion to various U.N. programs, far more than any other country.

Aside from simple equity, enactment of my bill would hopefully lead to a reconsideration of how U.N. dues are assessed among permanent members. China and Russia are now essentially getting a free ride at our expense. The solution would be for all permanent members to pay equal amounts of the regular budget because of their veto power. France and the U.K. would have to pay a little more, Russia and China a lot more, the U.S. a lot less.

A debate over dues could also prompt a broader discussion on U.N. reform. The outrages are not limited to the meltdown over Iraq. Cuba began its recent crackdown on dissidents as the U.N.'s Human Rights Commission was holding its annual meeting in Geneva. It promptly elected Cuba to another three-year term, an act author Carl Hiaasen wrote was "a little like naming a necktie after the Boston Strangler." The commission is headed by Libya and includes some of the worst abusers of human rights in the world, including Vietnam, Syria, Saudi Arabia, Sudan, and Zimbabwe.

If the U.N. does not reform itself, it risks becoming, in the words of Mexican Foreign Minister Luis Ernesto Derbez, another "Red Cross." The U.N. can become relevant again, but whether it does so will ultimately rest on the goodwill and magnanimity of the five permanent UNSC members who can block any reform with a veto.

As we have learned, U.N. reform takes time. Ronald Reagan pulled the U.S. out of UNESCO, the United Nations Educational, Scientific, and Cultural Organization, in 1984. It took 18 years for UNESCO to implement sufficient reforms for the U.S. to return. More fundamental reform could take even longer.

By approving this action today we will be sending a message that the U.S. is serious about reform at the U.N.

Support the Hayworth/King Amendment.

Mr. HYDE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered

by the gentleman from Iowa (Mr. KING).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa (Mr. KING) will be postponed.

It is now in order to consider amendment No. 8 printed in House Report 108-206.

AMENDMENT NO. 8 OFFERED BY MRS. TAUSCHER.

Mrs. TAUSCHER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mrs. TAUSCHER:

Add the following at the end:

**SEC. 1716. MARKETING INFORMATION FOR COMMERCIAL COMMUNICATIONS SATELLITES.**

(a) IN GENERAL.—A license shall not be required under section 38 of the Arms Export Control Act (22 U.S.C. 2778) for the transfer of marketing information for the purpose of providing information directly related to the sale of commercial communications satellites and related parts to a member country of the North Atlantic Treaty Organization (NATO) or to Australia, Japan, or New Zealand.

(b) MARKETING INFORMATION.—In this section, the term "marketing information"—

(1) means data that a seller must provide to a potential customer (including a foreign end user) that will enable the customer to make a purchase decision to award a contract for goods or services, including system description, functional information, price and schedule information, information required for installation, operation, maintenance, and repair; and

(2) includes that level of data necessary to ensure safe use of the product, but does not include sensitive encryption and source code data, detailed design data, engineering analysis, or manufacturing know-how.

(c) EXCEPTION.—Nothing in this section shall exempt commercial communications satellites from any licensing requirement under section 38 of the Arms Export Control Act (22 U.S.C. 2778) for defense items and defense services, except as described in subsection (a).

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentlewoman from California (Mrs. TAUSCHER) and a Member opposed each will control 5 minutes.

Mr. HYDE. Mr. Chairman, may I claim time in opposition because I am reluctantly opposed to the gentlewoman's amendment?

The CHAIRMAN pro tempore. The gentleman from Illinois may.

The Chair recognizes the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the amendment I am offering with the gentleman from Nebraska (Mr. BEREUTER) would provide a small, but vital, fix to the cumbersome process that governs the export of com-

mercial communication satellites to our closest allies.

The amendment is identical to language that Senator ENZI offered and that was passed as part of the Senate foreign relations bill.

Under current law, satellite sellers must obtain a license from the State Department just to talk to a prospective buyer of a product. When a foreign buyer calls and asks for basic information, the company cannot immediately answer any questions. The current process means American companies have to wait for weeks or months to call back potential customers. This is undermining an industry we used to dominate at a time when our economy is in a major slump.

As the COMSAT market continues to shrink, we want to ensure that U.S. companies are left standing. This amendment levels the playing field between the U.S. satellite industry and its foreign competitors.

Under exception provided by our amendment, exporters of commercial communications satellites would be allowed to provide marketing information only to member countries of the North Atlantic Treaty Organization, and Japan, Australia and New Zealand. It would not affect any of the licensing requirements for countries like China and would keep in place all of the national security statutes put in place by Congress.

The amendment also improves the U.S. export control system. It enables the State Department to focus its resources on the transfer of truly sensitive data and allows U.S. companies to communicate with our allies internationally and friends in a timely and cost-effective manner about basic marketing information.

Our national security is closely linked to our technological leadership which guarantees the military advantage we have today, but our national security is being undermined by a sick industry that is falling behind its competition because of onerous bureaucracies that are doing nothing to protect our national security.

I urge my colleagues to support the Tauscher-Bereuter amendment.

Mr. Chairman, I reserve the balance of my time.

□ 1615

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I thank my friend for yielding me this time, and I rise in opposition to this amendment loosening satellite export controls.

I am profoundly concerned, Mr. Chairman, that the language of the amendment would result in all satellite marketing information being exempted from any licensing requirement at all. Even if unclassified, some of the information transferred might well be sensitive. It is also possible that com-

panies, without the government review of a license requirement, may unintentionally transfer more information than they should under the pressure of making a sale. The Departments of State and Defense would have no idea whatsoever what information is actually being transferred.

The Congress needs more time and information to consider the full and serious ramifications of this change in satellite licensing regime in order to ensure that our national security is not compromised. I would urge the sponsors of this amendment, for whom I have a great deal of respect, to include at a future time a provision making clear that companies must first obtain a license to transfer marketing information. Short of that, I reluctantly oppose the amendment and ask all of my colleagues to vote against it.

Mrs. TAUSCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER), the co-author of this amendment.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Chairman, I thank the gentlewoman for yielding me this time. The gentlewoman has explained adequately the very limited number of circumstances under which licensing would not be required. In fact, they have to require such licensing now. That is the point of this amendment.

But the U.S. market share in the commercial satellite industry generally has fallen from around 75 percent of the market now to 50. As U.S. sales have dropped, European commercial satellites have dramatically increased. Among the key concerns which commercial satellite customers cite as a concern when working with U.S. satellite producers is the delay frequently associated with licensing requirements. In some cases, a simple license to release unclassified information takes up to 60 days.

Furthermore, exempting from licensing the sharing of very limited type of nonclassified marketing information does in no way jeopardize the security interests of the United States. Amazingly, the competitiveness of U.S. satellite processors, however, if we damage it by continuing this unnecessary licensing, does damage the security interest of the United States.

I was a member of the Cox Commission which generated the concern about licensing information. I am very concerned about the transfer of classified information or something that would jeopardize our national security. This in no way does. There is no good argument why this nonclassified marketing information should not be shared, and I urge support for this amendment by the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentlewoman's yielding

me this time to speak on this amendment.

This is an example of why our export control regime is broken and badly in need of review. The typical high school teenager's bedroom has more computing power than the United States possessed when it developed the atomic and hydrogen bombs. Our friends and allies are worthy partners to deal with us in the satellite industry. As has been pointed out by my two colleagues in favor of this, what we are doing is we are forcing people to deal with other entities in Europe and around the world, so actually we are undermining the United States' long-term security interests, forcing them to other markets while we undermine American business.

I almost never disagree with my chairman and ranking member, but I would respectfully suggest that this is an illustration of why we need to revise our export control regime. And before and unless we do that, adopting this amendment is good for business, it is good for technology development, and it is common sense. I urge its adoption.

Mr. HYDE. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. HUNTER), the learned chairman of the Committee on Armed Services.

Mr. HUNTER. Mr. Chairman, I thank my colleague for yielding me this time, and let me just rise to oppose what I think is a very dangerous amendment.

Historically, companies do not have to have a license to transmit marketing information to foreign customers. A couple of years ago, when we strengthened export controls on satellite exports, foreign customers started increasing their demands for what they called technical information as part of a marketing pitch. The foreign customers were not looking for the kind of information that the public can get. They were after proprietary design, integration, and operational information that could be used for a variety of purposes, including improvements in their own capabilities.

So while the Tauscher amendment purports to prevent that information from being sent abroad, it leaves the definition of marketing information up to the prospective foreign customer.

And let me just say, Mr. Chairman, that this technology, this technology of separation of a payload from a booster that puts a satellite up is very much akin to the technology that accompanies a separation of a MIRV'd nuclear warhead from its booster. This is dangerous technology, and I would ask everyone to vote against the Tauscher amendment.

Mrs. TAUSCHER. Mr. Chairman, I yield myself the balance of my time to simply remind my colleagues that, first and foremost, this is marketing information that is declassified. Second, this is information that would only be allowed to be transmitted to NATO allies, Australia, Japan, and New Zealand. I think it is very impor-

tant that we keep the controls that we have in place for any kind of technology transfer for places like China, Russia, and others, but this is for our own allies.

While we have watched this business that we dominated at one time leave our shores and go to foreign competitors, I think it is very important that we keep our strict controls, that we keep the State Department involved in the licensing, but in these declassified marketing materials that everyone agrees are basically innocent, that we should allow them to be disseminated so that we can keep the small part of the business that we have left.

Mr. Chairman, I yield back the balance of my time.

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

If there is no export license requirement, it is difficult if not impossible to prevent information from being retransferred to a third country. This is important since our European allies do not always have the same policies as we do in satellite cooperation with China and other countries. The practical effect would be to deregulate much information about satellites and satellite technology. Given the importance of space technology to our national security, I am persuaded that such a drastic step should be approached with an abundance of precaution and entertained, if at all, only after detailed analysis.

In sum, if this amendment were written to provide the President with discretion to not require licensing, that would be one thing. But this amendment prohibits the President from controlling information about satellites. I think that is a reach too far, and I respectfully, if painfully, suggest the gentlewoman's amendment be defeated.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentlewoman from California (Mrs. TAUSCHER).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mrs. TAUSCHER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Mrs. TAUSCHER) will be postponed.

Amendment No. 9 having not been offered, it is now in order to consider amendment No. 10 printed in House Report number 108-206.

AMENDMENT NO. 10 OFFERED BY MR. MENENDEZ.

Mr. MENENDEZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. MENENDEZ:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. \_\_\_\_ ASSISTANCE TO TAMIL NADU.

(a) FINDINGS.—Congress makes the following findings:

(1) Several United States businesses invested more than \$800,000,000 in capital in the Indian State of Tamil Nadu to build and operate state-of-the-art electric generation facilities to serve local customers.

(2) For nearly 2 years since these power plants went into service, the Tamil Nadu Electricity Board has violated the principle of contract sanctity by consistently refusing to pay the contractually-required price for the electricity produced by these companies.

(3) The Tamil Nadu Electricity Board now owes these United States companies in excess of \$150,000,000 in arrearages despite repeated assurances by the Government of Tamil Nadu that the situation would be resolved.

(4) All of the projects are in a technical state of default on the principal of their loans and none of the United States companies is making a return on their equity.

(b) RESTRICTION.—No funds authorized by this Act (including any amendments made by this Act) or authorized under any other provision of law may be used to directly or indirectly support any programs, projects, or activities (other than humanitarian, health, or rule of law programs, projects, or activities) located in or designed to benefit the State of Tamil Nadu, India.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from New Jersey (Mr. MENENDEZ) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, I yield myself such time as I may consume.

My amendment is premised on an unfortunate situation that has arisen in the state of Tamil Nadu, India, involving several American companies that are currently attempting to conduct business there.

In seeking to provide additional electrical generating capacity, several years ago the Tamil Nadu government sought to induce foreign companies to design and build power plants there. Five American companies accepted this proposition and constructed four projects that generate approximately 800 megawatts of electricity in Tamil Nadu at a combined cost of about \$1 billion. Each company entered into a long-term contract for the purchase of the electricity generated at these plants at an agreed-upon price.

After getting these plants up and running, the Tamil Nadu government then began a systematic underpayment of the contract terms, sufficient to keep them running but providing no return on the initial investment. Technically, the projects are in a state of default; and, as far as we know, the Tamil Nadu government owes these American companies approximately \$150 million under the terms of these contracts.

Now, India has been a strategic ally and trading partner of the United States. Unfortunately, the state of Tamil Nadu has lagged behind the rest

of that country in terms of maintaining a strong commitment to the rule of law and providing for these types of open, transparent transactions. So we simply, through our amendment, seek to create an opportunity to ensure that, while we will not certainly affect India as a country, that the state of Tamil Nadu cannot have the good deal and resources of this country if it continues to unjustifiably hold American companies hostage in this way.

We do nothing to affect any foreign assistance that deals with human rights or nutrition or any of those things, but we do deal with all other issues that are not humanitarian, health-related, or justice sector relief initiatives designed to help those citizens of Tamil Nadu. So this is a way to stand up for U.S. companies who make legitimate investments and do the right thing and at the end of the day do not have the transparency and the opportunity to have their investments honored in a way in which we want to see throughout the world.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I thank my friend for yielding. I strongly support his amendment.

Mr. Chairman, it is outrageous that American businesses entering in good faith into commercial transactions in various countries should be subjected to provincial governmental abuse. This is not the government of India which is refusing to meet its obligation but a constituent state of India, Tamil Nadu.

I think the gentleman is bringing an important matter before us, and I urge all of my colleagues to support him.

Mr. MENENDEZ. Mr. Chairman, reclaiming my time, I thank the distinguished ranking member for his comments.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I have some reservations about this amendment. This points out a serious problem which is actually ongoing with not just India but some other countries as well. However, I am willing to accept this amendment and will do so with pleasure.

Mr. MENENDEZ. Reclaiming my time once again, Mr. Chairman, I thank the distinguished chairman for his support.

Hopefully, Mr. Chairman, we will have a resolution and will not have to pursue it much further than this. But I appreciate the opportunity to at least have these companies have their chance to have an opportunity for their investments to be upheld under international law.

Mr. SMITH of Michigan. Mr. Chairman, I rise in support of the amendment and ask unanimous consent to revise and extend my remarks.

This amendment sends a signal to the government of the Indian state of Tamil Nadu that

it must abide by its contracts with American and other foreign investors. Five American energy companies built state-of-the-art energy plants in Tamil Nadu. These companies negotiated contracts with the state government to provide energy at a guaranteed minimum rate. However, the government of Tamil Nadu has paid less than this guaranteed rate to the tune of over \$130 million.

One of the affected companies, CMS Energy, is based in the 7th district of Michigan. CMS built a state-of-the-art energy plant, providing jobs and training to the Tamil people. It also provides steady energy to support economic development and growth in Tamil Nadu. The government of Tamil Nadu's violation of its contract has cost CMS over \$14 million.

The amendment affects only the state of Tamil Nadu. It is not anti-India. It will do nothing to affect other Indian states that respect the sanctity of contracts and provide an excellent environment for the foreign investment that benefits both India and investors. We should not be using our aid to reward governments that do not respect contracts.

Mr. MENENDEZ. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. Does any Member claim time in opposition?

If not, the question is on the amendment offered by the gentleman from New Jersey (Mr. MENENDEZ).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. WELDON OF PENNSYLVANIA

Mr. WELDON of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. WELDON of Pennsylvania:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used to provide assistance to the Republic of Moldova unless the President determines and certifies to Congress that the Government of Moldova has met its obligations with respect to investments made by United States citizens in the "Aroma" cognac factory located in Moldova.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from Pennsylvania (Mr. WELDON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. WELDON).

□ 1630

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment concerns the loss of an investment in Moldova by a constituent of mine due to the actions of the Moldovan government. I am prepared to withdraw my amendment if the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on International Relations, will enter into a colloquy with me.

Mr. Chairman, a long-time constituent of mine invested \$2.5 million in Moldova for the purpose of purchasing a distillery in that country. The Moldovan government gave him a

promissory note as security for \$76 million and also produced a signed deed from the Minister of Agriculture and the Minister of Privatization together with a legal opinion from the dean of their law school stating that these documents were legal and binding in Moldova. The property was never sold by the government, and my constituent never saw his money again.

I have taken this matter to the President of Moldova on several occasions. Recently, my constituent met with President Voronin in March of this year. The President promised this matter would be resolved in 3 to 4 weeks. It is July now, and the matter has still not been resolved.

I have visited Moldova twice. I have led delegations. In fact, I spoke to their parliament when they convened on a Saturday session. I enjoyed meeting and want to work with the government leaders of that country. It is not my intention to alienate Moldova by withholding foreign aid. However, this type of outright fraud and corruption frightens many Americans from investing in Moldova and other former Soviet states. The Moldovan government must remedy this matter and provide assurances to other investors that Moldova is ready to safeguard foreign investment.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Pennsylvania. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I agree that foreign investment in countries of the former Soviet Union, such as Moldova, can carry significant risks for Americans and others. If the governments of these countries wish to enhance their economic prospects by encouraging foreign investment, then ensuring the security of those investments and honoring contractual agreements must be a top priority. I urge the government of Moldova to improve the transparency of its actions regarding foreign investment and to further develop the rule of law in this and other areas.

Mr. WELDON of Pennsylvania. Mr. Chairman, as I have stated before, I do not want to alienate Moldova. The citizens of Moldova are not at fault. They are good people. It is their government that is at fault, and I do not think it is fair that its people suffer. Something must be done to remedy this matter. I will request to withdraw my amendment with assurances from the gentleman from Illinois that we will try to remedy this situation.

Mr. HYDE. Mr. Chairman, by working together, I believe we will be able to resolve this matter in a manner that is satisfactory to all parties concerned.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the chairman of the Committee on International Relations and the ranking member who do such a great job for consideration of all issues. I look forward to working with him on this legislation.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENTS EN BLOC OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, pursuant to section 2 of House Resolution 316, I offer amendments en bloc consisting of the following amendments printed in House Report 108-206: amendments numbered 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 38, 39, 40 and 42.

The CHAIRMAN pro tempore. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. HYDE, consisting of the following:

Amendment No. 12 offered by Mr. MANZULLO:

After section 3 of the bill, insert the following new section (and conform the table of contents accordingly):

**SEC. 4. SPECIAL RULES FOR APPLYING BUY AMERICAN ACT.**

(a) ACQUISITIONS OF ARTICLES, MATERIALS, AND SUPPLIES.—With respect to any acquisition under this Act or any amendment made by this Act of articles, materials, or supplies that are subject to section 2 of the Buy American Act (41 U.S.C. 10a), such section shall be applied to such acquisition by substituting “at least 65 percent” for “substantially all”; or

(b) CONTRACTS FOR CONSTRUCTION, ALTERATION, OR REPAIR.—With respect to any contract for the construction, alteration, or repair of any public building or public work entered into under this Act or any amendment made by this Act that is subject to section 3 of the Buy American Act (41 U.S.C. 10b), such section shall be applied to such contract by substituting “at least 65 percent” for “substantially all”.

Amendment No. 13 offered by Mr. CROWLEY:

Page 111, after line 13, insert the following new section (and amend the table of contents accordingly):

**SEC. 507. CONTRACTOR REQUIREMENTS.**

(a) FINDINGS.—The Congress finds that the overriding national security aspects of the international programs of the International Broadcasting Bureau require the assurance of uninterrupted logistic support under all circumstances for the programs. Therefore, it is in the best interests of the United States to provide a preference for United States contractors bidding on these projects.

(b) PREFERENCE FOR UNITED STATES CONTRACTORS.—Notwithstanding any other provision of law, in any case where there are two or more qualified bidders on projects of the International Broadcasting Bureau, including design and construction projects and projects with respect to transmitters, antennas, spare parts, and other technical equipment, all the responsive bids of United States persons and qualified United States joint venture persons shall be considered to be reduced by 10 percent.

(c) EXCEPTION.—

(1) Subsection (b) shall not apply with respect to any project of the International Broadcasting Bureau when—

(A) precluded by the terms of an international agreement with the host foreign country;

(B) a foreign bidder can establish that the foreign bidder is a national of a country

whose government permits United States contractors and suppliers the opportunity to bid on a competitive and nondiscriminatory basis with its national contractors and suppliers, on procurement and projects related to the construction, modernization, upgrading, or expansion of—

(i) its national public radio and television sector,

(ii) its private radio and television sector, to the extent that such procurement or project is, in whole or in part, funded or otherwise under the control of a government agency or authority,

(C) the Secretary of Commerce certifies (in advance of the award of the contract for that project) to the Board of the International Broadcasting Bureau that the foreign bidder is not receiving any direct subsidy from any government, the effect of which would be to disadvantage the competitive position of United States persons who also bid on the project, or

(D) the statutes of a host foreign country prohibit the use of United States contractors on such projects within that country.

(2) An exception under paragraph (1)(D) shall only become effective with respect to a foreign country 30 days after the Secretary of State certifies to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate what specific actions the Secretary has taken to urge the foreign country to permit the use of United States contractors on such projects.

(d) DEFINITIONS.—For purposes of this section:

(1) The term “United States person” means a person that—

(A) is incorporated or otherwise legally organized under the laws of the United States, including any State (and any political subdivision thereof) and the District of Columbia;

(B) has its principal place of business in the United States;

(C) has been incorporated or otherwise legally organized in the United States for more than 5 years before the issuance date of the Invitation For Bids or the Request For Proposals with respect to a project under subsection (b);

(D) has proven, as indicated by prior contracting experience, to possess the technical, managerial, and financial capability to successfully complete a project similar in nature and technical complexity to that being contracted for;

(E)(i) employs United States citizens in at least 80 percent of its principal management positions in the United States;

(ii) employs United States citizens in more than half of its permanent, full-time positions in the United States; and

(iii) will employ United States citizens in at least 80 percent of the supervisory positions on the project site; and

(F) has the existing technical and financial resources in the United States to perform the contract.

(2) The term “qualified United States joint venture person” means a joint venture in which a United States person or persons own at least 51 percent of the assets of the joint venture.

(3) The term “responsive bid” includes only a bid where the bidder can establish that the United States goods and services content, excluding consulting and management fees, of the bidder’s proposal and the resulting contract will not be less than 55 percent of the value of the bidder’s proposal and the resulting total contract.

(e) EFFECTIVE DATE.—The provisions of this section shall apply to any project with

respect to which the Request For Proposals (commonly referred to as “RFP”) or the Invitation For Bids (commonly referred to as “IFB”) was issued after the date of the enactment of this Act.

Amendment No. 14 offered by Mr. SCHIFF:  
At the end of title VII (relating to miscellaneous provisions) insert the following:

**SEC. 735. SENSE OF CONGRESS CONCERNING THE TIMELY ISSUANCE OF VISAS FOR RUSSIAN WEAPONS SCIENTISTS INVOLVED IN ARMS CONTROL AND NONPROLIFERATION EXCHANGES WITH THE UNITED STATES.**

(a) FINDINGS.—Congress makes the following findings:

(1) The United States visa approval system has in the past lacked proper oversight, coordination, and supervision. A more systematic, stringent, and rigorous evaluation system for visa approvals is clearly in the best interests of the United States.

(2) Many distinguished scholars, professors, researchers, and foreign associates of United States national academies have been prevented by visa delays from entering the United States for engagements at major conferences, meetings, and teaching invitations at American universities.

(3) Research collaborators for United States laboratories have also been prevented from entering the United States. Their absence halts projects and compromises United States commitments in long-standing international cooperative agreements aimed at reducing stockpiles of weapons of mass destruction.

(4) Visa restrictions came within one day of forcing the cancellation of an important meeting in Washington, D.C. of the National Academy of Sciences Committee on United States Russian Cooperation on Nuclear Non-Proliferation.

(5) Russian weapons scientists involved in nuclear non-proliferation cooperative efforts with the United States are critical to American efforts to ensure that nuclear weapons-grade materials remain under control and out of the hands of terrorists.

(6) In a December 2002 statement, the Presidents of the National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine found that a United States approach to visas that welcomes qualified foreign scientists, engineers, health professionals, and students serves national goals in three distinct ways:

(A) It harnesses international cooperation for counterterrorism.

(B) It builds stronger allies through scientific and technical cooperation.

(C) It maintains United States global leadership in science and technology.

(7) The Presidents of the National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine have found that current United States policy toward granting visas, to foreign scientists is harmful to the United States scientific community and to the longterm well-being of the United States. They stated on December 13, 2002, that “To make our nation safer, it is extremely important that our visa policy not only keep out foreigners who intend to do us harm, but also facilitate the acceptance of those who bring us considerable benefit. Recent efforts by our government to constrain the flow of international visitors in the name of national security are having serious unintended consequences for American science, engineering, and medicine. The long-term security of the United States depends on admitting scholars who benefit our nation. In short, the United States scientific, engineering, and health communities cannot hope to maintain their present position of international leadership if they become isolated from the rest of the world. We view



this as an urgent matter, one that must be promptly addressed if the United States is to meet both its national security and economic development goals.”

(8) Currently, consular officials send many visa applications back to the United States for sequential security clearances by several agencies, which may lead to long delays in visa processing. Consular officers are subject to criminal penalties if they grant a visa to a person who subsequently commits a terrorist act in the United States. However, there are currently no incentives for consular officers to facilitate scientific exchanges, which may advance the national interest of the United States.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) to the extent possible and consistent with national security objectives, the United States should expedite the processing of granting visas to Russian weapons scientists, especially those participating in bilateral weapon disarmament talks, negotiations, and exchanges, to enable them to participate in cooperative nonproliferation activities with their counterparts in the United States, and

(2) the Department of State is encouraged to consider streamlining the process of granting visas for such scientists as follows:

(A) Reinstate a procedure of pre-security clearance for scientists and engineers with the proper credentials.

(B) Involve the United States scientific and technical community in determining areas of particular security concern.

Amendment No. 15 offered by Ms. SCHAKOWSKY:

Page 78, after line 23, insert the following (and amend the table of contents accordingly):

**SEC. 724. ALLOCATION OF RESOURCES FOR EMBASSIES AND CONSULATES.**

(a) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary of State should provide such resources, personnel, and training at each United States Embassy and consulate as are adequate to carry out the duties and responsibilities of such posts and to meet the needs of those seeking services at such posts. In particular, given Public Notice 4393 (Federal Register, July 7, 2003) which restricts the number of waivers that can be granted for interviews of non-immigrant visas, the Secretary of State should provide sufficient resources, particularly in countries that are allies of the United States, to ensure that staff can process visa applications, including conducting personal interviews, in a manner that is timely, while complying with all the application requirements, including security concerns.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report concerning the allocation of resources for embassies and consulates to the appropriate congressional committees.

Amendment No. 16 offered by Mr. GALLEGLY:

At the end of title VII (relating to miscellaneous provisions) insert the following:

**SEC. 736. DESIGNATION OF FOREIGN TERRORIST ORGANIZATIONS.**

(a) PERIOD OF DESIGNATION.—Section 219(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1189(a)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking “Subject to paragraphs (5) and (6), a” and inserting “A”; and

(B) by striking “for a period of 2 years beginning on the effective date of the designation under paragraph (2)(B)” and inserting

“until revoked under paragraph (5) or (6) or set aside pursuant to subsection (c)”;

(2) by striking subparagraph (B) and inserting the following:

“(B) REVIEW OF DESIGNATION UPON PETITION.—

“(i) IN GENERAL.—The Secretary shall review the designation of a foreign terrorist organization under the procedures set forth in clauses (iii) and (iv) if the designated organization files a petition for revocation within the petition period described in clause (ii).

“(ii) PETITION PERIOD.—For purposes of clause (i)—

“(I) if the designated organization has not previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date on which the designation was made; or

“(II) if the designated organization has previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date of the determination made under clause (iv) on that petition.

“(iii) PROCEDURES.—Any foreign terrorist organization that submits a petition for revocation under this subparagraph must provide evidence in that petition that the relevant circumstances described in paragraph (1) have changed in such a manner as to warrant revocation with respect to the organization.

“(iv) DETERMINATION.—

“(I) IN GENERAL.—Not later than 180 days after receiving a petition for revocation submitted under this subparagraph, the Secretary shall make a determination as to such revocation.

“(II) CLASSIFIED INFORMATION.—The Secretary may consider classified information in making a determination in response to a petition for revocation. Classified information shall not be subject to disclosure for such time as it remains classified, except that such information may be disclosed to a court ex parte and in camera for purposes of judicial review under subsection (c).

“(III) PUBLICATION OF DETERMINATION.—A determination made by the Secretary under this clause shall be published in the Federal Register.

“(IV) PROCEDURES.—Any revocation by the Secretary shall be made in accordance with paragraph (6).”; and

(3) by adding at the end the following:

“(C) OTHER REVIEW OF DESIGNATION.—

“(i) IN GENERAL.—If in a 4-year period no review has taken place under subparagraph (B), the Secretary shall review the designation of the foreign terrorist organization in order to determine whether such designation should be revoked pursuant to paragraph (6).

“(ii) PROCEDURES.—If a review does not take place pursuant to subparagraph (B) in response to a petition for revocation that is filed in accordance with that subparagraph, then the review shall be conducted pursuant to procedures established by the Secretary. The results of such review and the applicable procedures shall not be reviewable in any court.

“(iii) PUBLICATION OF RESULTS OF REVIEW.—The Secretary shall publish any determination made pursuant to this subparagraph in the Federal Register.”

(b) ALIASES.—Section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) AMENDMENTS TO A DESIGNATION.—

“(1) IN GENERAL.—The Secretary may amend a designation under this subsection if the Secretary finds that the organization has

changed its name, adopted a new alias, dissolved and then reconstituted itself under a different name or names, or merged with another organization.

“(2) PROCEDURE.—Amendments made to a designation in accordance with paragraph (1) shall be effective upon publication in the Federal Register. Subparagraphs (B) and (C) of subsection (a)(2) shall apply to an amended designation upon such publication. Paragraphs (2)(A)(i), (4), (5), (6), (7), and (8) of subsection (a) shall also apply to an amended designation.

“(3) ADMINISTRATIVE RECORD.—The administrative record shall be corrected to include the amendments as well as any additional relevant information that supports those amendments.

“(4) CLASSIFIED INFORMATION.—The Secretary may consider classified information in amending a designation in accordance with this subsection. Classified information shall not be subject to disclosure for such time as it remains classified, except that such information may be disclosed to a court ex parte and in camera for purposes of judicial review under subsection (c).”

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) is amended—

(1) in subsection (a)—

(A) in paragraph (3)(B), by striking “subsection (b)” and inserting “subsection (c)”;

(B) in paragraph (6)(A)—

(i) in the matter preceding clause (i), by striking “or a redesignation made under paragraph (4)(B)” and inserting “at any time, and shall revoke a designation upon completion of a review conducted pursuant to subparagraphs (B) and (C) of paragraph (4)”;

(ii) in clause (i), by striking “or redesignation”;

(C) in paragraph (7), by striking “, or the revocation of a redesignation under paragraph (6),”; and

(D) in paragraph (8)—

(i) by striking “, or if a redesignation under this subsection has become effective under paragraph (4)(B),”; and

(ii) by striking “or redesignation”; and

(2) in subsection (c), as so redesignated—

(A) in paragraph (1), by striking “of the designation in the Federal Register,” and all that follows through “review of the designation” and inserting “in the Federal Register of a designation, an amended designation, or a determination in response to a petition for revocation, the designated organization may seek judicial review”;

(B) in paragraph (2), by inserting “, amended designation, or determination in response to a petition for revocation” after “designation”;

(C) in paragraph (3), by inserting “, amended designation, or determination in response to a petition for revocation” after “designation”; and

(D) in paragraph (4), by inserting “, amended designation, or determination in response to a petition for revocation” after “designation” each place that term appears.

(d) SAVINGS PROVISION.—For purposes of applying section 219 of the Immigration and Nationality Act on or after the date of enactment of this Act, the term “designation”, as used in that section, includes all redesignations made pursuant to section 219(a)(4)(B) of the Immigration and Nationality Act (8 U.S.C. 1189(a)(4)(B)) prior to the date of enactment of this Act, and such redesignations shall continue to be effective until revoked as provided in paragraph (5) or (6) of section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

Amendment No. 18 offered by Mr. BURTON of Indiana:

Page 78, after line 23, insert the following:  
**SEC. 274. NOTICE TO UNITED STATES EMBASSIES ABROAD REGARDING CHILDREN WHO ARE THE SUBJECT OF INTERNATIONAL CHILD ABDUCTION AND GUIDELINES RELATING TO ASYLUM FOR SUCH CHILDREN.**

(a) NOTICE OF INTERNATIONAL CHILD ABDUCTION.—The Secretary of State shall establish procedures to ensure that appropriate United States Embassies abroad are notified of the possible presence in that country of any child who has been the subject of international child abduction in violation of the order of a court in the United States.

(b) GUIDELINES FOR ASYLUM.—The Secretary of State shall promulgate guidelines for the personnel of United States Embassies abroad concerning procedures relating to asylum at such facilities for children who are the subject of international child abduction.

**SEC. 275. INADMISSIBILITY OF ALIENS SUPPORTING INTERNATIONAL CHILD ABDUCTORS AND RELATIVES OF SUCH ABDUCTORS.**

(a) IN GENERAL.—Section 212(a)(10)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(C)(ii)) is amended—

(1) in subclause (I), by striking the comma at the end and inserting a semicolon;

(2) in subclause (II), by striking “, or” at the end and inserting a semicolon;

(3) by amending subclause (III) to read as follows:

“(III) is a spouse (other than the spouse who is the parent of the abducted child), child (other than the abducted child), parent, sibling, cousin, uncle, aunt, nephew, niece, or grandparent of an alien described in clause (i), is an agent of such an alien, or is a principal employing such an alien as an agent, if such person has been designated by the Secretary of State at the Secretary’s sole and unreviewable discretion; or” and

(4) by adding at the end the following:

“(IV) is a spouse of the abducted child described in clause (i), if such person has been designated by the Secretary of State at the Secretary’s sole and unreviewable discretion, is inadmissible until such child is surrendered to the person granted custody by the order described in that clause, and such custodian and child are permitted to return to the United States or such custodian’s place of residence.”

(b) IDENTIFICATION OF ALIENS SUPPORTING ABDUCTORS AND RELATIVES OF ABDUCTORS; NOTICE TO CUSTODIAL PARENTS AND GUARDIANS; ANNUAL REPORT; DEFINITIONS.—Section 212(a)(10)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(C)) is amended by adding at the end the following:

“(iv) IDENTIFICATION OF ALIENS SUPPORTING ABDUCTORS AND RELATIVES OF ABDUCTORS.—In all instances in which an alien commits an act described in clause (i), the Secretary of State shall take appropriate action to identify the individuals who are inadmissible under clause (ii).

“(v) NOTICE TO CUSTODIAL PARENTS AND GUARDIANS.—In all instances in which an alien commits an act described in clause (i), the Secretary of State shall, upon request of the person granted custody of the child concerned, inform the person of whether, and when, any individual who is inadmissible under clause (ii) by reason of such act has been issued a visa or otherwise authorized to enter the United States.

“(vi) ANNUAL REPORT.—The Secretary of State annually shall submit to the Committee on International Relations, the Committee on Government Reform, and the Committee on the Judiciary of the United States House of Representatives, and the Committee on Foreign Relations, the Committee on Governmental Affairs, and the Committee

on the Judiciary of the United States Senate, a report that provides, with respect to the preceding year, an accounting of the number of cases known to the Secretary of State, disaggregated according to the nationality of the alien concerned—

“(I) in which an authority under this subparagraph was exercised (and with respect to each such case, the specific ground for inadmissibility shall be specified); and

“(II) in which an authority under this subparagraph has not been exercised but in which an alien, after entry of an order by a court in the United States granting custody to a person of a United States citizen child, detained or retained the child, or withheld custody of the child, outside the United States from the person granted custody by that order.

“(vii) DEFINITIONS.—For purposes of this subparagraph—

“(I) the term ‘child’ means an individual who was a child at the time the individual was detained or retained, or at the time custody of the individual was withheld, as described in clause (i), regardless of the age or marital status of the individual after such time; and

“(II) the term ‘sibling’ includes a step-sibling or half-sibling.”

Amendment No. 19 offered by Mr. ACKERMAN:

Page 14, strike lines 1 through 4, and insert the following:

(5) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—

(A) For “Protection of Foreign Missions and Officials”, \$25,000,000 for the fiscal year 2004 and \$25,000,000 for the fiscal year 2005.

(B) In addition to amounts authorized to be appropriated by subparagraph (A), there is authorized to be appropriated \$30,600,000 for “Protection of Foreign Missions and Officials” only to reimburse the City of New York for necessary expenses incurred since 1999 for the protection of foreign missions and officials.

(C) Notwithstanding section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), the Secretary is authorized to reprogram not more than \$5,000,000 of funds otherwise authorized to be appropriated by this section for the purposes of this paragraph.

Amendment No. 20 offered by Mr. ACKERMAN:

Page 70, after line 2 insert the following (and amend the table of contents accordingly):

**SEC. 231. INTERFERENCE WITH PROTECTIVE FUNCTIONS.**

(a) OFFENSE.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

“§ 117. Interference with certain protective functions

“Whoever knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged, within the United States or the special maritime territorial jurisdiction of the United States, in the performance of the protective functions authorized by section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709) or section 103 of the Diplomatic Security Act (22 U.S.C. 4802) shall be fined under this title or imprisoned not more than one year, or both.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“117. Interference with certain protective functions.”

Amendment No. 21 offered by Mr. ANDREWS:

At the end of title VII of the bill, add the following new section (and conform the table of contents accordingly):

**SEC. \_\_\_\_ SENSE OF CONGRESS RELATING TO REGARDING SECURITY FOR TAIWAN.**

(a) FINDINGS.—Congress finds the following:

(1) For over half a century a close relationship has existed between the United States and Taiwan which has been of enormous economic, cultural, and strategic advantage to both countries.

(2) Taiwan today is a full-fledged democracy with a vibrant economy and a vigorous multi-party political system that respects human rights and the rule of law.

(3) Taiwan is an ally of the United States, as most recently evidenced by Taiwan’s provision of humanitarian and financial assistance to Afghanistan at the request of the United States and its support for Operation Iraqi Freedom.

(4) The security of the 23 million people in Taiwan is threatened by the deployment by the People’s Republic of China of over 400 short-range ballistic missiles targeted at Taiwan, and the purchase by the PRC of advanced weaponry systems, including Su-27 and Su-30 fighter planes, Kilo submarines, and Sovremenny destroyers.

(5) Taiwan was threatened by missile exercises conducted by the PRC in August 1995 and again in March 1996 when Taiwan was conducting its first free and direct presidential elections.

(6) Section 2(b)(4) of the Taiwan Relations Act (22 U.S.C. 3301(b)(4)) considers any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States.

(7) Section 2(b)(6) of the Taiwan Relations Act (22 U.S.C. 3301(b)(6)) requires the United States to maintain the capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

(8) In his January 17, 2001, confirmation hearing as Secretary of State, General Colin Powell stated that “We will stand by Taiwan and will provide for the defense needs of Taiwan in accordance with the Taiwan Relations Act and the subsequent communiques.”

(9) President Bush stated on April 24, 2001, that the United States will do whatever it takes to help Taiwan defend itself.

(10) In his testimony before the International Relations Committee of the House of Representatives and the Foreign Relations Committee of the Senate in February and March of 2002, Admiral Dennis Blair of the United States Pacific Command testified that “China continued to build and exercise its force of short-range ballistic missiles ranging Taiwan. It still seeks to develop a range of military options to influence and intimidate Taiwan, and has not abandoned the option of using force to resolve Taiwan’s status.”

(11) The July 2002 U.S.-China Economic and Security Review Commission report to Congress stated that “China is enhancing its capability to carry out attacks across the Taiwan Strait with its special operations forces, air forces and navy and missiles forces with little notice,” and “the Commission recommends that the U.S. along with its allies should continue to call upon China to renounce the threat of or the use of force against Taiwan.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) grave concerns exist concerning the deployment by the People’s Republic of China

of hundreds of ballistic missiles directed toward Taiwan, which threaten the security and stability in the Taiwan Strait;

(2) the President should direct all appropriate United States officials to raise these concerns with the appropriate officials from the People's Republic of China, and should seek a public, immediate, and unequivocal renunciation from the leaders of the People's Republic of China of any threat or use of force against Taiwan;

(3) the President should affirm with the leaders of the People's Republic of China that there will not be a *quid pro quo* between the dismantling of missiles aimed at Taiwan by the People's Republic of China, and arms sales to Taiwan by the United States;

(4) China should dismantle the missiles that threaten Taiwan, otherwise the President should authorize the sale of the Aegis system to Taiwan, which would enable Taiwan to defend itself against the threat of a missile attack by China; and

(5) the future of Taiwan should be determined peacefully and with the express consent of the people of Taiwan.

Amendment No. 22 offered by Mr. BEREUTER:

Page 211, after line 11, insert the following section (and amend the table of contents accordingly):

**SEC. 736. SENSE OF CONGRESS IN APPRECIATION OF THE ARMED FORCES OF THE UNITED STATES AND REGARDING RESTORING STABILITY AND SECURITY IN IRAQ.**

(a) FINDINGS.—The Congress makes the following findings:

(1) The United States, with the support of forces from Great Britain and other countries, historically and courageously liberated Iraq in three weeks.

(2) Conditions on the ground in parts of Iraq continue to pose a grave threat to American troops, thereby complicating efforts to restore law and order and essential public services for Iraqis. Such efforts are further complicated by the absence of effective communications with the Iraqi people.

(3) Ultimately, maintaining law and order in Iraq and preserving its territorial integrity will require the creation of a professionally trained Iraqi police force and a reformed Iraqi military; however, that will take a significant amount of time and in the meantime international armed forces and police must assume these responsibilities.

(4) Approximately 145,000 United States troops are currently deployed in Iraq, meaning that American troops comprise roughly 90 percent of Coalition forces. If, as the Department of Defense has stated, an additional 10,000 international troops join the Coalition effort in Iraq by September, Americans will still comprise roughly 85 percent of Coalition forces.

(5) Maintaining the existing force level in Iraq currently requires \$3,900,000,000 each month.

(6) The Department of Defense has stated that it will require one year to train a new Iraqi Army of 12,000 soldiers and three years to train 40,000 soldiers.

(7) The Coalition Provisional Authority has stated that it will require at least one year to recruit and train a police force of 40,000 officers capable of assuming minimal policy functions in Iraq, that it will require five years to recruit and train a full force of 75,000 officers, and that at least 5500 additional international police are needed to train, assist, and jointly patrol with the existing Iraqi police force.

(8) President Bush has noted that "The rise of Iraq, as an example of moderation and democracy and prosperity, is a massive and long-term undertaking," and it is clear that

increasing the number of troops and police from countries other than the United States will reduce risks to American soldiers and the financial cost to the United States.

(9) Secretary Rumsfeld testified that "We certainly want assistance from NATO and from NATO countries" and it is clear that involving the North Atlantic Treaty Organization, as is being done in Afghanistan and has been done in Kosovo and Bosnia, allows the Coalition to maintain a robust military presence while decreasing the exposure and risk to American troops.

(10) Rebuilding Iraq's neglected infrastructure and economy and administering Iraq—including providing basic services and paying public sector salaries—is likely to require tens of billions of dollars over several years and projected Iraqi oil revenues will be insufficient to meet these costs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national security interests of the United States to remain engaged in Iraq in order to ensure a peaceful, stable, unified Iraq with a representative government;

(2) the President should consider requesting formally and expeditiously that the North Atlantic Treaty Organization (NATO) raise a force for deployment in post-war Iraq similar to what it has done in Afghanistan, Bosnia, and Kosovo and the Congress urges NATO allies and other nations to provide troops and police to Coalition efforts in Iraq; and

(3) the President should consider calling on the United Nations to urge its member states to provide military forces and civilian police to promote stability and security in Iraq and resources to help rebuild and administer Iraq.

Amendment No. 23 offered by Ms. BORDALLO:

Page 83, after line 10, insert the following (and amend the table of contents accordingly):

**SEC. 311. TREATMENT OF TERRITORIES AND POSSESSIONS AS PART OF THE GEOGRAPHIC UNITED STATES FOR PURPOSES OF TRANSFER ALLOWANCES.**

Notwithstanding any other provision of law, for purposes of transfer allowances for employees of the Department of State under section 5924(2)(B) of title 5, United States Code, the territories and possessions of the United States, the Commonwealth of Puerto Rico, and the Commonwealth of the Northern Mariana Islands, shall be considered part of the geographic United States.

Amendment No. 24 offered by Mr. BROWN of Ohio:

At the end of subtitle A of title VII (relating to reporting requirements) insert the following:

**SEC. 713. REPORT CONCERNING OBSERVER STATUS FOR TAIWAN AT THE SUMMIT OF THE WORLD HEALTH ASSEMBLY.**

Not later than 30 days after the date of the enactment of this Act, and not later than April 1 of each year thereafter, the Secretary of State shall submit a report to the Congress, in unclassified form, describing the United States plan to endorse and obtain observer status for Taiwan at the annual week-long summit of the World Health Assembly (WHA) held by the World Health Organization (WHO) in May of each year in Geneva, Switzerland. Each report shall include the following:

(1) An account of the efforts the Department of State has made, following the previous year's meeting of the World Health Assembly to encourage WHO member states to promote Taiwan's bid to obtain observer status.

(2) The steps the Department of State will take to endorse and obtain observer status at the forthcoming annual meeting of the World Health Assembly in Geneva, Switzerland.

Amendment No. 25 offered by Mr. CRANE:

At the end of title VII of the bill, add the following new section (and conform the table of contents accordingly):

**SEC. \_\_\_\_ . ATTACKS ON UNITED STATES CITIZENS BY PALESTINIAN TERRORISTS.**

(a) FINDINGS.—Congress finds the following:

(1) Since Yasser Arafat renounced violence in the Oslo Peace Accords on September 13, 1993, at least 42 United States citizens, including one unborn child, have been murdered by Palestinian terrorists.

(2) On December 1, 1993, in a drive-by shooting north of Jerusalem, Hamas killed United States citizen Yitzhak Weinstock, 19, whose family came from Los Angeles.

(3) On October 9, 1994, Hamas kidnapped and murdered United States citizen Nachshon Wachsmann, 19, whose family came from New York City.

(4) On April 9, 1995, an Islamic Jihad bomb attack on a bus near Kfar Darom killed United States citizen Alisa Flatow, 20, from West Orange, New Jersey.

(5) On August 21, 1995, in a Hamas bus bombing in Jerusalem, United States citizen Joan Davenny, from New Haven, Connecticut, was killed.

(6) On September 9, 1995, Mara Frey of Chicago was stabbed in Ma'ale Michmash resulting in her unborn child's death.

(7) On February 25, 1996, three United States citizens, Sara Duker of Teaneck, New Jersey, Matthew Eisenfeld of West Hartford, Connecticut, and Ira Weinstein of New York City, were killed in a Hamas bus bombing in Jerusalem.

(8) On May 13, 1996, United States citizen David Boim, 17, of New York City, was killed in a drive-by shooting near Beit El, north of Jerusalem.

(9) On June 9, 1996, United States citizen Yaron Ungar was killed in a drive-by-shooting near Beit Shemesh.

(10) On July 30, 1997, United States citizen Leah Stern of Passaic, New Jersey, was killed in a Hamas bombing in Jerusalem's Mahane Yehuda market.

(11) On September 4, 1997, a Hamas bombing on Ben-Yehuda Street, Jerusalem, killed Yael Botwin, 14, of Los Angeles.

(12) On April 19, 1998, an attack near the Israeli town of Maon killed United States citizen Dov Dribben, 28.

(13) On October 8, 2000, Rabbi Hillel Lieberman, 36, of New York City, was stabbed and killed near Nablus.

(14) On October 30, 2000, United States citizen Esh-Kodesh Gilmore, 25, was shot in Jerusalem.

(15) On December 31, 2000, Rabbi Binyamin Kahane, 34, and his wife, Talia Hertzlich Kahane, both formerly of New York City, were killed in a drive-by shooting near Ofra.

(16) On May 9, 2001, Jacob "Koby" Mandell, 13, of Silver Spring, Maryland, was killed in an attack near Tekoah.

(17) On May 29, 2001, Sarah Blaustein, 53, of Lawrence, New York, was killed in a drive-by shooting near Efrat.

(18) On August 9, 2001, two United States citizens, Judith L. Greenbaum, 31, and Malka Roth, 15, were killed in the Jerusalem Sbarro pizzeria bombing.

(19) On November 4, 2001, Shoshana Ben-Yishai, 16, of New York City, was shot and killed during an attack on a Jerusalem bus.

(20) On January 15, 2002, Avraham Boaz, 72, of New York City, was killed in a shooting near Bethlehem.

(21) On January 18, 2002, United States citizen Aaron Elis, 32, was killed in a shooting in Hadera.

(22) On February 15, 2002, United States citizen Lee Akunis, was shot and killed near Ramallah.

(23) On February 16, 2002, Keren Shatsky, 14, of New York City and Maine, and Rachel Thaler, 16, of Baltimore, Maryland, were killed in a bombing in Karnei Shomron.

(24) On February 25, 2002, United States citizen Moran Amit, 25, was stabbed and killed in Abu Tor Peace Forest, Jerusalem.

(25) On March 24, 2002, Esther Kleinman, 23, formerly of Chicago, was shot and killed near Ofra.

(26) On March 27, 2002, United States citizen Hannah Rogen, 90, was killed in a bombing at a hotel Passover seder in Netanya.

(27) On June 18, 2002, Moshe Gottlieb, 70, of Los Angeles, was killed in a bus bombing in Jerusalem.

(28) On June 19, 2002, United States citizen Gila Sara Kessler, 19, was killed in a bombing at a Jerusalem bus stop.

(29) On July 31, 2002, five United States citizens were killed in a bombing of a Hebrew University cafeteria: Marla Bennett, 24, of San Diego, Benjamin Blutstein, 25, of Susquehanna Township, Pennsylvania, Janis Ruth Coulter, 36, of Massachusetts, David Gritz, 24, of Peru, Massachusetts (and of dual French-United States citizenship), and Dina Carter, 37, of North Carolina.

(30) On March 5, 2003, Abigail Leitel, 14, who was born in Lebanon, New Hampshire, died in a bus bombing in Haifa.

(31) On March 7, 2003, United States citizens Rabbi Eli Horowitz, 52, who grew up in Chicago, and Dina Horowitz, 50, who grew up in Florida, were killed in their home.

(32) On June 11, 2003, United States citizen Alan Beer, 47, who grew up in Cleveland, was killed in bus bombing in Jerusalem.

(33) On June 20, 2003, United States citizen Tzvi Goldstein, 47, originally from New York City, was shot and killed in an attack while driving through the West Bank.

(34) At least another 79 United States citizens have been injured in Palestinian terrorist attacks, including United States citizen Jack Baxter, 50, of New York City, who was injured on April 30, 2003, in a bombing at a Tel Aviv pub.

(35) The official Palestinian Authority television broadcast on March 14, 2003, of a live sermon calling for the destruction of the United States and Israel was a blatant attempt to incite violence against United States and Israeli citizens.

(b) STATEMENTS OF POLICY.—Congress—

(1) condemns the attacks on United States citizens by Palestinian terrorists and demands that the Palestinian Authority work with Israel to protect all innocent individuals, regardless of citizenship, from terrorist atrocities;

(2) offers its condolences to the families and loved ones of United States citizens who were killed by Palestinian terrorist attacks; and

(3) calls on the Secretary of State to include a listing of the killing of every United States citizen by terrorists in the "Chronology of Significant Terrorist Incidents", as included in the annual Department of State's Patterns of Global Terrorism Report.

Amendment No. 26 offered by Mr. HUNTER:

Page 211, after line 11, insert the following:

**SEC. 736. SENSE OF CONGRESS AND REPORT CONCERNING WASTEWATER TREATMENT AND THE INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.**

(a) FINDINGS.—The Congress finds as follows:

(1) The failure by the International Boundary and Water Commission, United States

and Mexico, to complete negotiations on a new Treaty Minute with Mexico, as directed by Congress in Public Law 106-457, has endangered the health of the residents of San Diego County.

(2) The continued flow of Mexican sewage on San Diego, California, beaches has caused extensive and persistent beach closings thereby causing economic hardship to the local economy.

(3) The International Boundary and Water Commission has shown insignificant progress in negotiations with Mexico.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the United States Section of the International Boundary and Water Commission shall make treaty negotiations with Mexico on the establishment of a public-private partnership to construct and operate a wastewater treatment facility in Mexico as outlined in Public Law 106-457 a priority.

(c) REPORT TO CONGRESS.—The United States Section of the International Boundary and Water Commission, United States and Mexico, shall submit monthly reports to the appropriate congressional committees concerning progress in negotiations on a new Treaty Minute with Mexico.

Amendment No. 27 offered by Mr. HYDE:

At the end of title XVII of division B of the bill, insert the following:

**SEC. . . . TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.**

(a) TRANSFERS BY GRANT.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) BAHRAIN.—To the Government of Bahrain, the OLIVER HAZARD PERRY class guided missile frigate GEORGE PHILIP (FFG 12).

(2) PORTUGAL.—To the Government of Portugal, the OLIVER HAZARD PERRY class guided missile frigate SIDES (FFG 14).

(b) TRANSFERS BY SALE.—The President is authorized to transfer vessels to foreign countries on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761) as follows:

(1) BRAZIL.—To the Government of Brazil, the SPRUANCE class destroyer O'BRIEN (DD 975).

(2) CHILE.—To the Government of Chile, the SPRUANCE class destroyer FLETCHER (DD 992).

(3) TURKEY.—To the Government of Turkey, the ANCHORAGE class dock landing ship ANCHORAGE (LSD 36).

(c) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by subsection (a) shall not be counted against the aggregate value of excess defense articles transferred to countries in any fiscal year under subsection (g) of that section.

(d) COSTS OF TRANSFERS ON GRANT BASIS.—Any expense incurred by the United States in connection with a transfer authorized to be made on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to the authority provided by subsection (a) shall be charged to the recipient (notwithstanding section 516(e)(1) of such Act).

(e) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that

country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(f) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

Amendment No. 28 offered by Mr. HYDE:

Strike section 227 (relating to GAO assessment of security capital cost sharing) and insert the following:

**SEC. 227. SECURITY CAPITAL COST SHARING.**

(a) AUTHORIZATION.—The first section of the Foreign Service Buildings Act, 1926 (22 U.S.C. 292) is amended by adding at the end the following new subsection:

"(c) SECURITY CAPITAL COST-SHARING PROGRAM.—(1) The Secretary of State, as the single manager of all buildings and grounds acquired under this Act or otherwise acquired or authorized for the use of the diplomatic and consular establishments in foreign countries, is authorized to establish and implement a Security Capital Cost-Sharing Program to collect funds from each agency on the basis of its total overseas presence in a manner that encourages rightsizing of its overseas presence, and expend those funds to accelerate the provision of safe, secure, functional buildings for United States Government personnel overseas.

"(2) The Secretary is authorized to determine annually and charge each Federal agency the amount to be collected under paragraph (1) from the agency. To determine such amount, the Secretary may prescribe and use a formula that takes into account the number of authorized positions of each agency, including contractors and locally hired personnel, who are assigned to United States diplomatic facilities and are under the authority of a chief of mission pursuant to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927).

"(3) The head of an agency charged a fee under this section shall remit the amount of the fee to the Secretary of State through the Intra-Governmental Payment and Collection System or other appropriate means.

"(4) There shall be established on the books of the Treasury an account to be known as the 'Security Capital Cost-Sharing Program Fund', which shall be administered by the Secretary. There shall be deposited into the account all amounts collected by the Secretary pursuant to the authority under paragraph (1), and such funds shall remain available until expended. Such funds shall be used solely for the provision of new safe, secure, functional diplomatic facilities that comply with all applicable legal standards, including those standards established under the authority of the Secure Embassy Construction and Counterterrorism Act of 1999. The Secretary shall include in the Department of State's Congressional Presentation Document an accounting of the sources and uses of the amounts deposited into the account.

"(5) The Secretary shall not collect a fee for an authorized position of an agency of the Federal Government that has been or would be granted a waiver pursuant to section 606(a)(2)(B)(i) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(2)(B)(i)).

"(6) In this subsection—

"(A) the term 'agency of the Federal Government'—

"(i) includes the Interagency Cooperative Administrative Support Service; and

"(ii) does not include the Marine Security Guard; and

"(B) the term 'United States diplomatic facility' has the meaning given that term in

section 603 of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note)."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2004.

Amendment No. 29 offered by Mr. HYDE:

In section 226 (relating to validity of United States passports) strike "travellers" both places it appears and insert "travelers".

Strike line 14 on page 43 through line 2 on page 46.

Page 79, line 15, after "Act" insert "of 1956".

Page 79, lines 16 and 18, strike "(o)" and insert "(n)".

Page 79, line 20, strike "(p)" and insert "(o)".

In the first sentence in section 301(b)(1) of the Foreign Assistance Act of 1961, as proposed to be added by section 116(e) of the bill, strike "For fiscal year fiscal year 2004" and insert "For fiscal year 2004".

In section 1707 of the bill, redesignate the second paragraph (1) as paragraph (2).

Amendment No. 30 offered by Mr. LANTOS:

In section 1713 of the bill (relating to enhanced police training)—

(1) strike "Section 660(b) of the Foreign Assistance Act of 1961" and insert "(a) IN GENERAL.—Section 660(b) of the Foreign Assistance Act of 1961"; and

(2) add at the end the following new subsection:

(b) NOTIFICATION REQUIREMENT.—Section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420) is amended by adding at the end the following new subsection:

"(e) Funds may not be obligated for assistance under subsection (b)(8) unless the Secretary of State notifies the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the amount and nature of the proposed assistance at least 15 days in advance of the proposed obligation in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act. Such notification shall include a comprehensive report and, where practicable, a plan describing the police assistance and rule of law programs of relevant United States agencies for each country which is to receive assistance under section 660(b)(8)."

Amendment No. 31 offered by Mrs. MALONEY:

In division B of the bill—

(1) redesignate title XVII as title XVIII (and conform all sections therein accordingly and conform the table of contents); and

(2) insert after title XVI the following new title (and conform the table of contents accordingly):

#### TITLE XVII—ACCESS FOR AFGHAN WOMEN

##### SEC. 1701. SHORT TITLE.

This title may be cited as the "Access for Afghan Women Act of 2003".

##### SEC. 1702. FINDINGS.

Congress makes the following findings:

(1) Despite the removal of the Taliban from power, women in Afghanistan continue to experience brutal and frequent violation of their human rights, generally outside of Kabul where warlords are reexerting control.

(2) Strong and continued support from the United States and the international community can ensure that the advances made by Afghan women since the fall of the Taliban will continue and grow, rather than recede.

(3) While the United States and the international community continue to make substantial contributions to emergency humani-

tarian and relief operations in Afghanistan, the establishment of a stable, peaceful, prosperous, and democratic Afghanistan with a broad-based, multi-ethnic, gender-sensitive, and fully representative government requires a significant increase in long-term investments in development and reconstruction assistance.

(4) The maternal mortality rate in Afghanistan is among the highest in the world, with recent reports estimating that every 30 minutes an Afghan woman dies of pregnancy related causes, or approximately 15,000 women every year. The estimated maternal mortality rate of 1,600 deaths per 100,000 live births can be significantly reduced through access to primary health care services, including safe birthing supplies, emergency obstetric care, prenatal and postnatal care, contraception, and prevention and treatment for the effects of sexual coercion and rape.

(5) Women comprise 75 percent or more of the refugees and internally displaced in camps, urban areas, and villages in Afghanistan.

(6) 85 percent of Afghanistan's population lives in rural areas. The women in rural areas perform vital roles in food production, processing, and preparation. Successful reconstruction and development assistance must target rural women as part of any agricultural interventions.

(7) Within Afghanistan and outside of Afghanistan, local women's organizations are delivering critical services and have the knowledge and experience to assist the United States in delivering effective relief aid.

(8) The Afghan Ministry for Women's Affairs is an important ministry that is essential for re-establishing women's human rights, ensuring that women are included in all development efforts, and delivering critical legal, health, education, and economic services to women throughout Afghanistan's 30 provinces.

(9) Afghan women are taking the initiative to reach across the conflict divide and foster peace. Women's perspectives and experiences in seeking solutions to conflicts are necessary to ensure lasting peace.

(10) The inadequate security situation in Afghanistan disproportionately impacts women and girls as the lack of rule of law results in the frequent assault, kidnapping, and sexual abuse of Afghan women and girls throughout Afghanistan.

(11) Despite significant improvements in healthcare and education infrastructure for women and girls in Afghanistan, the lack of security and rule of law throughout most of Afghanistan effectively denies access to these facilities and the critical services they provide.

##### SEC. 1703. ESTABLISHMENT OF AFGHAN WOMEN'S FUND.

(a) ESTABLISHMENT.—The Administrator of the United States Agency for International Development shall establish a fund for the purpose of assisting women and girls in Afghanistan in the areas of political and human rights, health care, education, training, security, and shelter.

(b) ACTIVITIES SUPPORTED.—The fund established under subsection (a) shall support the activities described in section 103(a)(7) of the Afghanistan Freedom Support Act of 2002 and the following activities:

(1) Direct financial and programmatic assistance to the Ministry of Women's Affairs in Afghanistan (hereafter in this section referred to as the "Ministry") to promote the strengthening of the Ministry as the Government of Afghanistan continues its transition to a long-term government structure and to enable the Ministry to fulfill its mandate. The Ministry may use such assistance to support activities such as the following:

(A) Multiyear women-centered economic development programs, including programs to assist widows, female heads of household, women in rural areas, and disabled women.

(B) Collaboration with the Ministry of Health to construct culturally appropriate health infrastructure and delivery of high-quality comprehensive health care programs, including primary, maternal, child, reproductive, and mental health care.

(C) Programs to prevent trafficking in persons, assist victims, and apprehend and prosecute traffickers in persons.

(2) Direct financial assistance to the National Human Rights Commission of Afghanistan.

(3) Construction of women's educational facilities in Afghanistan.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section not less than \$22,500,000 for each of the fiscal years 2003, 2004, and 2005 and such sums as are necessary for each subsequent fiscal year.

##### SEC. 1704. ASSISTANCE TO AFGHANISTAN.

Notwithstanding any other provision of law, not less than 15 percent of the aggregate amount of economic and humanitarian assistance authorized to be appropriated under section 1703(c) to be made available to Afghanistan for each of the fiscal years 2003, 2004, and 2005 shall be made available for assistance directly to Afghan-led local nongovernmental organizations, including Afghan women-led organizations, with demonstrated experience in delivering services to Afghan women and children to support their programmatic activities and organizational development. In recognition of the appreciating capacity of Afghan-led local nongovernmental organizations, including Afghan women-led organizations, an appropriate percentage of the aggregate amount of economic and humanitarian assistance authorized to be made available to Afghanistan for fiscal year 2006 and each subsequent fiscal year shall be made available for assistance directly to Afghan-led local nongovernmental organizations, including Afghan women-led organizations.

##### SEC. 1705. REQUIREMENTS RELATING TO UNITED STATES ACTIVITIES IN AFGHANISTAN.

(a) IN GENERAL.—Activities described in subsections (b) through (e) that are carried out by the United States in Afghanistan should comply with the applicable requirements contained in such subsections.

(b) GOVERNANCE OF AFGHANISTAN.—With respect to the governance of Afghanistan, the applicable requirements are the following:

(1) Include the perspectives and advice of Afghan women's organizations, networks, and leaders in United States policymaking related to the governance of Afghanistan.

(2) Promote the inclusion of a significant number of women in future legislative bodies to ensure that women's full range of human rights are included and upheld in any constitution or legal structures of Afghanistan.

(3) Encourage the appointment of women to high level positions within Afghan Ministries.

(c) POST-CONFLICT RECONSTRUCTION AND DEVELOPMENT.—With respect to activities relating to post-conflict stability in Afghanistan, the applicable requirements are the following:

(1) Encourage United States organizations that receive funds authorized by this title to partner with or create Afghan-led counterpart organizations and provide these organizations with significant financial resources, technical assistance, and capacity building.

(2) Increase women's access to or ownership of productive assets such as land, water, agricultural inputs, credit, and property.

(3) Provide long-term financial assistance for primary, secondary, higher, nontraditional, and vocational education for Afghan girls, women, boys, and men.

(4) Integrate education and training programs for former combatants with economic development programs to encourage their reintegration into society and to promote post-conflict stability.

(5) Provide assistance to rehabilitate children affected by the conflict, particularly child soldiers.

(6) Support educational efforts to increase awareness with respect to landmines, facilitate the removal of landmines, and provide services to individuals with disabilities caused by landmines.

(d) AFGHAN MILITARY AND POLICE.—With respect to training for military and police forces in Afghanistan, the applicable requirements are the following:

(1) Include training on the protection, rights, and the particular needs of women and emphasize that violations of women's rights are intolerable and should be prosecuted.

(2) Encourage such trainers who will carry out the activities in paragraph (1) to consult with women's organizations in Afghanistan to ensure that training content and materials are adequate, appropriate, and comprehensive.

(e) RELIEF, RESETTLEMENT, AND REPATRIATION OF REFUGEES AND INTERNALLY DISPLACED PERSONS.—With respect to the relief, resettlement, and repatriation of refugees and internally displaced persons in Afghanistan, the applicable requirements are the following:

(1) Take all necessary steps to ensure that women refugees and internally displaced persons in camps, urban areas, and villages are directly receiving food aid, shelter, relief supplies, and other services from United States-sponsored programs.

(2) Take all necessary steps to ensure that women refugees in camps, urban areas, and villages are accessing high-quality health and medical services, including primary, maternal, child, and mental health services.

(3) Take all necessary steps to ensure that women and children in refugee camps are protected from sexual exploitation.

(4) Take all necessary steps to ensure refugees and internally displaced persons that seek to return to their place of origin can do so voluntarily, safely, and with the full protection of their rights. United States-sponsored efforts shall not coerce refugees or internally displaced persons to return to their places of origin.

#### SEC. 1706. REPORTING REQUIREMENTS.

Not later than 60 days after the date of the enactment of this Act, and annually thereafter, the President shall prepare and transmit to Congress a report that contains documentation of the progress in implementing the requirements of section 1705. All data in the report shall be disaggregated by gender.

Amendment No. 34 offered by Mr. SMITH of New Jersey:

Add at the end of the bill the following new division (and conform the table of contents accordingly):

#### DIVISION C—ASSISTANCE FOR VIET NAM TITLE XX—CONDITIONS ON INCREASED NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIET NAM

##### SEC. 2001. BILATERAL NONHUMANITARIAN ASSISTANCE.

(a) ASSISTANCE.—

(1) IN GENERAL.—United States nonhumanitarian assistance may not be provided to the Government of Viet Nam in an amount exceeding the amount so provided for fiscal year 2003—

(A) for fiscal year 2004 unless not later than 30 days after the date of the enactment of this Act the President determines and certifies to Congress that the requirements of subparagraphs (A) through (D) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(B) for each subsequent fiscal year unless the President determines and certifies to Congress in the most recent annual report submitted pursuant to section 501 that the requirements of subparagraphs (A) through (E) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are that—

(A) the Government of Viet Nam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention;

(B)(i) the Government of Viet Nam has made substantial progress toward respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference by or involvement of the Government; and

(ii) has made substantial progress toward returning estates and properties confiscated from the churches;

(C) the Government of Viet Nam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs;

(D) the Government of Viet Nam has made substantial progress toward respecting the human rights of members of ethnic minority groups in the Central Highlands and elsewhere in Viet Nam; and

(E)(i) neither any official of the Government of Viet Nam nor any agency or entity wholly or partly owned by the Government of Viet Nam was complicit in a severe form of trafficking in persons; or

(ii) the Government of Viet Nam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

(b) EXCEPTION.—

(1) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the Government of Viet Nam to meet the requirements of subsection (a)(2), the President may waive the application of subsection (a) for any fiscal year if the President determines that the provision to the Government of Viet Nam of increased United States nonhumanitarian assistance would promote the purposes of this Act or is otherwise in the national interest of the United States.

(2) EXERCISE OF WAIVER AUTHORITY.—The President may exercise the authority under paragraph (2) with respect to—

(A) all United States nonhumanitarian assistance to Viet Nam; or

(B) one or more programs, projects, or activities of such assistance.

(c) DEFINITIONS.—In this section:

(1) SEVERE FORM OF TRAFFICKING IN PERSONS.—The term "severe form of trafficking in persons" means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106-386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(2) UNITED STATES NONHUMANITARIAN ASSISTANCE.—The term "United States nonhumanitarian assistance" means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(ii) assistance which involves the provision of food (including monetization of food) or medicine; and

(iii) assistance for refugees; and

(B) sales, or financing on any terms, under the Arms Export Control Act.

#### TITLE XXI—ASSISTANCE TO SUPPORT HUMAN RIGHTS AND DEMOCRACY IN VIET NAM

##### SEC. 2101. ASSISTANCE.

(a) IN GENERAL.—The President is authorized to provide assistance, through appropriate nongovernmental organizations, for the support of individuals and organizations to promote democracy and internationally recognized human rights in Viet Nam.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out subsection (a) \$2,000,000 for each of the fiscal years 2004 and 2005.

#### TITLE XXII—UNITED STATES PUBLIC DIPLOMACY

##### SEC. 2201. RADIO FREE ASIA TRANSMISSIONS TO VIET NAM.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to take such measures as are necessary to overcome the jamming of Radio Free Asia by the Government of Viet Nam, including the active pursuit of broadcast facilities in close geographic proximity to Viet Nam.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to such amounts as are otherwise authorized to be appropriated for the Broadcasting Board of Governors, there are authorized to be appropriated to carry out the policy under subsection (a) \$9,100,000 for the fiscal year 2004 and \$1,100,000 for the fiscal year 2005.

##### SEC. 2202. UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIET NAM.

It is the policy of the United States that programs of educational and cultural exchange with Viet Nam should actively promote progress toward freedom and democracy in Viet Nam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

#### TITLE XXIII—UNITED STATES REFUGEE POLICY

##### SEC. 2301. REFUGEE RESETTLEMENT FOR NATIONALS OF VIET NAM.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to offer refugee resettlement to nationals of Viet Nam (including members of the Montagnard ethnic minority groups) who were eligible for the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) or any other United States refugee program and who were deemed ineligible due to administrative error or who for reasons beyond the control of such individuals (including insufficient or contradictory information or the inability to pay bribes demanded by officials of the Government of Viet Nam) were unable or failed to apply for such programs in compliance with deadlines imposed by the Department of State.

(b) AUTHORIZED ACTIVITY.—Of the amounts authorized to be appropriated to the Department of State for Migration and Refugee Assistance for each of the fiscal years 2004, 2005, and 2006, such sums as may be necessary are authorized to be made available for the protection (including resettlement in appropriate cases) of Vietnamese refugees and asylum seekers, including Montagnards in Cambodia.

**TITLE XIV—ANNUAL REPORT ON PROGRESS TOWARD FREEDOM AND DEMOCRACY IN VIET NAM**

**SEC. 2401. ANNUAL REPORT.**

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act and every 12 months thereafter, the Secretary of State shall submit to the Congress a report on the following:

(1)(A) The determination and certification of the President that the requirements of section 2001(a)(2) have been met, if applicable.

(B) The determination of the President under section 2001(b)(2), if applicable.

(2) Efforts by the United States Government to secure transmission sites for Radio Free Asia in countries in close geographical proximity to Viet Nam in accordance with section 2201(a).

(3) Efforts to ensure that programs with Viet Nam promote the policy set forth in section 302 and with section 102 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(4) Steps taken to carry out the policy under section 2301(a).

(5) Lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of Viet Nam due to their pursuit of internationally recognized human rights. In compiling such lists, the Secretary shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families. In addition, the Secretary shall include a list of such persons and their families who may qualify for protection under United States refugee programs.

(6) A description of the development of the rule of law in Viet Nam, including, but not limited to—

(A) progress toward the development of institutions of democratic governance;

(B) processes by which statutes, regulations, rules, and other legal acts of the Government of Viet Nam are developed and become binding within Viet Nam;

(C) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of Viet Nam are published and are made accessible to the public;

(D) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules and other legal acts of the Government of Viet Nam;

(E) the extent to which individuals are treated equally under the laws of Viet Nam without regard to citizenship, race, religion, political opinion, or current or former associations;

(F) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(G) the extent to which laws in Viet Nam are written and administered in ways that are consistent with international human rights standards, including the requirements of the International Covenant on Civil and Political Rights.

(b) CONTACTS WITH OTHER ORGANIZATIONS.— In preparing the report under subsection (a), the Secretary shall, as appropriate, consult with and seek input from nongovernmental organizations, human rights advocates (including Vietnamese-Americans and human rights advocates in Viet Nam), and the United States Commission on Religious Freedom.

Amendment No. 35 offered by Mr. SOUDER:

Page 78, after line 23, insert the following section (and amend the table of contents accordingly):

**SEC. 274. ARCHITECTURAL INTEGRITY OF UNITED STATES EMBASSIES, CONSULATES, AND OTHER DIPLOMATIC BUILDINGS.**

It is the sense of the Congress that, to the greatest extent possible, in the construction and renovation of United States embassies, consulates, and other diplomatic buildings, the Secretary of State shall consider and seek to preserve the architectural integrity and cohesiveness of the neighborhood and environs and minimize any disruption due to the presence of the embassy, consulate, or other diplomatic building.

Amendment No. 36 offered by Mr. STEARNS:

Page 211, after line 11, insert the following:

**SEC. 736. SENSE OF CONGRESS REGARDING ALLOCATION OF RESOURCES FOR THE DEPARTMENT OF STATE AS THE CENTRAL AUTHORITY FOR THE UNITED STATES UNDER THE HAGUE CONVENTION ON INTERCOUNTRY ADOPTION.**

It is the sense of the Congress that the Department of State should direct significant resources to their new role as the central authority for the United States under the Hague Convention on Intercountry Adoption.

Amendment No. 38 offered by Mr. DREIER:

Strike section 731 (page 199, line 22 through page 204, line 10) and insert the following:

**SEC. 731. SENSE OF CONGRESS REGARDING MIGRATION ISSUES BETWEEN THE UNITED STATES AND MEXICO.**

(a) FINDINGS.—The Congress finds as follows:

(1) During President Bush's first meeting with President Fox in Guanajuato, Mexico, the Presidents stated in the Joint Communiqué of February 16, 2001 that "we are instructing our Governments to engage, at the earliest opportunity, in formal high level negotiations aimed at achieving short and long-term agreements that will allow us to constructively address migration and labor issues between our two countries."

(2) During President Fox's official visit to Washington, D.C., the Joint Statement of September 6, 2001, summarized the meeting as follows: "The Presidents reviewed the progress made by our joint working group on migration chaired by Secretaries Powell, Castañeda, and Creel and Attorney General Ashcroft and noted this represented the most fruitful and frank dialogue we have ever had on a subject so important to both nations. They praised implementation of the border safety initiative, and recognized that migration-related issues are deeply felt by our publics and vital to our prosperity, well-being, and the kind of societies we want to build. They renewed their commitment to forging new and realistic approaches to migration to ensure it is safe, orderly, legal and dignified, and agreed on the framework within which this ongoing effort is based. This includes: matching willing workers with willing employers; serving the social and economic needs of both countries; respecting the human dignity of all migrants, regardless of their status; recognizing the contribution migrants make to enriching both societies; shared responsibility for ensuring migration takes place through safe and legal channels. Both stressed their commitment to continue our discussions, instructing the high-level working group to reach mutually satisfactory results on border safety, a temporary worker program and the status of undocumented Mexicans in the United States. They requested that the working group provide them proposals with respect to these

issues as soon as possible. The Presidents recognized that this is an extraordinarily challenging area of public policy, and that it is critical to address the issue in a timely manner and with appropriate thoroughness and depth."

(3) On September 7, 2001, during President Fox's historic State Visit to Washington, the United States and Mexico issued a joint statement instructing our cabinet-level working group to provide us with specific proposals to forge a new and realistic framework that will ensure a safe, legal, orderly, and dignified migration flow between our countries. We have today agreed that our Cabinet level migration group should continue the work we charged it with in Guanajuato and Washington.

(4) When the Presidents met in Monterrey, Mexico, the Presidents stated in a Joint Statement on March 22, 2002, as follows: "Slightly more than one year ago, in Guanajuato, we talked about migration as one of the major ties that join our societies. We launched then the frankest and most productive dialogue our countries have ever had on this important and challenging subject. Those talks have continued over the past year, and have yielded a clearer assessment of the scope and nature of this issue. This bond between our nations can render countless benefits to our respective economies and families.

(5) Over the past year, important progress has been made to enhance migrant safety and particularly in saving lives by discouraging and reducing illegal crossings in dangerous terrain.

(6) At the conclusion of the Mexico-United States Binational Commission (BNC) meeting in Mexico City in November 2002, Secretary of State Powell's press conference was summarized by the State Department as follows: The BNC's migration working group "affirmed our strong commitment to advancing our bilateral migration agenda," he stressed, adding that "there should be no doubt in anyone's mind that this is a priority for President Bush, just as it is a priority for [Mexican] President [Vicente] Fox."

(7) Secretary Powell said no schedule had been established for a migration accord, but he confirmed that the United States and Mexico want to come up with a series of migration initiatives over the course of the next six months to a year.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) that the United States and Mexico should as soon as is practicable commence negotiations in an attempt to reach a migration accord that is as comprehensive as possible and which addresses the key issues of concern for both nations; and

(2) that as part of any migration agreement between the United States and Mexico, the issues of the extradition of violent criminals and law enforcement cooperation between the two nations be addressed.

Amendment No. 39 offered by Mr. WALSH:

Page 77, after line 3, insert the following new section and (amend the table of contents accordingly):

**SEC. 258. AMENDMENT AND EXTENSION OF IRISH PEACE PROCESS CULTURAL AND TRAINING PROGRAM.**

(a) AMENDMENT OF PROGRAM.—

(1) Section 2(a)(2)(A) of such the Irish Peace Process Cultural and Training Program Act of 1998 (8 U.S.C. 1101 note) is amended by adding at the end "No participant in the program may have a degree from an institution of higher education."

(2) Section 101(a)(15)(Q)(ii)(I) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(Q)(ii)(I)) is amended—

(A) by striking “35 years of age or younger having a residence” and inserting “21 to 35 years of age, unemployed for not less than 6 months, having resided for not less than 6 months in the Republic of Ireland or the United Kingdom.”; and

(B) by striking “36 months” and inserting “24 months”.

(3) Section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)) is amended by inserting after subsection (p) the following:

“(q)(1) Except as provided in paragraph (2), no person admitted under section 101(a)(15)(Q)(i)(I) or acquiring such status after admission shall be eligible to apply for an immigrant visa, or for permanent residence, or for nonimmigrant visa status under this Act until it is established that such person has resided and been physically present in the country of nationality or last residence for an aggregate of a least two years following departure from the United States.

“(2) The Secretary of Homeland Security may waive the requirement of such one-year foreign residence abroad if the Secretary determines that—

“(A) departure from the United States would impose exceptional hardship upon the alien’s spouse or child (if such spouse or child is a citizen of the United States or an alien lawfully admitted for permanent residence); or

“(B) the admission of the alien is in the public interest or the national interest of the United States.”.

(b) EXTENSION OF PROGRAM.—Section 2 of the Irish Peace Process Cultural and Training Program Act of 1998 (8 U.S.C. 1101 note) is amended—

(1) in subsection (d)(1) by striking “2006,” and inserting “2008.”;

(2) in subsection (d)(2) by striking “2005,” and inserting “2011.”;

(3) in subsection (a)(3) by striking “the third program year and for the 3 subsequent years,” and inserting “each program year”.

(c) TECHNICAL AND CONFORMING CHANGES.—The Irish Peace Process Cultural and Training Program Act of 1998 (8 U.S.C. 1101 note; Public Law 105-319) is amended—

(1) by striking “Attorney General” each place it appears and inserting “Secretary of Homeland Security”; and

(2) by striking “Immigration and Naturalization Service” each place it appears and inserting “Department of Homeland Security”.

Amendment No. 40 offered by Mr. COLLINS:  
At the end of subtitle B of title VII, add the following new section:

**SEC. \_\_\_\_ . TRANSFER OF VIETNAM-ERA CESSNA L-19D BIRD DOG AIRCRAFT TO ARMY AVIATION HERITAGE FOUNDATION.**

(a) AUTHORITY TO CONVEY.—The Secretary of State may convey, without consideration, to the Army Aviation Heritage Foundation, a nonprofit organization incorporated in the State of Georgia, all right, title, and interest of the United States in and to a Vietnam-era Cessna L-19D Bird Dog aircraft (serial No. 24020, National registration number N32FL)(in this section referred to as the “aircraft”) that is excess to the needs of the Department of State. The conveyance shall be made by means of a conditional deed of gift

(b) CONDITION OF AIRCRAFT.—The aircraft shall be conveyed in its current “as is” condition. The Secretary is not required to repair or alter the condition of the aircraft before conveying ownership of the aircraft.

(c) CONDITION ON CONVEYANCE.—The Secretary shall include in the instrument of conveyance of the aircraft the following conditions:

(1) The Army Aviation Heritage Foundation may not convey any ownership interest in, or transfer possession of, the aircraft to any other party without the prior approval of the Secretary.

(2) The Army Aviation Heritage Foundation shall operate and maintain the aircraft in compliance with all applicable limitations and maintenance requirements imposed by the Administrator of the Federal Aviation Administration.

(d) REVERTER UPON BREACH OF CONDITIONS.—If the Secretary determines at any time that the Army Aviation Heritage Foundation has conveyed an ownership interest in, or transferred possession of, the aircraft to any other party without the prior approval of the Secretary, all right, title, and interest in and to the aircraft, including any repair or alteration of the aircraft, shall revert to the United States, and the United States shall have the right of immediate possession of the aircraft.

(e) CONVEYANCE AT NO COST TO THE UNITED STATES.—The conveyance of the aircraft shall be made at no cost to the United States. Any costs associated with the conveyance and costs of operation and maintenance of the aircraft conveyed shall be borne by the Army Aviation Heritage Foundation.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

(g) CLARIFICATION OF LIABILITY.—Notwithstanding any other provision of law, upon the conveyance of ownership of the aircraft to the Army Aviation Heritage Foundation, the United States shall not be liable for any death, injury, loss, or damage that results from any use of that aircraft by any person other than the United States.

Amendment No. 42 offered by Mr. HEFLEY:  
After section 1312 of the bill, insert the following new section (and conform the table of contents accordingly):

**SEC. 1313. CONDITION ON THE PROVISION OF CERTAIN FUNDS TO INDONESIA.**

(a) CONDITION ON ASSISTANCE.—Subject to subsection (c), no funds made available under section 23 of the Arms Export Control Act (22 U.S.C. 2763) or chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.) in fiscal year 2004, other than funds made available for expanded military education and training under such chapter, may be available for a program that involves the Government of Indonesia or the Indonesian Armed Forces until the President makes the certification described in subsection (b).

(b) CERTIFICATION.—The certification referred to in subsection (a) is a certification submitted by the President to the appropriate congressional committees that the Government of Indonesia and the Indonesian Armed Forces are taking effective measures, including cooperating with the Director of the Federal Bureau of Investigation—

(1) to conduct a full investigation of the attack on United States citizens in West Papua, Indonesia on August 31, 2002; and

(2) to criminally prosecute the individuals responsible for such attack.

(c) LIMITATION.—Nothing in this section shall prohibit the United States Government from continuing to conduct programs or training with the Indonesian Armed Forces, including counterterrorism training, officer visits, port visits, or educational exchanges that are being conducted on the date of the enactment of this Act.

Mr. HYDE. Mr. Chairman, I ask unanimous consent that Crane amend-

ment No. 25, Burton of Indiana amendment No. 18 and Dreier amendment No. 38 be modified in the form I have caused to be placed at the desk.

The CHAIRMAN pro tempore. The Clerk will report the amendments, as modified.

The Clerk read as follows:

The amendment as modified is as follows:

At the end of title VII of the bill, add the following new section (and conform the table of contents accordingly):

**SEC. \_\_\_\_ . ATTACKS ON UNITED STATES CITIZENS BY PALESTINIAN TERRORISTS.**

(a) FINDINGS.—Congress finds the following:

(1) Since Yasser Arafat renounced violence in the Oslo Peace Accords on September 13, 1993, at least 41 United States citizens have been murdered by Palestinian terrorists and one United States citizen miscarried after being stabbed in a Palestinian terrorist attack.

(2) On December 1, 1993, in a drive-by shooting north of Jerusalem, Hamas killed United States citizen Yitzhak Weinstock, 19, whose family came from Los Angeles.

(3) On October 9, 1994, Hamas kidnapped and murdered United States citizen Nachshon Wachsmann, 19, whose family came from New York City.

(4) On April 9, 1995, an Islamic Jihad bomb attack on a bus near Kfar Darom killed United States citizen Alisa Flatow, 20, from West Orange, New Jersey.

(5) On August 21, 1995, in a Hamas bus bombing in Jerusalem, United States citizen Joan Davenny, from New Haven, Connecticut, was killed.

(6) On September 9, 1995, Mara Frey of Chicago was stabbed in Ma’ale Michmash resulting in her unborn child’s death.

(7) On February 25, 1996, three United States citizens, Sara Duker of Teaneck, New Jersey, Matthew Eisenfeld of West Hartford, Connecticut, and Ira Weinstein of New York City, were killed in a Hamas bus bombing in Jerusalem.

(8) On May 13, 1996, United States citizen David Boim, 17, of New York City, was killed in a drive-by shooting near Beit El, north of Jerusalem.

(9) On June 9, 1996, United States citizen Yaron Ungar was killed in a drive-by-shooting near Beit Shemesh.

(10) On July 30, 1997, United States citizen Leah Stern of Passaic, New Jersey, was killed in a Hamas bombing in Jerusalem’s Mahane Yehuda market.

(11) On September 4, 1997, a Hamas bombing on Ben-Yehuda Street, Jerusalem, killed Yael Botwin, 14, of Los Angeles.

(12) On April 19, 1998, an attack near the Israeli town of Maon killed United States citizen Dov Dribben, 28.

(13) On October 8, 2000, Rabbi Hillel Lieberman, 36, of New York City, was stabbed and killed near Nablus.

(14) On October 30, 2000, United States citizen Esh-Kodesh Gilmore, 25, was shot in Jerusalem.

(15) On December 31, 2000, Rabbi Binyamin Kahane, 34, and his wife, Talia Hertzlich Kahane, both formerly of New York City, were killed in a drive-by shooting near Ofra.

(16) On May 9, 2001, Jacob “Koby” Mandell, 13, of Silver Spring, Maryland, was killed in an attack near Tekoa.

(17) On May 29, 2001, Sarah Blaustein, 53, of Lawrence, New York, was killed in a drive-by shooting near Efrat.

(18) On August 9, 2001, two United States citizens, Judith L. Greenbaum, 31, and Malka Roth, 15, were killed in the Jerusalem Sbarro pizzeria bombing.



(19) On November 4, 2001, Shoshana Ben-Yishai, 16, of New York City, was shot and killed during an attack on a Jerusalem bus.

(20) On January 15, 2002, Avraham Boaz, 72, of New York City, was killed in a shooting near Bethlehem.

(21) On January 18, 2002, United States citizen Aaron Elis, 32, was killed in a shooting in Hadera.

(22) On February 15, 2002, United States citizen Lee Akunis, was shot and killed near Ramallah.

(23) On February 16, 2002, Keren Shatsky, 14, of New York City and Maine, and Rachel Thaler, 16, of Baltimore, Maryland, were killed in a bombing in Karnei Shomron.

(24) On February 25, 2002, United States citizen Moran Amit, 25, was stabbed and killed in Abu Tor Peace Forest, Jerusalem.

(25) On March 24, 2002, Esther Kleinman, 23, formerly of Chicago, was shot and killed near Ofra.

(26) On March 27, 2002, United States citizen Hannah Rogen, 90, was killed in a bombing at a hotel Passover seder in Netanya.

(27) On June 18, 2002, Moshe Gottlieb, 70, of Los Angeles, was killed in a bus bombing in Jerusalem.

(28) On June 19, 2002, United States citizen Gila Sara Kessler, 19, was killed in a bombing at a Jerusalem bus stop.

(29) On July 31, 2002, five United States citizens were killed in a bombing of a Hebrew University cafeteria: Marla Bennett, 24, of San Diego, Benjamin Blutstein, 25, of Susquehanna Township, Pennsylvania, Janis Ruth Coulter, 36, of Massachusetts, David Gritz, 24, of Peru, Massachusetts (and of dual French-United States citizenship), and Dina Carter, 37, of North Carolina.

(30) On March 5, 2003, Abigail Leitel, 14, who was born in Lebanon, New Hampshire, died in a bus bombing in Haifa.

(31) On March 7, 2003, United States citizens Rabbi Eli Horowitz, 52, who grew up in Chicago, and Dina Horowitz, 50, who grew up in Florida, were killed in their home.

(32) On June 11, 2003, United States citizen Alan Beer, 47, who grew up in Cleveland, was killed in bus bombing in Jerusalem.

(33) On June 20, 2003, United States citizen Tzvi Goldstein, 47, originally from New York City, was shot and killed in an attack while driving through the West Bank.

(34) At least another 79 United States citizens have been injured in Palestinian terrorist attacks.

(b) STATEMENTS OF POLICY.—Congress—

(1) condemns the attacks on United States citizens by Palestinian terrorists;

(2) calls on the Palestinian Authority to work with Israel to protect all innocent individuals, regardless of citizenship, from terrorist atrocities;

(3) offers its condolences to the families and loved ones of United States citizens who were killed by Palestinian terrorist attacks; and

(4) calls on the Secretary of State to include a listing of the killing of every United States citizen by terrorists in the "Chronology of Significant Terrorist Incidents", as included in the Department of State's Patterns of Global Terrorism Report issued after the date of the enactment of this Act.

MODIFICATION TO THE AMENDMENT OFFERED  
BY MR. BURTON OF INDIANA,

The amendment as modified is as follows:

Page 78, after line 23, insert the following:

**SEC. 274. NOTICE TO UNITED STATES EMBASSIES ABROAD REGARDING CHILDREN WHO ARE THE SUBJECT OF INTERNATIONAL CHILD ABDUCTION AND GUIDELINES RELATING TO SANCTUARY FOR SUCH CHILDREN.**

(a) NOTICE OF INTERNATIONAL CHILD ABDUCTION.—The Secretary of State shall establish

procedures to ensure that appropriate United States Embassies abroad are notified of the possible presence in that country of any child who has been the subject of international child abduction in violation of the order of a court in the United States.

(b) GUIDELINES FOR SANCTUARY.—The Secretary of State shall promulgate guidelines for the personnel of United States Embassies abroad concerning procedures relating to sanctuary at such facilities for children who are the subject of international child abduction.

**SEC. 275. INADMISSIBILITY OF ALIENS SUPPORTING INTERNATIONAL CHILD ABDUCTORS AND RELATIVES OF SUCH ABDUCTORS.**

(a) IN GENERAL.—Section 212(a)(10)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(C)(ii)) is amended—

(1) in subclause (I), by striking the comma at the end and inserting a semicolon;

(2) in subclause (II), by striking "or" at the end and inserting a semicolon;

(3) by amending subclause (III) to read as follows:

"(III) is a spouse (other than the spouse who is the parent of the abducted child), child (other than the abducted child), parent, sibling, cousin, uncle, aunt, nephew, niece, or grandparent of an alien described in clause (i), is an agent of such an alien, or is a principal employing such an alien as an agent, if such person has been designated by the Secretary of State at the Secretary's sole and unreviewable discretion; or"

(4) by adding at the end the following:

"(IV) is a spouse of the abducted child described in clause (i), if such person has been designated by the Secretary of State at the Secretary's sole and unreviewable discretion, is inadmissible until such child is surrendered to the person granted custody by the order described in that clause, and such custodian and child are permitted to return to the United States or such custodian's place of residence."

(b) IDENTIFICATION OF ALIENS SUPPORTING ABDUCTORS AND RELATIVES OF ABDUCTORS; NOTICE TO CUSTODIAL PARENTS AND GUARDIANS; ANNUAL REPORT; DEFINITIONS.—Section 212(a)(10)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(C)) is amended by adding at the end the following:

"(iv) IDENTIFICATION OF ALIENS SUPPORTING ABDUCTORS AND RELATIVES OF ABDUCTORS.—In all instances in which an alien commits an act described in clause (i), the Secretary of State shall take appropriate action to identify the individuals who are inadmissible under clause (ii).

"(v) NOTICE TO CUSTODIAL PARENTS AND GUARDIANS.—In all instances in which an alien commits an act described in clause (i), the Secretary of State shall, upon request of the person granted custody of the child concerned, inform the person of whether, and when, any individual who is inadmissible under clause (ii) by reason of such act has been issued a visa or otherwise authorized to enter the United States.

"(vi) ANNUAL REPORT.—The Secretary of State annually shall submit to the Committee on International Relations, the Committee on Government Reform, and the Committee on the Judiciary of the United States House of Representatives, and the Committee on Foreign Relations, the Committee on Governmental Affairs, and the Committee on the Judiciary of the United States Senate, a report that provides, with respect to the preceding year, an accounting of the number of cases known to the Secretary of State, disaggregated according to the nationality of the alien concerned—

"(I) in which an authority under this subparagraph was exercised (and with respect to

each such case, the specific ground for inadmissibility shall be specified); and

"(II) in which an authority under this subparagraph has not been exercised but in which an alien, after entry of an order by a court in the United States granting custody to a person of a United States citizen child, detained or retained the child, or withheld custody of the child, outside the United States from the person granted custody by that order.

"(vii) DEFINITIONS.—For purposes of this subparagraph—

"(I) the term 'child' means an individual who was a child at the time the individual was detained or retained, or at the time custody of the individual was withheld, as described in clause (i), regardless of the age or marital status of the individual after such time; and

"(II) the term 'sibling' includes a step-sibling or half-sibling."

MODIFICATION TO THE AMENDMENT OFFERED  
BY MR. DREIER

The amendment, as modified is as follows: Strike section 731 (page 199, line 22 through page 204, line 10) and insert the following:

**SEC. 731. SENSE OF CONGRESS REGARDING MIGRATION ISSUES BETWEEN THE UNITED STATES AND MEXICO.**

(a) FINDINGS.—The Congress finds as follows:

(1) During President Bush's first meeting with President Fox in Guanajuato, Mexico, the Presidents stated in the Joint Communique of February 16, 2001 that "we are instructing our Governments to engage, at the earliest opportunity, in formal high level negotiations aimed at achieving short and long-term agreements that will allow us to constructively address migration and labor issues between our two countries."

(2) During President Fox's official visit to Washington, D.C., the Joint Statement of September 6, 2001, summarized the meeting as follows: "The Presidents reviewed the progress made by our joint working group on migration chaired by Secretaries Powell, CastaZeda, and Creel and Attorney General Ashcroft and noted this represented the most fruitful and frank dialogue we have ever had on a subject so important to both nations. They praised implementation of the border safety initiative, and recognized that migration-related issues are deeply felt by our publics and vital to our prosperity, well-being, and the kind of societies we want to build. They renewed their commitment to forging new and realistic approaches to migration to ensure it is safe, orderly, legal and dignified, and agreed on the framework within which this ongoing effort is based. This includes: matching willing workers with willing employers; serving the social and economic needs of both countries; respecting the human dignity of all migrants, regardless of their status; recognizing the contribution migrants make to enriching both societies; shared responsibility for ensuring migration takes place through safe and legal channels. Both stressed their commitment to continue our discussions, instructing the high-level working group to reach mutually satisfactory results on border safety, a temporary worker program and the status of undocumented Mexicans in the United States. They requested that the working group provide them proposals with respect to these issues as soon as possible. The Presidents recognized that this is an extraordinarily challenging area of public policy, and that it is critical to address the issue in a timely manner and with appropriate thoroughness and depth."

(3) On September 7, 2001, during President Fox's historic State Visit to Washington, the

United States and Mexico issued a joint statement instructing our cabinet-level working group to provide us with specific proposals to forge a new and realistic framework that will ensure a safe, legal, orderly, and dignified migration flow between our countries. We have today agreed that our Cabinet level migration group should continue the work we charged it with in Guanajuato and Washington.

(4) When the Presidents met in Monterrey, Mexico, the Presidents stated in a Joint Statement on March 22, 2002, as follows: "Slightly more than one year ago, in Guanajuato, we talked about migration as one of the major ties that join our societies. We launched then the frankest and most productive dialogue our countries have ever had on this important and challenging subject. Those talks have continued over the past year, and have yielded a clearer assessment of the scope and nature of this issue. This bond between our nations can render countless benefits to our respective economies and families.

(5) Over the past year, important progress has been made to enhance migrant safety and particularly in saving lives by discouraging and reducing illegal crossings in dangerous terrain.

(6) At the conclusion of the Mexico-United States Binational Commission (BNC) meeting in Mexico City in November 2002, Secretary of State Powell's press conference was summarized by the State Department as follows: The BNC's migration working group "affirmed our strong commitment to advancing our bilateral migration agenda," he stressed, adding that "there should be no doubt in anyone's mind that this is a priority for President Bush, just as it is a priority for [Mexican] President [Vicente] Fox."

(7) Secretary Powell said no schedule had been established for a migration accord, but he confirmed that the United States and Mexico want to come up with a series of migration initiatives over the course of the next six months to a year.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) that the United States and Mexico should as soon as is practicable conclude negotiations in an attempt to reach a migration accord that is as comprehensive as possible and which addresses the key issues of concern for both nations; and

(2) that as part of any migration agreement between the United States and Mexico, the issues of the extradition of violent criminals and law enforcement cooperation between the two nations be addressed.

Mr. HYDE (during the reading). Mr. Chairman, I ask unanimous consent that the modifications be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN pro tempore. Without objection, the amendments are modified.

There was no objection.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume.

I rise in strong support of the Hyde en bloc amendments. This measure in-

cludes a number of critical amendments that were ruled in order by the Committee on Rules. They include initiatives in support of U.S. companies and U.S. workers obtaining procurement contracts from our foreign policy agencies, improvements in our visa processing system, tools to fight international child abduction, an important measure encouraging a greater role for the United Nations and for NATO in maintaining peace in Iraq, support for the women of Afghanistan, and an important plan to compel the agencies that use our diplomatic facilities to share the costs of building and protecting them.

A number of our colleagues contributed to this important package, and I would like to recognize them. I commend the gentleman from New York (Mr. CROWLEY), the gentleman from California (Mr. SCHIFF), the gentlewoman from Illinois (Ms. SCHAKOWSKY), the gentleman from New York (Mr. ACKERMAN), the gentleman from New Jersey (Mr. ANDREWS), the gentlewoman from Guam (Ms. BORDALLO), and the gentlewoman from Connecticut (Mrs. MALONEY) for their important work; and I urge all of my colleagues to support the Hyde en bloc amendments.

Mr. Chairman, I reserve the balance of my time.

Mr. HYDE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Chairman, I thank the gentleman from Illinois (Mr. HYDE) for an opportunity to talk about what has happened to manufacturing in our country and to thank the gentleman for including this amendment in the en bloc amendments.

In the latest report put out by the National Association for Manufacturing, the executive summary ends with this startling statement. "If the U.S. manufacturing base continues to shrink at its present rate and its critical mass is lost, the manufacturing innovation process will shift to other global centers. Once that happens, a decline in U.S. living standards in the future is virtually assured."

What this amendment does, it requires the State Department to increase the content of the articles, materials and supplies for construction, alteration or repair, to increase it from the 50 percent threshold to 65 percent. It is a modest amendment, but it takes the acquisitions that our government has and uses them to level the playing field so as to assure contracts to help out our precious manufacturing base.

We have lost nearly 3 million manufacturing jobs in the past 2 and a half years. Fifty-four thousand manufacturing jobs are lost every month, and that has been continuous for the past 34 months.

So we come to the United States Congress and the House of Representatives and we say something has to be done to stop the destruction of manu-

facturing in this country. This amendment helps out because it increases the content, which assures more manufacturing jobs for the manufacturers of America.

SECURING AMERICA'S FUTURE: THE CASE FOR A STRONG MANUFACTURING BASE

U.S. manufacturing is the heart of a significant process that generates economic growth and has produced the highest living standards in history. But today this complex process faces serious domestic and international challenges which, if not overcome, will lead to reduced economic growth and ultimately a decline in living standards for future generations of Americans.

Manufacturing's innovation process is the key to past, present and future prosperity and higher living standards. The intricate process starts with an idea for a new product or process, prompting investments in research and development. R&D successes lead to investments in capital equipment and workers, and to "spillovers" that benefit manufacturing and other economic sectors. This process not only generates new products and processes, but also leads to well-paying jobs, increased productivity, and competitive pricing. Yet while this process produces wealth and higher living standards, most of it is hidden from view and poorly understood.

Manufacturing's innovation process provides enormous benefits for the entire U.S. economy:

Grows the Economy—Manufacturing growth spawns more additional economic activities and jobs than any other economic sector. Every \$1 of final demand for manufactured goods generates an additional \$0.67 in other manufactured products and \$0.76 in products and services from nonmanufacturing sectors.

Invents the Future—Manufacturers are responsible for almost two-thirds of all private sector R&D—\$127 billion in 2002. Spillovers from this R&D benefit other manufacturing and nonmanufacturing firms. R&D spillovers are enhanced by geographic proximity.

Generates Productivity Increases—Manufacturing productivity gains are historically higher than those of any other economic sector—over the past two decades, manufacturing averaged twice the annual productivity gains of the rest of the private sector. These gains enable Americans to do more with less, increase our ability to compete, and facilitates higher wages for all employees.

Provides More Rewarding Employment—Manufacturing salaries and benefits average \$54,000, higher than the average for the total private sector. Two factors in particular attract workers to manufacturing: higher pay and benefits, and opportunities for advanced education and training.

Pays the Taxes—Manufacturing has been an important contributor to regional economic growth and tax receipts at all levels of government. During the 1990s, manufacturing corporations paid 30-34 percent of all corporate taxes collected by state and local governments, Social Security and payroll taxes, excise taxes, import and tariff duties, environmental taxes and license taxes.

Meanwhile, other nations, recognizing that a strong manufacturing base is the proven path to a world-class economy, have been learning from the American example and are forging their own innovation processes to compete with ours.

America's manufacturing innovation process requires a critical mass to generate wealth and higher standards of living. If the U.S. manufacturing base continues to diminish at its present rate that process may deteriorate beyond repair and with it the seedbed

of our industrial strength and competitive edge.

The most serious challenges to the long-term viability of the U.S. manufacturing base and the innovation process that underlie it are:

**Loss of Jobs—U.S. manufacturers** historically lead the way in an economic expansion, but are still struggling to recover from the recent recession. Since July 2000, manufacturing has lost 2.3 million jobs, many of which have been outsourced or relocated overseas. Manufacturing output has shown no growth since December 2001—the official end of the recession—in the weakest manufacturing recovery since 1919.

**Loss of Export Potential—Manufacturing exports** as a share of GDP have contracted since 1997, reflecting the strong dollar overseas, the impact of the recession on our trading partners, the terrorist attacks in the United States in September 2001, and increased global competition. The U.S. trade deficit has ballooned to historic highs—reflecting an increase in purchases of foreign-made goods, especially from countries which do not freely float their currencies.

**Investments are Going Elsewhere—U.S. manufacturing's share of capital investment and R&D expenditures**, once a dominant feature of our nation's commitment to progress, is diminishing. While U.S. manufacturers conduct two-thirds of private R&D, their R&D spending between 2000 and 2002 grew at only half the pace of the previous decade.

**Needs More Skilled Workers—Despite the loss of 2.3 million jobs**, manufacturing is facing a potential shortfall of highly qualified employees with specific educational backgrounds and skills, especially those specific skills needed to produce manufactured goods. If the skills and knowledge of the American workforce do not improve it will be detrimental to manufacturing's competitive edge and to the prospect for economic growth.

**Facing Dramatically Rising Costs—The cost of doing business in the United States is rising dramatically**, in large measure because of significant costs related to healthcare, litigation, and regulation. As a result, many U.S. manufacturers shut down or move production overseas to countries where they do not face, to the same extent, those kinds of impediments to reducing productions.

**U.S. manufacturing's innovation process** leads to investments in equipment and people, to productivity gains, to beneficial spillovers, and to new and improved products and processes. This intricate process generates economic growth and higher living standards superior to any other economic sector. But serious challenges threaten to undermine the critical mass of manufacturing necessary to maintain a dynamic innovation process. If the U.S. manufacturing base continues to shrink at its present rate and the critical mass is lost, the manufacturing innovation process will shift to other global centers. Once that happens, a decline in U.S. living standards in the future is virtually assured.

Mr. HYDE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding me this time.

I wanted to speak in support of the amendment which expresses a sense of the Congress that the International Boundary and Water Commission should move forward with a program that is intended to eliminate the flow of Mexican sewage across the inter-

national border in the Pacific region into waters that end up polluting the Southern California coastline and requiring a quarantine of that coastline.

Mr. Chairman, we have been urging the International Boundary and Water Commission to make treaty negotiations with Mexico on establishing a public-private partnership to construct and operate a wastewater treatment facility in Mexico as outlined in existing Public Law 106-457. To date, they have shown insignificant progress. They have shown no inclination to move forward on this important mandate which is in law, and this is a sense of Congress to urge them to get moving.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Mr. Chairman, I rise today to support the en bloc amendment, which includes a provision to bring equity between the State Department employees from Guam and other insular areas with those from the mainland United States.

Current law allows the reimbursement of travel expenses for employees and their dependents in a foreign posting to return home. However, because of a flawed definition, the State Department is prohibited from providing this benefit if the home location is a U.S. territory. My amendment would correct this problem. My amendment would include Guam, American Samoa, the Virgin Islands, Puerto Rico and the Northern Mariana Islands within the geographic definition of the United States for the purposes of educational travel from a foreign area posting. I hope that in conference this might be perfected to include all of the State Department allowances in Title V. Congress would then eliminate the need to revisit this issue for every allowance.

Let me close by giving an example of the problem that the current language imposes. A constituent of mine who is proudly serving our Nation as a State Department employee in Beijing wanted to send his son home to the University of Guam. His request was denied only to be told that Guam and the University of Guam is not in the United States.

Today, the House will right this wrong; and I would like to thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS), the ranking member, and the State Department for supporting this change.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska (Mr. BEREUTER).

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Chairman, I rise in strong support of the en bloc amendments and appreciate the fact that it includes amendment No. 22, so I thank the chairman and the ranking member.

This amendment offered by this Member begins with a set of findings

concerning the liberation of Iraq by U.S. coalition forces, the current situation on the ground and the challenges and demands facing American military forces and American taxpayers in bringing stability to Iraq.

Included in the findings is a statement by President Bush that, "The rise of Iraq as an example of moderation and democracy and prosperity is a massive and long-term undertaking," and testimony by Defense Secretary Rumsfeld that, "We certainly want assistance from NATO and from NATO countries."

This amendment exactly parallels the amendment offered by Senator BIDEN, endorsed by Senator LUGAR which passed the Senate recently by a 97-0 vote. In the operative section, the amendment expresses the sense of Congress that it is in the national security interest of the United States to remain engaged in Iraq in order to ensure a peaceful, stable, unified Iraq with a representative government.

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The amendment goes on to suggest that the President should consider a formal request for NATO to assume a greater role in Iraq and that other NATO allies and other nations should provide troops and police to coalition efforts in Iraq. Finally, the amendment again, a sense of Congress amendment, asks the President to consider calling on the United Nations to urge its member states to provide personnel and resources to stabilize and rebuild Iraq.

Let me emphasize that the amendment text makes clear that sovereign member states should provide military forces and civilian police to promote security, not the U.N. itself. The situation in Iraq is far too dangerous for a U.N. peacekeeping operation. It deserves to have the first-rate one, NATO.

Mr. Chairman, this Member believes we have no option but to remain engaged in Iraq, but this Member believes that we should seek as much assistance in this effort as possible.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1 minute to the gentleman from New Jersey (Mr. MENENDEZ).

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, I want to rise in support of the en bloc amendment and certainly recognize the wisdom that has now been included in the en bloc amendment of my original amendment in the Committee on International Relations calling for a conclusion of a migratory agreement between the United States and Mexico in the national interests of both countries. It certainly is in the national interest of the United States to regularize the border between Mexico and the United States, to make sure that the human capital that helps fuel our economy here at home can be had but in a way that is dignified on both sides.

And certainly I am happy to see the removal of the Mexican oil from the migration agreement that was not only offensive but outright wrong as far as our foreign policy is concerned. As the ranking Democrat on the Subcommittee on the Western Hemisphere, I am pleased to see that we are headed now in the right direction. I am very pleased that Democrats have led on this issue and that our Republican colleagues have joined us on it in this en bloc amendment.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2 minutes to the distinguished gentleman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for yielding time and for his extraordinary leadership on international affairs and so many issues that are important to this country.

Mr. Chairman, I am pleased to support the en bloc amendment and to note that the amendment which the gentleman from California (Mr. LANTOS) and I put forward to help women and girls in Afghanistan was included. I thank the gentleman from Illinois (Mr. HYDE).

The amendment creates the Afghan Women's Fund of not less than \$22 million per year for the years 2003, 2004, and 2005. The Afghan Women's Fund will support the efforts of the Afghan Ministry of Women's Affairs, other government ministries, and independent commissions to increase women and girls' access to health care, education, and income-earning opportunities, as well as to programs to prevent trafficking in girls and women. This amendment also ensures that not less than 15 percent of the Afghan Women's Fund will reach organizations run by Afghans, especially Afghan women.

These organizations and civil society leaders are ideal partners, as they offer extensive development experience, knowledge of the local culture, and deep connections with the people they serve. Their success is also very closely tied to the success of efforts in Afghanistan for democracy because democracies cannot stabilize without a strong civil society. The Afghan women's amendment will support Afghan women and girls as they endeavor to make their country a more stable, safer, and better place.

I thank the leadership on the Democrat and Republican side for including this important amendment.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. FILNER).

Mr. FILNER. I thank my colleague for yielding me this time. I want to thank the managers of the bill, the gentleman from Illinois (Mr. HYDE), for including in the en bloc amendment the so-called Hunter-Cunningham-Davis-Filner amendment, which deals with a rather amazing situation on the Mexico-California border in my district. Three years ago, this House

passed by unanimous vote a bill that was authored by then-Congressman Bilbray and myself which set up a process and a plan for solving the sewage problem at the border.

Mr. Chairman, there are 50 million gallons of raw sewage that flow throughout my district every day. Because the Tijuana River flows north, Mexico simply does not have the technical ability to treat its sewage, we get it, and the health of our citizens is threatened. Mr. Bilbray and I, sanctioned by this House, came up with a public-private partnership to solve this issue. Three years ago, we voted unanimously to instruct the International Boundary and Water Commission to carry out this plan. Three years and nothing has happened. Absolutely nothing has occurred to carry out the wishes of this Congress and to protect the health of the citizens of the United States. That is absolutely incredible. It is absolutely threatening to, really, the authority of the United States Congress.

What we have in the en bloc amendment is a sense of Congress saying to the IBWC, the International Boundary and Water Commission, to get to it, do something. I think they should be held in contempt of Congress myself because the Chair of that commission, in testimony to the United States Congress, to the Committee on Transportation and Infrastructure, said they were going to carry this out. He has not done so. That commission, Mr. Chairman, is in disarray. This Congress should carry out an investigation of that commission, but this is a first step in the sense of Congress resolution. I thank the managers for it.

Mr. DAVIS of Illinois. Mr. Chairman, I rise today to speak on the State Department Authorization Bill. The bill contains key provisions that will improve international relations. I commend Chairman HYDE and Ranking Member LANTOS on their hard work and dedication to international affairs.

The citizens of the United States have benefited greatly from the strides made by medical science, but despite these advances, the health status of people living in developing countries lags far behind the rest of our citizens. Funding for the United Nations Population Fund is needed to ensure that future generations in other countries prosper. The United Nations Population Fund (UNFPA) is the largest internationally funded source of population assistance to developing countries. Over the past 33 years, UNFPA has provided more than \$6 billion in assistance to more than 160 countries for voluntary family planning and maternal and child health care.

The UNFPA provides great assistance to a number of African countries. UNFPA's priorities include working to increase access to reproductive health services, improve approaches to adolescent reproductive health; promote safe pregnancy and delivery, reduce maternal mortality, provide emergency assistance in refugee situations, and prevent and treat HIV/AIDS. I am especially concerned about the HIV/AIDS epidemic in Africa. The HIV/AIDS virus infected approximately 3.5 million Africans. HR 1950 calls for \$1,000,000 for

the fiscal year 2004 to be available for HIV/AIDS research and mitigation strategies internationally.

In addition to health assistance, we need to do more to help countries in the continent of Africa with peacekeeping solutions. The diplomatic capacity at the UN needs to be enhanced to end the suffering of the people of Africa. In the country of Liberia, the people have endured and suffered bloody civil war and unrest for the past 13 years. This war is destroying the future of many Liberian children who are forced to become brutal soldiers at such young ages. We as a nation must assist the people of Liberia. We must help them reverse the deterioration of their country. This bill will provide \$40,000,000 to implement peacekeeping activities in Africa.

Heightened awareness of what we can do to improve international affairs is very important. Therefore, Mr. Chairman, I would urge all people throughout America and, quite frankly, throughout the world to pay more attention to our developing countries so that not only can we all maintain better health, but also so that we can have peace. Peace is the only way to gain prosperity.

Ms. JACKSON-LEE of Texas. Mr. Chairman and Ranking Member, I speak to you today regarding a pressing matter that deserves attention as we balance out the debate on H.R. 1950. While the stringent nature of the Rules governing the amendment process for this bill preclude my input by way of amendment, I submit that the issue of famine in Ethiopia is worthy of inclusion with the report language on this bill.

Unfortunately, even as we speak now, some 11–14 million people will go hungry in the coming months.

#### EFFECT OF FAMINE ON THE AGRICULTURE INDUSTRY

Severe drought conditions destroyed over 15 percent of the October–November 2002 harvest in Ethiopia. The resultant failure of root vegetables and green crops to grow has caused families that depend on subsistence farming to not only lack food, but also seeds for replanting next year. This situation makes the availability of genetically modified organism (GMO) seeds dangerously attractive to the hungry, inuring them to the host of side effects and ailments that have yet to be confirmed or denied by the Food and Drug Administration.

As a result of the poor arability of the land and other adverse conditions, not only are the people's crops suffering, but their livestock as well. With the mortality rate steadily rising, those remaining are experiencing a lowered body weight, which results in reduced traction, power and milk production, which again will lead to insecure food sources. Unless veterinary services improve, the death toll will continue to increase as the livestock's immune system grows weaker resulting from poor conditions and common diseases.

The combined effect of plummeting livestock prices and skyrocketing cereal prices, the poorer households face an even worse predicament in obtaining food. Their wage rate is reported to be 3 times lower in the current year than in the same period last year.

According to recent studies, there were 35,000 people in Ziquala, 34,920 people in Ambassel, 16,300 in Wadla, 17,455 in Kewet and 156,200 in the three words of South Gondar who were in need of external assistance through the upcoming months.

## ETHIOPIAN ECONOMY IN THE FACE OF FAMINE

Ethiopia's poverty-stricken economy is based on agriculture, which accounts for half of GDP, 85% of exports, and 80% of total employment. The agricultural sector suffers from frequent drought and poor cultivation practices, and as many as 4.6 million people need food assistance annually. Coffee is critical to the Ethiopian economy with exports of some \$260 million in 2000. Other important exports include live animals, hides, and gold.

The war with Eritrea in 1999–2000 and recurrent drought have buffeted the economy, in particular coffee production. In November 2001, Ethiopia qualified for debt relief from the Highly Indebted Poor Countries (HIPC) initiative. Under Ethiopia's land tenure system, the government owns all land and provides long-term leases to the tenants; the system continues to hamper growth in the industrial sector as entrepreneurs are unable to use land as collateral for loans. Despite this limitation, strong growth is expected to continue in the near term as good rainfall, the cessation of hostilities, and renewed foreign aid and debt relief push the economy forward.

## SHORT-TERM CONSEQUENCES OF INACTION OR LACK OF TIMELY REMEDIAL MEASURES

An estimated six children die of drought-related conditions daily in Ethiopia, according to one estimate. Many of them have collapsed from disease or dehydration after walking for days with their families in search of nourishment. Thousands are fleeing remote villages where wells have dried up and agencies have yet to establish food stations.

## WHO IS AT RISK?

The U.N. warns that as many as 16 million people are at risk of starvation in 10 countries across East and central Africa, from Burundi to Eritrea on the Red Sea. The crisis is most severe in Ethiopia's perpetually dry Ogaden region, where wells have gone dry, crops have withered and the skeletons of cattle and sheep lay in barren fields. Camels in Ogaden have stopped lactating, leaving children without milk, a staple in the impoverished nation.

Some Ethiopians are fortunate enough to have access to feeding centers, which supply rehydration treatments and high protein biscuits. Relief agencies are struggling to set up more centers in remote regions before residents migrate elsewhere for food. Sometimes, lack of clean drinking water, which is needed to mix the children's food into gruel, makes it impossible for centers to be stationed in some areas.

## A RICH HISTORY OF FIGHTING HUNGER IN THE 18TH CONGRESSIONAL DISTRICT

The late Honorable Mickey Leland established the House Select Committee on Hunger in 1984 and served as its chairman until his tragic death in 1989. The Select Committee was instrumental in drawing attention to the problem of hunger internationally and within the United States. On a humanitarian mission to Africa, Mickey experienced the death of a starving child in his arms. This eye-opening experience led him to redouble his efforts to fight hunger, resulting in 350,000 tons of food to aid famine victims in Ethiopia. Congressman Leland lost his life in Ethiopia trying to save more lives. I would like to work with this committee to include report language in this bill that encourages a greater emphasis on the ongoing famine and a solution to this deadly problem.

Ms. JACKSON-LEE of Texas. Mr. Chairman and Ranking Member, I speak to you today re-

garding a pressing matter that deserves attention as we balance out the debate on H.R. 1950. I appreciate the opportunity to discuss with you an issue, the relevance of which, will potentially merit inclusion into the House Reports on H.R. 1950, the State Department Authorization bill. The issue concerns the initiative of achieving international peace by way of the leadership of women.

## WOMEN LEADERS AS THE UNIVERSAL HUB IN THE PEACE PROCESS

Mr. Chairman and Ranking Member, I propose that women play any and all roles that will give them an opportunity to use their leadership skills in the peace process. Therefore, this request would include diplomatic as well as formal organizational leadership roles. I support the International Leadership Act of 2003, co-authored by you and Representative DAVID DREIER, Chairman of the House Committee on Rules and included in the bill provisions.

## WOMEN'S ROLE IN THE INTERNATIONAL LEADERSHIP ACT OF 2003

I see women leading and adding important skills to the "Democracy Caucus" proposed in the Act. The Democracy Caucus would work as a very timely vehicle for women to lead the way, especially in the area of rebuilding democratic government in post-war Iraq. With the help of the United Nations, we can prevent rogue regimes from assuming dangerous amounts of influence and taking advantage of the vulnerabilities of rebuilding nations such as Iraq and even Liberia. I would posit that fashioning the proposed diplomacy program under the Act to give women particular attention will greatly enhance the multilateral character of our ambassador fleet.

## THE OSLO SUMMIT: WOMEN'S PARTNERSHIP FOR PEACE

Mr. Chairman, I took advantage of a unique experience when I served as an Honorary Chair for the Women's Partnership for Peace in the Middle East in Oslo, Norway in June of this year. I shared a panel with an unprecedented group of more than 70 women from Israel, Palestine, the United States, Europe and Asia who met in Oslo, Norway at the Nobel Peace Institute to launch the Women's Partnership for Peace in the Middle East.

The objective of the Oslo Summit was to set clear goals and devise a plan of action for achieving a greater role for women in peace negotiations in the region and in the overall effort to achieve peace, a movement largely devoid of women's perspectives and participations. I would like to see women play a more pronounced role not only in the establishment of business opportunity but also in the peace process, and this kind of forum offers a platform that is both transnational as well as international. In training our diplomats to act as more efficient international "joints," it is critical that we deputize our strong women leaders.

## HER EXCELLENCY DR. INONGE MBIKUSITA-LEWANIKA: AN ICON OF PEACE

As a final remark and by way of example, I would like to highlight the experience and achievement of Her Excellency Dr. Inonge Mbikusita-Lewanika, Ambassador to Zambia. This woman, whom I had the honor and pleasure of presenting the Freedom Magazine Award for Human Rights Leadership on July 9, 2003 is an example of the impact a woman can have on international peace negotiations and efforts.

If I may chronicle a few of her accomplishments, she was appointed as a special envoy

to the African Union and allowed to advance the movement of women in her nation in the effort for peace. Her various posts have decorated her career with great international breadth and astute conflict-resolution skill: UNICEF Regional Advisor for Families and Children in 19 countries; as stated above, a Peace Envoy convening numerous peace missions such as the Organization for African Unity; and the United Nations-sponsored peace mission to Rwanda amidst the period of human rights atrocity and genocide. In fact, Her Excellency Lewanika is one of the few prominent African women to serve in United Nations missions for war-torn African nations. Moreover, she understands the importance and the benefits of structuring and maintaining an organized democratic government and an effective electoral process. These initiatives are evidenced by her audacious efforts to lead a 1,000-member observe team from the Electoral Institute of Southern Africa to Zimbabwe's parliamentary elections and to spearhead the nine-member resignation from the Ruling Party in Zambia due to findings of corruption and lack of vision in 1993, whereupon she was elected Founding President of the Opposition National Party. Furthermore, her positions of leadership in organizations such as the Forum for Parliamentarians for Peace in Eastern and Southern Africa; the African Women Committee for Peace and Development; the Women Development Association; and the Federation of African Women's Peace Networks, heading the first delegation of women for peace to Ethiopia and Eritrea during the bloody and tumultuous border war Zambia's Opposition Party, Agenda for Zambia as President, exemplifies her tenacity and willingness to commit the time and effort that is required to follow through on organization mission statements rather than spewing forth rhetoric and flowery speeches absent any real action.

For the reasons stated above, I would hope that these concerns regarding women involved in international peace efforts can be included in report language during conference.

Ms. JACKSON-LEE of Texas. Mr. Chairman and Ranking Member, I speak to you today regarding a pressing matter that deserves attention as we balance out the debate on H.R. 1950. I appreciate the opportunity to discuss with you an issue, the relevance of which, will potentially merit inclusion into the House Reports on H.R. 1950, the State Department Authorization bill. The issue concerns a nation that was founded during the nineteenth century by freed American slaves. Once a nation founded on the premises of freedom and opportunity, the Liberia of today is wrought with political upheaval and social unrest.

Within the last twenty years, Liberia has been the site of intense devastation and profound loss due to almost two decades of civil war. The latest war has lasted for approximately three years and has caused immense disruption to the social and political fabric of the region.

The health infrastructure in Liberia has crumbled, schools have become refugee camps, and the people have taken the law into their own hands. Nearly half of the Liberian population has been forced to flee to neighboring countries or to internationally assisted camps in Liberia. Large numbers of innocent, young children are being made into

child soldiers. Those children that are fortunate enough to escape the life of forced military service are often left with little to no options aside from living on the streets. This conflict has brought about political destabilization on a mass scale, increased economic disparity, and what can only be described as societal chaos. And although a ceasefire was recently agreed upon, fighting and civil disobedience within the country has yet to subside.

Charles Taylor has exacerbated the civil war in Liberia since 1989 when he led the armed military faction that initiated a seven-year civil war in Monrovia. Of the emerging military factions in Liberia during this unsettling time, the group led by Charles Taylor was arguably the most dangerous and recalcitrant. An attempted peace process in mid-1996 resulted in the unexpected election of Charles Taylor as president. Although Liberia appeared to have entered into a time of normalcy, the killing and harassment of notable opposition leaders and the censure of Liberia's print and radio media raised doubts among many observers and prompted immediate concern from the U.S. as well as the rest of the international community. In 1999, President Taylor was charged with aiding the Revolutionary Front (RUF) rebels fighting the Sierra Leonean government. The U.S. has subsequently pursued unilateral policies that directly target the Taylor government.

The U.S. has had a long historical relationship with Liberia dating back to its original founding. Views diverge on whether the U.S. should provide Liberia with any assistance and if so what type of how much. The extensive historical involvement between U.S. and Liberia obligates, in my opinion, our government to take special responsibility to answer Liberia's humanitarian and developmental needs, promote an effective democracy, and work diligently to stop human rights abuses. Liberia has served as an important ally for the U.S. particularly during the Cold War era; it is in recognition of this long-standing relationship that the U.S. should serve as a vigilant presence in the efforts to bring calm and civility to this war-ravaged country.

Of course this is not the first time that U.S. presence has been requested to aid in the restoration of civility in a nation. Our involvement with conflicts and civil strife in Haiti, Bosnia, and Kosovo are a few of the more recent examples of successful humanitarian interventions. We were certainly more than willing to involve ourselves in Iraq under the auspices of terrorism and global peace; if peace be our aim, then we should have no qualms about coming to the aid of Liberian citizens. The question we should ask is why there is any hesitation to become involved with Liberia when there are well-established historical ties to this country. It is vital that the U.S. send in U.S. peacekeeping and humanitarian aid to support the Economic Community of West African States.

We know that Charles Taylor needs to go. He has been negating the peace process for years and it is therefore high time that he make his exit, once and for all.

The rhetoric put forth by those on the other side of the table, on the surface, speak to the dangers and long-term global implications of external intervention. However, we are quite selective about the dangers we are willing to face and the implications we are willing to

make in the name of peace. What determines this difference? I think that those on the other side simply view Liberia as a region of non-strategic importance for U.S. foreign policy interests. This type of biased selectivity is unproductive and ineffective in the global community in which we live.

A consistent supply of humanitarian aid in the form of shelter, food, water, and medical care should be supplied to the region as well. In essence, we must do all we can to ensure that peace and stability return to Liberia once and for all. I hope to monitor the debate on this need and would hope that report language could be included in the report of the bill on helping Liberia now!

Mr. WEXLER. Mr. Chairman, I rise in support of the amendment offered by the four co-chairs of the Congressional Taiwan Caucus endorsing Taiwan's entrance into the World Health Organization.

It is unconscionable that 23 million Taiwanese are precluded from receiving the benefits of membership in the WHO. This politicized exclusion has deprived the people of Taiwan from a number of progressive health care developments, impaired its crisis response teams and created a wall of separation between Taiwan's medical field and that of the rest of the world. Moreover, Taiwan's exclusion from the WHO has deprived the international community from the invaluable contributions of Taiwan has made to promote medical research and global health.

Never were the affects of Taiwan's exclusion from the WHO more pronounced than this past year, when Taiwan was denied assistance from the WHO to diagnose and treat suspected cases of SARS—a disease which caused over 800 deaths, 84 of which occurred in Taiwan. Despite the extraordinary grave health conditions posed by SARS, the WHO repeatedly rejected Taiwan's requests for help, and consequently endangered the lives of its entire population.

Unconscionably, the WHO's decisions were based—not upon its concern for the people of Taiwan—but rather, on short-sided political considerations and China's rejection of Taiwan's membership in the WHO.

Mr. Chairman, health is an issue that transcends borders and politics. As the pace of globalization quickens, so too does the spread of infectious disease. In this post-SARS world, it clear that all nations—including Taiwan—must work together to promote global health, combat disease and ensure the safety of their citizens in organizations like the WHO.

This amendment makes a clear and uncompromising declaration of U.S. support for Taiwan's candidacy for observer status in the WHO and secures an even stronger commitment from President Bush and the State Department in this regard. I urge the Bush Administration, which has taken bold steps to assist Taiwan in the past, to bring this issue to a vote at the World Health Assembly in May 2004.

Mr. Chairman, the SARS crisis further highlights the urgency of combating disease on a global scale. It is apparent that until Taiwan's 23 million citizens become members of the WHO, they will continue to be deprived of the critical assistance needed to fight infectious disease and safeguard its people from harm.

Today, I strongly urge my colleagues to support this amendment, which protects the health interests of the people of Taiwan and

ensures that they will not fall victim to the next global health crisis.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of an amendment to support human rights in Vietnam. This important amendment will impose a significant penalty on the dictators in Hanoi for their ongoing and egregious persecution of their own people.

During the 107th Congress, I introduced H.R. 2833, legislation designed to address the human rights situation in Vietnam. It passed the House by an overwhelming 410–1 margin, but stalled in the Senate. This year, I introduced nearly identical legislation, H.R. 1587, with 30 original cosponsors.

Many felt that the ratification of the Bilateral Trade Agreement with Vietnam in 2001 would lead to an improvement in human rights. Unfortunately, the human rights situation in Vietnam has deteriorated dramatically since this agreement, especially for Montagnard Christians in the Central Highlands of Vietnam. Legislation to address the serious human rights situation is needed now more than ever.

In late 2002 the Government of Vietnam launched a fresh wave of arrests and crackdowns against peaceful critics of the Vietnamese government, its policy of repression, and its corrupt practices. Unfortunately, Dr. Nguyen Dan Que, one of the country's greatest human rights leaders who has already endured two lengthy prison sentences, was arrested on March 17. This is a government that consistently pursues a policy of harassment, discrimination, and intimidation, and, increasingly in the last three years, imprisonment and other forms of detention, against those who peacefully express dissent from government's extreme policies against religion and freedom. This is a government that punishes not just individuals who oppose them, but also often their family members.

At its Seventh Plenum in January 2003, the Communist Party's Central Committee issued a resolution calling for the establishment of cells of Communist Party members within each of Vietnam's six approved religions in order to foil "hostile forces." All religious groups in Vietnam face great restrictions and suffer some form of persecution.

To address these and other abuses, my amendment, based on the text of H.R. 1587: requires the President to issue a certification each year on the progress of the regime towards respecting human rights; prohibits an increase in nonhumanitarian U.S. assistance unless the regime shows improvement; seeks to fund the efforts of NGOs who promote democracy in Vietnam and help to overcome the jamming of Radio Free Asia; helps ensure continued access of refugees to our refugee resettlement programs; and requires the State Department to give detailed reports about the status of human rights in Vietnam that include victims lists.

Unfortunately, the list of human rights abuses carried out by the regime goes on and on. Buddhists, Protestants, Catholics and members of indigenous Vietnamese religions are subject to persecutions that include detention and imprisonment of both religious leaders and believers, church closings, and confiscation of religious and personal property. One of the most courageous religious leaders imprisoned is Father Nguyen Van Ly, a Catholic priest.

Tens of thousands of children suffer exploitation as workers and many Vietnamese suffer

under the government's official export labor program, in which the government forces its own people to endure involuntary servitude and debt bondage.

As Chairman of the House Veterans Affairs Committee, I am particularly concerned about the continued persecution of the Montagnards, who were some of our greatest allies during the war. Many of our pilots are alive today and have families because they were rescued by Montagnards after bailing out of downed aircraft. We receive numerous and credible reports that allege that Montagnards are being imprisoned, tortured and systematically relocated to infertile lands by the Communist Party leaders in retaliation for their past loyalty to America. This past December, Vietnamese soldiers reportedly threatened to shoot Montagnard Christians if they celebrated Christmas, and several were arrested and tortured.

I would like to submit the findings of H.R. 1587, which lay out a more complete case of Human Rights in Vietnam, to the CONGRESSIONAL RECORD. They were kept out of this amendment because of their length, but they speak loudly with respect to the regime and the world about the egregious human rights abuses occurring in Vietnam.

Vietnam's continued policy of harassment, discrimination, intimidation, and persecution of religious and human rights leaders is shameful. The Vietnam Human Rights amendment in the State Department Authorization Bill sends as strong a message that this persecution and tyranny will not be tolerated.

FINDINGS FROM H.R. 1587, "THE VIETNAM HUMAN RIGHTS ACT"

Congress finds the following:

(1) Viet Nam is a one-party state, ruled and controlled by the Vietnamese Communist Party.

(2)(A) The Government of Viet Nam denies the people of Viet Nam the right to change their government and prohibits independent political, social, and labor organizations.

(B) The Government of Viet Nam prohibits and hinders the formation of civil society in Viet Nam.

(3)(A) The Government of Viet Nam consistently pursues a policy of harassment, discrimination, and intimidation, and sometimes of imprisonment and other forms of detention, against those who peacefully express dissent from government or party policy. This policy includes collectively punishing family members of individuals targeted for persecution. A government decree allows detention without trial for 6 months to 2 years.

(B) Following the United States ratification of the Bilateral Trade Agreement with Viet Nam in 2001, the human rights situation in Viet Nam has remained extremely poor. For certain groups, such as the Montagnards, and other ethnic minorities in Central and North Vietnam, conditions have deteriorated dramatically. In late 2002, the Government of Viet Nam launched a fresh wave of arrests and crackdowns against peaceful critics of the Vietnamese Government, its policy of repression, and its corrupt practices.

(C) Recent victims of such mistreatment, which violates the rights to freedom of expression and association recognized in the Universal Declaration of Human Rights, include Dr. Nguyen Dan Que, a leading human rights activist who was arrested on March 17, 2003, and has already served two lengthy prison sentences, Dr. Nguyen Thanh Giang, Most Venerable Thich Huyen Quang, Most Venerable Thich Quang Do, linguist Tran Khue, businessman Nguyen Khac Toan, jour-

nalist Nguyen Vu Binh, publicist Le Chi Quang, writer Hoang Tien, military historian Pham Que Duong, Hoang Minh Chinh, Tran Dung Tien, Hoang Trong Dung, Nguyen Vu Viet, Nguyen Truc Cuong, Nguyen Thi Hoa, Vu Cao Quan, Nguyen The Dam, Nguyen Thi Thanh Xuan, Father Chan Tin, author Duong Thu Huong, poet Bui Minh Quoc, Dr. Nguyen Xuan Tu (Ha Si Phu), Dr. Pham Hong Son, Mai Thai Linh, Most Venerable Thich Huyen Quang, Most Venerable Thich Quang Do, Father Nguyen Van Ly, Pastor Nguyen Lap Ma, Father Phan Van Loi, numerous leaders of the Hoa Hao Buddhist Church and of independent Protestant churches, and an undetermined number of members of the Montagnard ethnic minority groups who participated in peaceful demonstrations in the Central Highlands of Viet Nam during February 2001.

(4) The Government of Viet Nam systematically deprives its citizens of the fundamental right or organized religious activities outside the state's control. Although some freedom of worship is permitted, believers are forbidden to participate in religious activities except under circumstances rigidly defined and controlled by the Government:

(A)(i) In April, 1999 the Government issued a Decree Concerning Religious Activities, which declared in pertinent part that "[a]ll activities using religious belief in order to oppose the State of the Socialist Republic of Viet Nam, to prevent the believers from carrying out civic responsibilities, to sabotage the union of all the people, and against the health culture of our nation, as well as superstitious activities, will be punished in conformity with the law".

(ii) All public religious activities must be approved by the Government in advance. The United States Commission on International Religious Freedom in October 2002 recommended that Viet Nam be classified as a country of particular concern. At its Seventh Plenum in January 2003, the Communist Party's Central Committee issued a resolution calling for the establishment of cells of Communist Party members within each of Vietnam's 6 approved religions in order to foil "hostile forces".

(B)(i) The Unified Buddhist Church of Viet Nam (UBCV), the largest religious denomination in the country, has been declared illegal by the Government, and over the last 27 years its clergy have often been imprisoned and subjected to other forms of persecution. The Patriarch of the Unified Buddhist Church, 85-year-old Most Venerable Thich Huyen Quang, has been detained for 25 years in a ruined temple in an isolated area of central Viet Nam.

(ii) Most Venerable Thich Quang Do, the Executive President of the Unified Buddhist Church, has also been in various forms of detention since 1977, and was recently re-arrested and placed under house arrest after he had proposed to bring Most Venerable Thich Huyen Quang to Saigon for medical treatment.

(iii) Many other leading Buddhist figures, including Thich Hai Tang, Thich Khong Tanh, Thich Thai Hoa, Thich Tue Si, Thich Quang Hue, Thich Tam An, Thich Nguyen Ly, Thich Thanh Huyen, Thich Thong Dat, Thich Chi Mau, Thich Chi Thang, Thich Chon Niem, Thich Thanh Quang are under tight surveillance. Several members of the UBCV have fled to Cambodia.

(C)(i) The Hao Hoa Buddhist Church was also declared to be illegal until 1999, when the Government established an organization which purports to govern the Hao Hoa. According to the United States Commission on International Religious Freedom, "[t]his organization is made up almost entirely of Communist Party members and apparently is not recognized as legitimate by the vast

majority of Hao Hoas . . . [n]evertheless, [this government-sponsored organization] has sought to control all Hao Hoa religious activity, particularly at the Hao Hoa village, which is the center of Hao Hoa religious life".

(ii)(I) Hao Hoa believers who do not recognize the legitimacy of the government organization are denied the right to visit the Hao Hoa village, to conduct traditional religious celebrations, or to display Hao Hoa symbols. Many have been arrested and subjected to administrative detention, and several Hao Hoa have been sentenced to prison terms for protesting these denials of religious freedom.

(II) The Government interferes with Hao Hoa efforts to conduct charitable works, and prohibits public celebration to commemorate the founder's disappearance as well as the distribution of the founder's teachings. The Government controls greatly the leadership selection process of the Cao Dais, another indigenous Vietnamese religion.

(III) At least the following Hao Hoa believers are known to be in prison or house detention: Ha Hai, Tran Van Be Cao, Tran Nguyen Huon, Phan Thi Tiem, Le Quang Liem, Nguyen Van Dien, Le Minh Triet, and Vo Van Thanh Liem.

(D)(i) Independent Protestants, most of whom are members of ethnic minority groups, are subjected to particularly harsh treatment by the Government of Viet Nam. According to the United States Commission on International Religious Freedom, such treatment includes "police raids on homes and house churches, detention, imprisonment, confiscation of religious and personal property, physical and psychological abuse, and fines for engaging in unapproved religious activities (such as collective worship, public religious expression and distribution of religious literature, and performing baptisms, marriages, or funeral services) . . . [i]n addition, it is reported that ethnic Hmong Protestants have been forced by local officials to agree to abandon their faith".

(ii)(I) According to human rights activists in Viet Nam, 2 secret central plans—Plan 184A and 184B—issued in 1999 by the Communist Party to combat Protestant believers were fully implemented throughout the country, and led to a crackdown on the Protestant movement, especially in the Central and Northern Highland areas.

(II) An estimated 14,000 Christians fled from the North to the Central Highlands in the past 5 years. According to the Southern Evangelical Church of Viet Nam, the Government of Viet Nam forcibly closed 354 of the 412 churches in Dak Lak province, 56 pastors from the Central Highlands have disappeared, and at least 43 evangelical Montagnards have been sentenced to prison. Freedom House has reported on the beating death of Hmong Christian Mua Bua Senh by police authorities.

(E)(i) Other religious organizations, such as the Catholic Church, are formally recognized by the Government but are subjected to pervasive regulation which violates the right to freedom of religion. For instance, the Catholic Church is forbidden to appoint its own bishops without Government consent, which is frequently denied, to accept seminarians without specific official permission, and to profess Catholic doctrines which are inconsistent with Government policy. Government restrictions on the seminary process have caused a severe shortage of priests.

(ii) A Catholic priest, Father Nguyen Van Ly, was arrested in March 2001 and remains in detention after submitting written testimony to the United States Commission on International Religious Freedom. On October 19, 2001, he was sentenced to a total of 20 years of imprisonment and house arrest; the

trial in Hue took place closed to the public and without a defense lawyer.

(iii) In October 2002, the Vietnamese Bishops Conference took an unprecedented step when they protested to the National Assembly about the persecutions endured by Catholic ethnic minorities.

(F) The Government has also confiscated numerous churches, temples, and other properties belonging to religious organizations. The vast majority of these properties—even those belonging to religious organizations formally recognized by the Government—have never been returned.

(5)(A) Since 1975 the Government of Viet Nam has persecuted veterans of the Army of the Republic of Viet Nam and other Vietnamese who had opposed the Viet Cong insurgency and the North Vietnamese invasion of South Viet Nam. Such persecution typically included substantial terms in “re-education camps”, where detainees were often subjected to torture and other forms of physical abuse, and in which many died.

(B) Re-education camp survivors and their families were often forced into internal exile in “New Economic Zones”. Many of these former allies of the United States, as well as members of their families, continue until the present day to suffer various forms of harassment and discrimination, including denial of basic social benefits and exclusion from higher education and employment.

(6)(A) The Government of Viet Nam has been particularly harsh in its treatment of members of the Montagnard ethnic minority groups of the central Highlands of Viet Nam, who were the first line in the defense of South Viet Nam against invasion from the North and who fought courageously beside members of the Special Forces of the United States, suffering disproportionately heavy casualties, and saving the lives of many of their American and Vietnamese comrades-in-arms.

(B) Since 1975 the Montagnard peoples have been singled out for severe repression, in part because of their past association with the United States and in part because their strong commitment to their traditional way of life and to their Christian religion is regarded as inconsistent with the absolute loyalty and control demanded by the Communist system. The Government employs a policy of assimilation and oppression against the Montagnards, forcibly displacing them from their ancestral lands to make way for North Vietnamese settlers, coffee plantations, and logging operations.

(C) Between February and March 2001, several thousand members of the mountain tribes Djarai, Bahnar, and Rhade from the provinces of Pleiku, Gialai, and Daklak took part in a series of peaceful demonstrations to demand the release of 2 Montagnard Christians, religious freedom and restoration of their confiscated lands. The Government responded by closing off the Central Highlands and sending in military forces, tanks and helicopter gunships. Hundreds of demonstrators were injured. Altogether, more than 200 people, among them 60 evangelical priests and tribal chieftains, were arrested. Some regions of the Central Highlands remain closed to journalists and foreign diplomats.

(D) Credible reports by refugees who have escaped to Cambodia indicate that the Government has executed some participants in the demonstrations and has subjected others to imprisonment, torture, and other forms of physical abuse.

(E) The Government of Viet Nam has also taken steps to prevent further Montagnards from escaping, and there are credible reports that Vietnamese security forces in Cambodia are offering bounties for the surrender of Montagnard asylum seekers.

(F) According to Human Rights Watch, in December 2002 [The Government] arrested or

detained dozens of highlanders and banned Christmas church services in order to prevent minority Christians from gathering. Six highlanders were detained during the third week in December in Krong Ana and Cu Jut districts, Dak Lak, during Christmas prayer services, while another eight were taken into custody as they are attempting to cross the border to Cambodia. Villagers throughout the Central Highlands were warned they would face fines and even imprisonment if they organized Christmas services. In many areas authorities banned gatherings of four or more people.

(7) The Government of Viet Nam has also persecuted members of other ethnic minority groups, including the Khmer Kron from the Mekong Delta, many of whom fought alongside United States military personnel during the Viet Nam war and whose Hinayana Buddhist religion is not among those recognized by the Government.

(8) The Government of Viet Nam also engages in or condones serious violations of the rights of workers. In August 1997, the United Nations Children's Fund (UNICEF) reported that child labor exploitation is on the rise in Viet Nam with tens of thousands of children under 15 years of age being subject to such exploitation. The government's official labor export program also has subject workers, many of whom are women, to involuntary servitude, debt bondage, and other forms of abuse, and the reaction of government officials to worker complaints of such abuse has been to threaten the workers with punishment if they do not desist in their complaints. The government of Viet Nam has made some minor efforts to improve this situation, but enforcement of child labor laws remains weak, and the child exploitation still persists.

(9)(A) United States refugee resettlement programs for Vietnamese nationals, including the Orderly Departure Program (ODR), the Resettlement Opportunities for Returning Vietnamese (ROVR) program, and resettlement of boat people from refugee camps throughout Southeast Asia, were authorized by law in order to rescue Vietnamese nationals who have suffered persecution on account of their wartime associations with the United States, as well as those who currently have a well-founded fear of persecution on account of race, religion, nationality, political opinion, or membership in a particular social group.

(B) In general, these programs have served their purposes well. However, many refugees who were eligible for these programs were unfairly denied or excluded, in some cases by vindictive or corrupt Communist officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. These unfairly excluded refugees include some of those with the most compelling cases, including many Montagnard combat veterans and their families.

(C) The Department of State has agreed to extend the September 30, 1994, registration deadline for former United States employees, “re-reduction”, survivors, and surviving spouses of those who did not survive “re-education” camps to sign for United States refugee programs.

(D) The Department of State has agreed to resume the Vietnamese In-Country Priority One Program in Viet Nam to provide protection to victims of persecution on account of race, religion, nationality, political opinion, or membership in a particular social group who otherwise have no access to the Orderly Departure Program.

(E) The Bureau of Citizenship and Immigration Service in the Department of Homeland Security has agreed to resume the proc-

essing of former United States employees under the U11 program, which had been unilaterally suspended by the United States Government.

(F) The Bureau of Citizenship and Immigration Service has agreed to review the applications of Americans, children of America servicemen left behind in Viet Nam after the war ended in April 1975, for resettlement to the United States under the Amerasian Homecoming Act of 1988.

(10) The Government of Viet Nam systematically jams broadcasts by Radio Free Asia, and independent broadcast service funded by the United States in order to provide news and entertainment to the people of countries in Asia whose government deny the right to freedom of expression and of the press.

(11) In 1995 the Governments of the United States and Viet Nam announced the “normalization” of diplomatic relations. In 1998 then-President Clinton waived the application of section 402 of the Trade Act of 1974 (commonly known as the “Jackson-Vanik Amendments”, which restricts economic assistance to countries with non-market economies whose government also restrict freedom of emigration. In 1999 the Governments of the United States and Viet Nam announced “an agreement in principle,” on a bilateral trade agreement. This agreement was signed in 2000 and came into effect on December 10, 2001.

(12) The Congress and the American People are united in their determination that the extension or expansion of trade relations with a country whose Government engaged in serious and systematic violations of fundamental human rights must be considered as a statement of approval or complacency about such practices. The promotion of freedom and democracy around the world—and particularly for people who have suffered in large part because of their past association with the United States and because they share our values—is and must continue to be a central objective of United States foreign policy.

Mr. ISSA. Mr. Chairman, I rise today in support of the Hunter amendment. This amendment is critically important in both its timing and substance. The beaches of San Diego County are suffering from a massive pollution problem that has crippled the tourism industry and disrupted the lives of thousands of beach enthusiasts. For the past few years, pollution has forced San Diego County beaches to close for as many as 200 days of the year. This problem originates from an estimated 60 million gallons of raw sewage that is pumped into the Tijuana River in Mexico on a daily basis. The problem has grown from a minor annoyance to a major health crisis.

I find it frustrating that this problem was to have been addressed by the International Boundary and Water Commission (IBWC) in 2000, yet little has been done since then. On September 12, 2000, the House passed the Tijuana River Valle Estuary and Beach Sewage Cleanup Act, which required the IBWC to negotiate a resolution to this problem with the government of Mexico. So what has been happening these past three years? A review of the progress on this project is a frustrating lesson in the damage that an ineffective and slow-moving bureaucracy can do to a good idea.

The IBWC opposed the idea of building a wastewater treatment plant in Mexico because they insisted on maintaining total control over the project. They demanded the authority and the extra money they felt they needed to build it on the U.S. side of the border. In their effort



to develop this plant, the IBWC completely lost financial control of the project, forcing Congress to cap it at \$239 million—over \$100 million more than had been authorized for the project. Despite the massive cost overrun, the plant still did not meet U.S. Clean Water Act standards and may soon be forced to close as a result of numerous Clean Water Act violations.

In an attempt to find an innovative solution to this problem, the House authorized a public-private partnership that will keep the cost for a new plant low, while meeting the need to provide water treatment for the City of Tijuana. Furthermore, an estimated 56 percent of Tijuana's water needs will be met by reclaimed water from this proposed plant. More importantly, this project will be built in Mexico, at the source of the problem and it will be built quicker and cheaper than any public-only alternative.

This amendment requires the IBWC to make this project a priority and finally, after 70 years of misery for San Diego beach communities, end the pollution problem that has damaged our coastline. This project is critical for the future of San Diego County, and it is critical for California. I urge my colleagues to support this amendment.

Mr. STEARNS. Mr. Chairman, I am grateful to the Rules Committee for making this amendment in order that I might take this opportunity to lend the support of Congress to the Office of Children's Issues who will now act as the central authority on the Hague Convention on intercountry adoption. This office will act in the best interest of the child and the families by facilitating the placement of children in permanent homes while making certain that the strictest protection guidelines are in place throughout the process.

There are too many children in this country and abroad who are growing up without a family. Tonight, around the world, no one knows how many children will go to bed in orphanages. There is no United States agency or international organization that counts the number of children who are warehoused in institutions. The U.S. has proven that it has an interest in and the ability to adopt children that would otherwise grow up without a family in their own country. This year the State Department expects that 21–25 thousand children will be brought to this country and placed in permanent, loving homes. That number speaks of a huge victory in the fight for abandoned children throughout the world. The numbers prove that the office of Children's Issues could be a powerful ally in the fight against the harmful institutionalization of children worldwide. Unfortunately, some powerful international organizations believe that, with respect to the child, even institutionalization is better than adoption outside a child's home country. While everyone would hope that a child could find a loving, permanent family within their home country, we recognize that intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her country of origin.

The office of Children's Issues will soon assume their new responsibility as the central authority for the Hague Convention. In this capacity, they will act to assist in the placement of children into families of this country while working to protect those children who are at risk for exploitation in vulnerable regions of the

world. This office will also increase our nation's ability to protect children by establishing a system by which agencies may be accredited to ensure a transparent placement process. As such, understanding that it must take measures to ensure that intercountry adoptions are made in the best interest of the child, the office will not only work to ensure that all of these adoptions are conducted with respect to the fundamental rights of the child, they will also work to prevent the abduction of, sale of, or trafficking in children.

In this new role, the office will find their duties greatly expanded and we hope that this amendment will express the support of Congress not only to the efforts of the State Department on behalf of intercountry adoption, but also to the Commerce, Justice, and State Appropriations Committee whose job it will be to ensure that the Office of Children's Issues has sufficient resources to continue their work on behalf of the millions of children in orphanages throughout the world.

I am thankful to the Chairman for his support of the amendment and would urge Members who wish to support the State Department's role in intercountry adoptions to also support the amendment.

Mrs. DAVIS of California. Mr. Chairman, Imperial Beach, the city which is the brilliant cornerstone on the Southwestern point of our country, has a beautiful beach as well as a unique location. However, for too many days of the year, this natural resource cannot be enjoyed by its children, families, and visitors.

Unfortunately, the burgeoning city of Tijuana located just across the border and the source of the Tijuana River lacks adequate sewage treatment. As a result, particularly when rain falls on the mesas and canyons along this border, raw sewage and other pollutants are washed into the Tijuana River, flow across the Tijuana Estuary on the Imperial Beach side of the border, and empty into the Pacific Ocean just next to the beautiful sand of Imperial Beach.

Congress enacted Public Law 106–457 in 2000 to authorize the International Boundary and Water Commission, composed of representatives of both the United States and Mexico, to complete a new Treaty Minute for creation of a public-private partnership to construct and operate a wastewater treatment facility in Mexico. However, this has not occurred.

As members of Congress, our San Diego delegation has sought to resolve this issue through repeated questions of members of the IBWC. However, they have not been forthcoming. Therefore, this amendment is needed to make completion of this agreement not only obligatory but also to require monthly reports from that Commission on its progress to the appropriate congressional committees.

The community of Imperial Beach has been prevented from fully using its natural resource for too many years. It is time to require action.

Mr. HEFLEY. Mr. Chairman, my amendment is intended to highlight a troubling situation in Indonesia.

On August 31, 2002, the staff of the International School in West Papua, Indonesia decided to take a picnic. The teachers lived and worked in Tembagapura, a company town located high in the mountains near the Grasberg gold and copper mine. The group of eleven people, including a six-year old child, drove in two vehicles to a picnic site about ten miles

away on the road to Timika. Because it began to rain, they decided to return to town for lunch.

The road they were traveling on is not an ordinary road. The road is surrounded by the gold and copper mine, and is heavily guarded by the Indonesian military. At both ends of this mountain road are military check points, which seals the road and control access to Tembagapura.

As they returned home, the group was brutally attacked by a band of terrorists. Two Americans, Ted Burgon (from Oregon) and Rick Spier (from Colorado), and an Indonesian man were killed in the ambush. The attack, which occurred less than a half-mile away from an Indonesian military check point, went on for approximately 45 minutes. Hundreds of rounds were fired at the teachers and their vehicles. Most of the survivors, including the six-year old child, were shot. Several of the teachers were shot multiple times and suffered horrible injuries.

Ted Burgon of Sunriver, Oregon was killed and his wife Nancy suffered facial cuts and abrasions. Rick Spier of Littleton, Colorado was killed, and his wife Patsy was shot in the back and foot. Francine Goodfriend of Rockford, Illinois was shot and has a spinal cord injury. Steven Emma of Broward County, Florida was shot in the legs, buttocks, and suffered injuries to his back. Lynn Poston of Olga, Washington was shot in the shoulder and legs. Suandra Hopkins of Sunriver, Oregon was shot in the side, legs, and pellets around the eye and his wife Taia was shot in the buttocks.

Following the attack, the Indonesian Police promptly began in investigation. They collected evidence, interviewed witnesses and reconstructed the ambush. The Indonesian Police issued a report (that I ask for unanimous consent to submit for the record) concluding, "there is a strong possibility that the Tembagapura case was perpetrated by members of the Indonesian National Army Force, however, it still needs to be investigated further."

In early November 2002, the Sydney Morning Herald reported that "United States intelligence agencies have intercepted messages between Indonesian army commanders indicating that they were involved in staging an ambush at the remote mine in which three school teachers, two of them Americans, were killed. . . ." The Washington Post has reported these same intelligence intercepts.

Despite this intelligence, the investigation of the attack has faltered. The Indonesian Police have been effectively removed from the case due to their report that implicated the military. The two senior Indonesian police officers who uncovered evidence of the army's involvement have been transferred to new posts, and the investigation has now been handed over to a joint military police team. Not surprisingly, the Indonesian military has exonerated itself. American investigative teams, including the FBI, have not been able to complete their investigations due mainly to the Indonesian military's refusal to cooperate and its tampering of evidence.

The evasions and obstructions of the Indonesian military are wholly unacceptable, and it is incumbent upon this Congress to see that a thorough investigation is conducted. The victims of this brutal attack deserve no less. My amendment is, therefore, intended to ensure

that the perpetrators of this heinous crime against Americans are brought to justice. To the extent that the Indonesian military was involved, the United States should insist on criminal prosecution of all involved parties.

My amendment would limit Indonesia from receiving International Military Education and Training (IMET) funds until the President certifies to Congress that the Government of Indonesia and the Indonesian Armed Forces are taking effective measures, including cooperating with the Director of the FBI, in conducting a full investigation of the attack and to criminally prosecute the individuals responsible for the attack.

My amendment will not prohibit the United States from continuing to conduct programs or training with the Indonesian Armed Forces, including counter-terrorism training, officer visits, port visits, or educational exchanges that are being conducted on the date of enactment it would prevent future exchanges.

Mr. Chairman, this amendment is important. It gives voice to our commitment that the United States will hold accountable the perpetrators and protectors of terrorism. We will exhaust every means to protect our citizens. We will pursue terrorists wherever they may be and hold to account. We will demand justice for attacks against our citizens and withhold aid from those countries that do not cooperate in bringing terrorists to justice. As President Bush has stated, "if you are not with us you are against us." It is time for Indonesia to choose who it will align itself with, the terrorists or the coalition of nations that bring them to justice.

Make no mistake, a vote against this amendment is a vote against holding nations accountable for terrorist attacks.

Mr. LANTOS. Mr. Chairman, I yield back the balance of my time.

Mr. HYDE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The question is on the amendments en bloc, as modified, offered by the gentleman from Illinois (Mr. HYDE).

The amendments en bloc, as modified, were agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 17 printed in House Report 108-206.

AMENDMENT NO. 17 OFFERED BY MR. HOSTETTLER

Mr. HOSTETTLER. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

1 Amendment No. 17 offered by Mr. HOSTETTLER:

Page 70, after line 2, insert the following new section (and conform the table of contents accordingly):

**SEC. 231. ISSUANCE OF CONSULAR IDENTIFICATION CARDS BY FOREIGN MISSIONS.**

(a) ISSUANCE OF CONSULAR IDENTIFICATION CARDS.—The Congress finds that foreign governments have been issuing consular identification cards to foreign nationals in the United States for purposes other than those intended by the Vienna Convention on Consular Relations (done at Vienna on 24 April 1963).

(b) ISSUANCE OF CONSULAR IDENTIFICATION CARDS.—The issuance by foreign missions of

consular identification cards shall be considered a benefit to a foreign mission under section 203(2) of the State Department Basic Authorities Act of 1956 and shall be regulated by the Secretary in accordance with this section and section 204 of that Act.

(c) AUTHORITY TO ISSUE REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall issue regulations consistent with this section with respect to the issuance by foreign missions in the United States of consular identification cards to foreign nationals residing in the United States.

(d) CONTENT OF REGULATIONS.—Regulations referred to in subsection (c) shall include the following restrictions and requirements:

(1) NOTIFICATION TO THE UNITED STATES GOVERNMENT.—A foreign mission shall notify the Secretary of State of each consular identification card issued within the United States, including the name and current address within the United States of the recipient of a card.

(2) ISSUANCE TO BONA FIDE CITIZENS OF THE COUNTRY OF ORIGIN.—A foreign mission may issue a consular identification card only to a national of the country represented by the foreign mission. Foreign missions shall establish procedures to verify the nationality of card recipients through either national birth registry systems or voter registration identification systems, and bona fide documents such as a passport issued by the country of origin.

(3) MAINTENANCE OF ACCURATE AND COMPLETE RECORDS.—A foreign mission shall maintain at the mission complete and accurate records of all consular identification cards issued and shall maintain an automated record system that contains such records in a manner that can be rapidly accessed to prevent duplicate or fraudulent issuance of such cards.

(4) ADDRESS CHANGE NOTIFICATION REQUIREMENT.—A foreign mission shall require card recipients to notify the foreign mission of any change of address within 30 days after such address change.

(5) ACCESS TO AUDIT RECORDS.—At the request of the Secretary of State, a foreign mission shall make available for audit and review, by the Secretary or the Inspector General of the Department of State, the records of all consular identification cards issued.

(e) FAILURE TO ADHERE TO REGULATIONS.—

(1) If the Secretary of State determines that a foreign mission has issued consular identification cards in violation of the requirements of regulations related to the issuance of such cards by foreign missions and such violation potentially threatens the security of the United States or facilitates fraudulent or criminal acts, the Secretary of State shall notify the government of the country represented by the foreign mission that the foreign mission must suspend the issuance of consular identification cards until compliance with applicable regulations is established.

(2) If the foreign mission of a country fails to suspend issuance of consular identification cards in accordance with a notification under paragraph (1), the Secretary of State shall direct consular officials in that country to cease the issuance of immigrant or non-immigrant visas, or both, to nationals of that country until such time as the Secretary of State determines that the foreign mission of that country is in compliance with the requirements of regulations related to the issuance of such cards by foreign missions.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from Indiana (Mr. HOSTETTLER)

and the gentleman from New Jersey (Mr. MENENDEZ) each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, I yield myself 1 minute.

This amendment establishes, Mr. Chairman, requirements that must be met by foreign governments in issuing consular identification cards in the United States and authorizes the Secretary of State to regulate the issuance of those documents.

In the last 2 years, foreign governments have issued more than 1.5 million consular cards in the United States. Recent testimony by the FBI before the Subcommittee on Immigration, Border Security, and Claims, which I chair, highlights the need for such requirements. The FBI explained that the most commonly issued of these cards are vulnerable to fraud and forgery, posing both criminal threats and a potential terrorist threat. The requirements set forth in the amendment will address these flaws.

It is important to note that this amendment does not address the acceptance of these documents in the United States, nor does it prohibit their issuance so long as the foreign mission complies with the requirements of the amendment. Rather, it simply extends the Secretary of State's authority under the Foreign Missions Act to regulate consulates to include their issuance of consular ID cards.

Further, this amendment does not violate our responsibilities under the Vienna Convention. In light of these facts, I urge passage of the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MENENDEZ. Mr. Chairman, I yield myself such time as I may consume.

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, this amendment may seem by the way it was just described rather innocuous, but it is rather outrageous. It is a thinly veiled attempt to end something called the matricula consular.

To start with, this amendment could create a negative boomerang effect on the United States. The amendment tells other countries' consulates what they can and cannot do above and beyond existing law. Do we want other countries to do the same to us? Do we want other countries to tell our consulates how we can relate to our own citizens abroad? This is an unprecedented attempt to change how a country can relate to its own nationals in a host country. I think it is a patently improper interpretation of the Foreign Missions Act and the Vienna Convention on Consular Affairs. The amendment would set a dangerous precedent for our embassies abroad.

But let me get to the core issue. This amendment is another anti-immigration tactic designed to get rid of the

matricula consular. Basically, they have loaded this amendment with requirements that are unreasonable for workers in this country to be able to achieve. How can migrant workers be expected to notify their own mission within 30 days every time they move? And we expect poor people from rural areas to produce all of the records that they suggest. This makes no sense. And then in a final attempt to completely get rid of the matricula consular, they included a punishment so strong that many countries might simply stop using it. If a country fails to comply with these onerous provisions, the United States would stop issuing immigrant and nonimmigrant visas. What country could take that risk?

I do not quite understand it. I thought we had a victory collectively in moving into the right way in our bilateral relations with Mexico. This amendment takes us another step back. Over and over again, Members on the other side of the aisle have shown their true feelings about some of the issues on the Hispanic community, the immigrant communities; and this amendment is no exception.

I strongly urge my colleagues to vote against this outrageous and dangerous amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HOSTETTLER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. HYDE), chairman of the Committee on International Relations.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, increasingly, foreign governments have been lobbying localities in the United States to accept their consular cards as valid identification. At least two countries now issue consular cards in the U.S. for these purposes and many others are planning to do so. No standards govern those cards, and there is little information on which localities can rely in deciding whether to accept a country's consular card. All this amendment does is clarify the Secretary of State's power to ensure that issuance of these cards is rational and safe.

By authorizing the Secretary of State to regulate these cards and setting requirements that countries must meet in issuing the cards, this amendment will allow localities to make informed decisions on whether to accept such documents. Regulation of the cards will also protect the American people from the risks that unregulated and unreliable documents pose. Those risks were underscored recently by the FBI, which determined that because of their vulnerability to fraud and forgery, these cards pose criminal threats as well as a potential terrorist threat. The requirements in this amendment will address those threats by deterring fraud and improving the reliability of consular identification cards.

The amendment also provides an enforcement mechanism that empowers

the Secretary of State to regulate consulates' compliance with these requirements. It is appropriate to vest this responsibility in the State Department. Not only does its Office of Foreign Missions currently regulate the activities of foreign consulates in the U.S. but the Department will also bring to this role its expertise in evaluating foreign documents. This amendment is needed to allow the State Department necessary authority to regulate foreign consulates in a changing environment. For this reason, I urge passage of this amendment.

Mr. Chairman, I just would like to respond to my friend from New Jersey who every time someone offers an amendment or a bill trying to get a handle on illegal immigration, known as undocumented, where we have God knows how many people in this country living in substandard style because of the illegality of their presence, and it could be in the millions, it does not mean there is some antipathy toward a racial group or an ethnic group at all. It is just a feeble attempt to get a handle on the borders of our country and who is here and who is not.

□ 1700

The problem is not getting better. It is getting worse. But trying to do something about it in good faith does not manifest the hostility at all. We are all immigrants sooner or later or back far enough, but I really resent the conclusion the gentleman draws that all Republicans do not like people of different ethnicity. I would say just the opposite.

Mr. MENENDEZ. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the chairman's concern. I resent the constant surge of amendments that confront particularly a single community.

Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from California (Mr. BERMAN), senior member of the Committee on International Relations who has worked on these issues.

(Mr. BERMAN asked and was given permission to revise and extend his remarks.)

Mr. BERMAN. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in very strong opposition to the amendment. I have to say to the chairman of the committee, if this amendment were to pass, there will be no such card and the issue of finding out where the undocumented people are and who they are will not be enhanced one bit because no one who is here in undocumented status will give their accurate address if they know it is going to be turned over to the administration for enforcement. So the amendment totally undermines the goal of the chairman of the committee in his comments.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. I have 20 seconds. Can I take it on the gentleman's time?

Mr. HYDE. Mr. Chairman, I just want to say no card is better than a misleading card.

Mr. BERMAN. Mr. Chairman, that is where I believe where a card which truly reflects the identity of the person who is getting it, which this card does, helps the police. It helps banks know to open checking accounts, to stop loan sharks who are trying to put incredible surcharges on remittances.

Most of all, it is the sanction of this amendment where they have the gall to say that if the Mexican or any other government refuses to comply with the State Department's guidelines, we will penalize any employer in the United States who wanted to get specialized H-1B visa for a Mexican national, anyone who has stayed in Mexico and waited in line for 8 years, no nonimmigrant visas, no immigrant visas. What an outrageous sanction for people who are abiding by the law, for American employers and American families who are trying to reunite. The sanction has no relationship whatsoever to the conduct the author of the amendment is seeking to address.

I strongly urge the body to vote no.

Mr. Chairman, I rise in strong opposition to this amendment.

In recent weeks we have held a number of hearings on the issue of identity cards issued by foreign states to their nationals in the United States. In these hearings, representatives of the Departments of Justice, Homeland Security, and State have testified that they are participating in an interagency working group that is studying the issuance of these cards and developing a policy on their use. I look forward to seeing the result of their work.

In the meantime, we have been presented with this very troublesome amendment.

There are three very important reasons to oppose this amendment:

It will encourage fraud. This amendment lays out a policy for the State Department to implement and part of that policy would be require foreign states issuing these identity cards to provide the name and address of every cardholder to the State Department. Knowing as we do that many of these cards are held by undocumented aliens in the United States, we can be sure that if the cardholders know that their address is being sent to the United States government they will be less likely to provide an accurate address.

This would totally undermine the benefits of these cards to state and local law enforcement. We have to solve the problem of undocumented aliens in this country, but in the meantime, undocumented aliens are living in our states and cities.

Police Departments across the country have decided to accept this card when other identification is not available. Having some form of ID is better than having none.

This amendment tells the State Department to implement a policy on these cards and then requires State to order another sovereign nation to stop issuing cards to its own nationals if that foreign government does not comply with the policy. While it is certainly our business to decide what forms of identification we accept from foreign nationals, it is not the business of our government to order another government to stop issuing identification to its citizens.

Finally, under the Hostettler amendment, a foreign state's refusal to comply with a State Department order to stop issuing identification to its citizens would result in the State Department instituting a ban on visas for the offending country. This makes absolutely no sense. Under this logic, we would punish nationals of a country, refuse them visas for which they qualify—for family reunification or to accept a job. We would punish these lawful immigrants, their families, and U.S. employers because some nationals of their country might have a meaningless ID. This punishes those who follow the rule because there are some who might not.

Mr. Chairman, I strongly urge my colleagues to oppose this amendment. It is bad for foreign policy; it is bad for domestic policy; and we should reject it.

Mr. HOSTETTLER. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. GALLEGLY).

(Mr. GALLEGLY asked and was given permission to revise and extend his remarks.)

Mr. GALLEGLY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, the FBI and the Department of Homeland Security have serious national security concerns regarding the issuance of consular cards. The FBI concluded the matricula consular is not a reliable form of identification due to the nonexistence of any means to verify the true identity of the card holder. The FBI also testified that, although there are many generations of the Mexican consular card, 90 percent of those in circulation are the older generation, which are very vulnerable to counterfeit and forgery.

The truth is that Poland, Mexico, Nicaragua, and other countries that are trying to expand their consular ID programs in the United States are doing so in an effort to allow illegal immigrants to receive services to which they are not entitled. One service is the ability to use such cards to board commercial airplanes. Mr. Chairman, this is a dramatic step backwards toward the type of security we had before 9/11.

In addition, the six countries currently expanding the consular card programs could easily be 60 in the next few years.

I strongly urge my colleagues to advocate that the United States Federal Government, through the Department of State, regulate the issuance of those cards.

Mr. MENENDEZ. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Texas (Mr. HINOJOSA) who resides and deals with the border all the time.

(Mr. HINOJOSA asked and was given permission to revise and extend his remarks.)

Mr. HINOJOSA. Mr. Chairman, I rise in strong opposition to the Hostettler-Gallegly amendment. It is a thinly veiled attack on the consular ID card that has been used by the Embassy of Mexico for over 130 years, sometimes

referred to as the Matricula Consular card.

Contrary to what the Hostettler-Gallegly amendment contends, Mexico and other foreign governments have been issuing consular identification cards to foreign nationals in the United States following precisely the guidelines established by the Vienna Convention on Consular Relations. This amendment would constitute a violation of that convention.

Under that convention, consular function is established as "performing any other functions entrusted to a consular post which are not prohibited by the laws and regulations of the receiving state." There is no U.S. Federal law which forbids the issuance of consular ID cards. In fact, the Treasury Department has issued regulations under section 326 of the PATRIOT Act that would allow the financial institutions to accept consular ID cards as valid forms of ID for the purpose of opening accounts.

Mr. Chairman, I rise in strong opposition to the Hostettler/Gallegly amendment. It is a thinly veiled attack on the Consular ID Card that has been issued by the Embassy of Mexico for over 131 years, sometimes referred to as the Matricula Consular card.

Contrary to what the Hostettler-Gallegly amendment contends, Mexico and other foreign governments have been issuing consular identification cards to foreign nationals in the United States following precisely the guidelines established by the Vienna Convention on Consular Relations. This amendment would constitute a violation of that convention.

Under that convention, consular function is established as "performing any other functions entrusted to a consular post which are not prohibited by the laws and regulations of the receiving State." There is no U.S. Federal law which forbids the issuance of Consular ID cards.

In fact, the Treasury Department has issued regulations under Section 326 of the PATRIOT Act that would allow financial institutions to accept Consular ID cards as valid forms of ID for the purpose of opening accounts. More than 100 financial institutions accept these cards as valid forms of ID. Police Departments across the United States praise the use of these cards, because they enable them to identify foreign nationals.

The State Department adamantly opposes this amendment because an Interagency Working Group is already working to address the issue of Consular ID cards. Consequently, this amendment prejudices the outcome of the Interagency Working Group's efforts.

The State Department also has reciprocity concerns. The U.S. does, in certain instances, issue Consular ID cards to American nationals overseas.

The State Department fears reciprocal retaliation from overseas if the amendment were to pass.

These Consular ID cards are simply identification cards. They do not legalize the status of any immigrant.

They cannot be used to obtain any immigration or citizenship benefits such as work authorization or to obtain public benefits.

Their continued use, with consultations between the U.S. and Mexican governments, will

foster greater transparency and increase security in the United States.

For these reasons and many others, I strongly urge my colleagues to oppose this amendment.

Mr. BACA. Mr. Chairman, I rise in strong opposition to the Tancredo Amendment.

I have always been a strong advocate of efforts that give Hispanics and other minorities greater access to our financial services system.

Whether that means providing more financial literacy programs or approving the use of the matricula consular card, we must do what it takes to make sure that every person in this country can live the American dream.

That is why I am here today.

When we look to the future, we have to make sure that it includes people of all races and all colors. We must give all members of our society the tools they need to fully participate and benefit from our great democracy.

Unfortunately, there are those in this body who are trying to shut the doors on our immigrant community.

They do not care that there are as many as 10 million American households that do not have bank accounts. That is not acceptable.

Hispanics deserve the same opportunity others have to buy a home, invest in a business, pay for a college education, and improve the financial security of their families.

How do we do this? We do this by giving everyone the keys that open the doors to our financial system.

Everyone deserves the opportunity to open a bank account or get a credit card. We cannot have a society of "haves" and "have-nots."

That is why Arrowhead Credit Union in my district, Wells Fargo, Bank of America, and credit unions and banks across the country support the use of the matricula consular.

They understand that when you hurt our most vulnerable members of our society, we all lose.

The support that financial institutions have given to these cards is matched by the support we have received from local law enforcement organizations.

In my district, the Rialto police department recently decided to accept matricula consular cards, joining the police departments in Chino, Colton, Fontana, Indio, Redlands, San Bernardino, and Upland.

There are now more than 100 law enforcement agencies in California that accept the matricula card.

I trust our local law enforcement officers, our first responders, to protect our communities. I urge you to do the same.

I urge all my colleagues to vote NO on the Hostettler/Gallegly/Tancredo amendment.

Mr. SOLIS. Mr. Chairman, I rise in strong opposition to this amendment.

If passed, it would require the State Department to heavily regulate foreign government's issuance of identification documents.

If the State Department determines that a foreign government is not in compliance with the issued regulations, a foreign government could have to suspend issuance of the identification documents and stop issuing visas to individuals from that country altogether.

The amendment would violate the Vienna Convention on Consular Relations and U.S. citizens living abroad.

If the U.S. does not acknowledge valid foreign IDs, others have no obligation to recognize U.S. IDs.

It's clear to me that this amendment is an attack on the Mexican consular ID and the millions of Mexicans living in the U.S. and elsewhere who use it daily as a form of identification.

The matricula plays a vital role in our homeland security efforts by enabling the reliable identification of millions of Mexicans living and working in the United States.

800 police departments, various local governments, and at least 80 banks have accepted the matricula because it increases public safety, national security, and our economic competitiveness.

Law enforcement understands that the matricula helps identify people, including suspects, witnesses, and those who come forward to report crimes and suspicious activities.

The matricula is a safe, secure form of identification.

It has a number of extremely sophisticated security features, including a digitized photo, in-person consular interviews and review of supporting documentation, as well as standards for supporting documentation that are more demanding than those used for U.S.-government issued IDs.

Acceptance of the Mexican consular ID has a proven track record of increasing public safety.

Failure to recognize it would preclude millions of Mexicans living and working in the U.S. to identify themselves and assist in our homeland security efforts.

I urge my colleagues to vote against the Hostettler-Gallegly amendment.

The CHAIRMAN pro tempore (Mr. SWEENEY). The question is on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MENENDEZ. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: Amendment No. 6 offered by the gentleman from Texas (Mr. PAUL), amendment No. 7 offered by the gentleman from Iowa (Mr. KING), amendment No. 8 offered by the gentleman from California (Mrs. TAUSCHER), and amendment No. 17 offered by the gentleman from Indiana (Mr. HOSTETTLER).

The first electronic vote will be conducted as a 15-minute vote. Remaining votes will be conducted as 5-minute votes.

AMENDMENT NO. 6 OFFERED BY MR. PAUL

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas

(Mr. PAUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 74, noes 350, not voting 10, as follows:

[Roll No. 364]

AYES—74

- |                 |              |             |
|-----------------|--------------|-------------|
| Barrett (SC)    | Foley        | Pence       |
| Barton (TX)     | Forbes       | Platts      |
| Bilirakis       | Franks (AZ)  | Pombo       |
| Bishop (UT)     | Garrett (NJ) | Putnam      |
| Boozman         | Gibbons      | Renzi       |
| Burgess         | Goode        | Rogers (AL) |
| Burton (IN)     | Hayes        | Rohrabacher |
| Cannon          | Hostettler   | Royce       |
| Cantor          | Istook       | Ryun (KS)   |
| Carter          | Johnson, Sam | Schrock     |
| Coble           | Jones (NC)   | Sessions    |
| Collins         | Keller       | Shadegg     |
| Crane           | Kingston     | Shuster     |
| Cubin           | Lucas (OK)   | Smith (MI)  |
| Culberson       | Manzullo     | Stearns     |
| Davis, Jo Ann   | Miller (FL)  | Sullivan    |
| Deal (GA)       | Moran (KS)   | Tancredo    |
| DeLay           | Musgrave     | Taylor (MS) |
| DeMint          | Myrick       | Taylor (NC) |
| Diaz-Balart, M. | Neugebauer   | Tiahrt      |
| Doolittle       | Neu          | Tiberi      |
| Duncan          | Norwood      | Weldon (FL) |
| Everett         | Obey         | Wilson (SC) |
| Feeney          | Otter        | Young (AK)  |
| Flake           | Paul         |             |

NOES—350

- |                |                 |               |
|----------------|-----------------|---------------|
| Abercrombie    | Cardin          | Ford          |
| Ackerman       | Cardoza         | Fossella      |
| Aderholt       | Carson (IN)     | Frank (MA)    |
| Akin           | Carson (OK)     | Frelinghuysen |
| Alexander      | Case            | Frost         |
| Allen          | Castle          | Gallegly      |
| Andrews        | Chocola         | Gerlach       |
| Baca           | Clay            | Gilchrest     |
| Bachus         | Clyburn         | Gillmor       |
| Baird          | Cole            | Gingrey       |
| Baker          | Conyers         | Gonzalez      |
| Baldwin        | Cooper          | Goodlatte     |
| Ballance       | Costello        | Gordon        |
| Ballenger      | Cox             | Goss          |
| Bass           | Cramer          | Granger       |
| Beauprez       | Crenshaw        | Graves        |
| Becerra        | Crowley         | Green (TX)    |
| Bell           | Cummings        | Green (WI)    |
| Bereuter       | Cunningham      | Greenwood     |
| Berman         | Davis (AL)      | Grijalva      |
| Berry          | Davis (CA)      | Gutierrez     |
| Biggart        | Davis (FL)      | Gutknecht     |
| Bishop (GA)    | Davis (IL)      | Hall          |
| Bishop (NY)    | Davis (TN)      | Harman        |
| Blackburn      | Davis, Tom      | Harris        |
| Blumenauer     | DeFazio         | Hart          |
| Blunt          | DeGette         | Hastings (FL) |
| Boehlert       | Delahunt        | Hastings (WA) |
| Boehner        | DeLauro         | Hefley        |
| Bonilla        | Deutsch         | Hensarling    |
| Bonner         | Diaz-Balart, L. | Herger        |
| Bono           | Dicks           | Hill          |
| Boswell        | Dingell         | Hinchey       |
| Boucher        | Doggett         | Hinojosa      |
| Boyd           | Dooley (CA)     | Hobson        |
| Bradley (NH)   | Doyle           | Hoefel        |
| Brady (PA)     | Dreier          | Hoekstra      |
| Brady (TX)     | Dunn            | Holden        |
| Brown (OH)     | Edwards         | Holt          |
| Brown (SC)     | Ehlers          | Honda         |
| Brown, Corrine | Emanuel         | Hooley (OR)   |
| Brown-Waite,   | Emerson         | Houghton      |
| Ginny          | Engel           | Hoyer         |
| Burns          | English         | Hulshof       |
| Burr           | Eshoo           | Hunter        |
| Buyer          | Etheridge       | Hyde          |
| Calvert        | Evans           | Inslee        |
| Camp           | Farr            | Isakson       |
| Capito         | Fattah          | Israel        |
| Capps          | Filner          | Issa          |
| Capuano        | Fletcher        | Jackson (IL)  |

- |                  |                  |               |
|------------------|------------------|---------------|
| Jackson-Lee (TX) | Michaud          | Schakowsky    |
| Jenkins          | Miller (MI)      | Schiff        |
| John             | Miller (NC)      | Scott (GA)    |
| Johnson (IL)     | Miller, Gary     | Scott (VA)    |
| Johnson, E. B.   | Miller, George   | Sensenbrenner |
| Jones (OH)       | Mollohan         | Serrano       |
| Kanjorski        | Moore            | Shaw          |
| Kaptur           | Moran (VA)       | Shays         |
| Kelly            | Murphy           | Sherman       |
| Kennedy (MN)     | Murtha           | Sherwood      |
| Kennedy (RI)     | Nadler           | Shimkus       |
| Kildee           | Napolitano       | Simmons       |
| Kilpatrick       | Neal (MA)        | Simpson       |
| Kind             | Nethercutt       | Skelton       |
| King (IA)        | Northup          | Slaughter     |
| King (NY)        | Nunes            | Smith (NJ)    |
| Kirk             | Nussle           | Smith (TX)    |
| Klecza           | Oberstar         | Smith (WA)    |
| Kline            | Olver            | Snyder        |
| Knollenberg      | Ortiz            | Solis         |
| Kolbe            | Osborne          | Souder        |
| Kucinich         | Ose              | Spratt        |
| LaHood           | Owens            | Stark         |
| Lampson          | Oxley            | Stenholm      |
| Langevin         | Pallone          | Strickland    |
| Lantos           | Pascrell         | Stupak        |
| Larsen (WA)      | Pastor           | Sweeney       |
| Larson (CT)      | Payne            | Tanner        |
| Latham           | Pearce           | Tauscher      |
| LaTourette       | Pelosi           | Tauzin        |
| Leach            | Peterson (MN)    | Terry         |
| Lee              | Peterson (PA)    | Thomas        |
| Levin            | Petri            | Thompson (CA) |
| Lewis (CA)       | Pickering        | Thompson (MS) |
| Lewis (GA)       | Pitts            | Thornberry    |
| Lewis (KY)       | Pomeroy          | Tierney       |
| Linder           | Porter           | Toomey        |
| Lipinski         | Portman          | Towns         |
| LoBiondo         | Price (NC)       | Turner (OH)   |
| Lofgren          | Pryce (OH)       | Turner (TX)   |
| Lowey            | Quinn            | Udall (CO)    |
| Lucas (KY)       | Radanovich       | Udall (NM)    |
| Lynch            | Rahall           | Upton         |
| Majette          | Ramstad          | Van Hollen    |
| Maloney          | Rangel           | Velazquez     |
| Markey           | Regula           | Visclosky     |
| Marshall         | Rehberg          | Vitter        |
| Matheson         | Reyes            | Walden (OR)   |
| Matsui           | Reynolds         | Walsh         |
| McCarthy (MO)    | Rodriguez        | Wamp          |
| McCarthy (NY)    | Rogers (KY)      | Waters        |
| McCollum         | Rogers (MI)      | Watson        |
| McCotter         | Ros-Lehtinen     | Watt          |
| McCrery          | Ross             | Waxman        |
| McDermott        | Rothman          | Weiner        |
| McGovern         | Roybal-Allard    | Weldon (PA)   |
| McHugh           | Ruppersberger    | Weller        |
| McInnis          | Rush             | Wexler        |
| McIntyre         | Ryan (OH)        | Whitfield     |
| McKeon           | Ryan (WI)        | Wicker        |
| Gordon           | Sabo             | Wilson (NM)   |
| McNulty          | Sanchez, Linda   | Wolf          |
| Meehan           | T.               | Woolsey       |
| Meek (FL)        | Sanchez, Loretta | Wu            |
| Meeks (NY)       | Sanders          | Wynn          |
| Menendez         | Sandlin          | Young (FL)    |
| Mica             | Saxton           |               |

NOT VOTING—10

- |               |           |              |
|---------------|-----------|--------------|
| Bartlett (MD) | Gephardt  | Johnson (CT) |
| Berkley       | Hayworth  | Millender-   |
| Chabot        | Janklow   | McDonald     |
| Ferguson      | Jefferson |              |

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SWEENEY) (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1729

Messrs. McDERMOTT, LINDER, MATHESON, CASTLE, MEEKS of New York, ABERCROMBIE, HOLT, and GRAVES changed their vote from "aye" to "no."

Messrs. NEY, KINGSTON, SMITH of Michigan, YOUNG of Alaska, SCHROCK, PUTNAM, and CRANE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1730

AMENDMENT NO. 7 OFFERED BY MR. KING OF IOWA

The CHAIRMAN pro tempore (Mr. SWEENEY). The pending business is the demand for a recorded vote on amendment No. 7 offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as 5-minute votes.

The vote was taken by electronic device, and there were—ayes 187, noes 237, not voting 10, as follows:

[Roll No. 365]

AYES—187

|                 |               |               |
|-----------------|---------------|---------------|
| Aderholt        | Garrett (NJ)  | Otter         |
| Akin            | Gibbons       | Paul          |
| Alexander       | Gingrey       | Pearce        |
| Bachus          | Goode         | Pence         |
| Baker           | Goodlatte     | Peterson (MN) |
| Ballenger       | Gordon        | Peterson (PA) |
| Barrett (SC)    | Granger       | Petri         |
| Bartlett (MD)   | Graves        | Pickering     |
| Barton (TX)     | Green (TX)    | Pitts         |
| Bass            | Green (WI)    | Platts        |
| Beauprez        | Gutknecht     | Pombo         |
| Bilirakis       | Hall          | Porter        |
| Bishop (UT)     | Harris        | Portman       |
| Blackburn       | Hastings (WA) | Putnam        |
| Blunt           | Hayes         | Radanovich    |
| Bonilla         | Hefley        | Ramstad       |
| Bonner          | Hensarling    | Regula        |
| Boozman         | Herger        | Rohrbacher    |
| Bradley (NH)    | Hobson        | Renzi         |
| Brady (TX)      | Hoekstra      | Rogers (AL)   |
| Brown (SC)      | Holden        | Rogers (KY)   |
| Brown-Waite,    | Hostettler    | Rogers (MI)   |
| Ginny           | Hulshof       | Rohrabacher   |
| Burgess         | Hunter        | Royce         |
| Burns           | Isakson       | Ryan (WI)     |
| Burr            | Issa          | Ryun (KS)     |
| Burton (IN)     | Istook        | Saxton        |
| Buyer           | Jenkins       | Schrock       |
| Calvert         | Johnson, Sam  | Sensenbrenner |
| Camp            | Jones (NC)    | Sessions      |
| Cannon          | Keller        | Shadegg       |
| Cantor          | Kelly         | Shaw          |
| Carter          | Kennedy (MN)  | Shimkus       |
| Chabot          | King (IA)     | Shuster       |
| Chocola         | Kingston      | Simpson       |
| Coble           | Kline         | Skelton       |
| Collins         | LaHood        | Smith (MI)    |
| Cox             | Latham        | Smith (TX)    |
| Cramer          | Lewis (KY)    | Souder        |
| Crane           | Linder        | Stearns       |
| Crenshaw        | LoBiondo      | Stenholm      |
| Cubin           | Lucas (OK)    | Sullivan      |
| Culberson       | Lynch         | Sweeney       |
| Cunningham      | Manzullo      | Tancredo      |
| Davis (TN)      | McCotter      | Tauzin        |
| Davis, Jo Ann   | McCrery       | Taylor (MS)   |
| Deal (GA)       | McInnis       | Taylor (NC)   |
| DeFazio         | McIntyre      | Terry         |
| DeLay           | Mica          | Thornberry    |
| DeMint          | Miller (FL)   | Tiahrt        |
| Diaz-Balart, M. | Miller (MI)   | Tiberi        |
| Doolittle       | Miller, Gary  | Toomey        |
| Duncan          | Moran (KS)    | Turner (OH)   |
| Dunn            | Murphy        | Vitter        |
| Everett         | Musgrave      | Walden (OR)   |
| Feeney          | Myrick        | Wamp          |
| Flake           | Nethercutt    | Weldon (FL)   |
| Fletcher        | Neugebauer    | Whitfield     |
| Foley           | Ney           | Wicker        |
| Forbes          | Northup       | Wilson (SC)   |
| Fossella        | Norwood       | Young (AK)    |
| Franks (AZ)     | Nunes         | Young (FL)    |
| Galleghy        | Nussle        |               |

|                 |                |                  |
|-----------------|----------------|------------------|
| Abercrombie     | Grijalva       | Obey             |
| Ackerman        | Gutierrez      | Olver            |
| Allen           | Harman         | Ortiz            |
| Andrews         | Hart           | Osborne          |
| Baca            | Hastings (FL)  | Ose              |
| Baird           | Hill           | Owens            |
| Baldwin         | Hinchev        | Oxley            |
| Ballance        | Hinojosa       | Pallone          |
| Becerra         | Hoefel         | Pascrell         |
| Bell            | Holt           | Pastor           |
| Bereuter        | Honda          | Payne            |
| Berman          | Hooley (OR)    | Pelosi           |
| Berry           | Houghton       | Pomeroy          |
| Biggert         | Hoyer          | Price (NC)       |
| Bishop (GA)     | Hyde           | Pryce (OH)       |
| Bishop (NY)     | Inslee         | Quinn            |
| Blumenauer      | Israel         | Rahall           |
| Boehler         | Jackson (IL)   | Rangel           |
| Boehner         | Jackson-Lee    | Reyes            |
| Bono            | (TX)           | Reynolds         |
| Boswell         | John           | Rodriguez        |
| Boucher         | Johnson (IL)   | Ros-Lehtinen     |
| Boyd            | Johnson, E. B. | Ross             |
| Brady (PA)      | Jones (OH)     | Rothman          |
| Brown (OH)      | Kanjorski      | Roybal-Allard    |
| Brown, Corrine  | Kaptur         | Ruppersberger    |
| Capito          | Kennedy (RI)   | Rush             |
| Capps           | Kildee         | Ryan (OH)        |
| Capuano         | Kilpatrick     | Sabo             |
| Cardin          | Kind           | Sanchez, Linda   |
| Cardoza         | King (NY)      | T.               |
| Carson (IN)     | Kirk           | Sanchez, Loretta |
| Carson (OK)     | Klecza         | Sanders          |
| Case            | Knollenberg    | Sandlin          |
| Castle          | Kolbe          | Schakowsky       |
| Clay            | Kucinich       | Schiff           |
| Clyburn         | Lampson        | Scott (GA)       |
| Cole            | Langevin       | Scott (VA)       |
| Conyers         | Lantos         | Serrano          |
| Cooper          | Larsen (WA)    | Shays            |
| Costello        | Larson (CT)    | Sherman          |
| Crowley         | LaTourrette    | Sherwood         |
| Cummings        | Leach          | Simmons          |
| Davis (AL)      | Lee            | Slaughter        |
| Davis (CA)      | Levin          | Smith (NJ)       |
| Davis (FL)      | Lewis (CA)     | Smith (WA)       |
| Davis (IL)      | Lewis (GA)     | Snyder           |
| Davis, Tom      | Lipinski       | Solis            |
| DeGette         | Lofgren        | Stark            |
| Delahunt        | Lowe           | Strickland       |
| DeLauro         | Lucas (KY)     | Stupak           |
| Deutsch         | Majette        | Tanner           |
| Diaz-Balart, L. | Maloney        | Tauscher         |
| Dicks           | Markey         | Thomas           |
| Dingell         | Marshall       | Thompson (CA)    |
| Dogett          | Matheson       | Thompson (MS)    |
| Dooley (CA)     | Matsui         | Tierney          |
| Doyle           | McCarthy (MO)  | Towns            |
| Dreier          | McCarthy (NY)  | Turner (TX)      |
| Edwards         | McCollum       | Udall (CO)       |
| Ehlers          | McDermott      | Udall (NM)       |
| Emanuel         | McGovern       | Upton            |
| Engel           | McHugh         | Van Hollen       |
| English         | McKeon         | Velazquez        |
| Eshoo           | McNulty        | Visclosky        |
| Etheridge       | Meehan         | Walsh            |
| Evans           | Meek (FL)      | Walters          |
| Farr            | Meeks (NY)     | Watson           |
| Fattah          | Menendez       | Watt             |
| Filner          | Michaud        | Waxman           |
| Ford            | Miller (NC)    | Weiner           |
| Frank (MA)      | Miller, George | Weldon (PA)      |
| Frelinghuysen   | Mollohan       | Weller           |
| Frost           | Moore          | Wexler           |
| Gerlach         | Moran (VA)     | Wilson (NM)      |
| Gilchrest       | Murtha         | Wolf             |
| Gillmor         | Nadler         | Woolsey          |
| Gonzalez        | Napolitano     | Wu               |
| Goss            | Neal (MA)      | Wynn             |
| Greenwood       | Oberstar       |                  |

NOT VOTING—10

|          |              |            |
|----------|--------------|------------|
| Berkley  | Hayworth     | Millender- |
| Emerson  | Janklow      | McDonald   |
| Ferguson | Jefferson    | Spratt     |
| Gephardt | Johnson (CT) |            |

□ 1738

So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MRS. TAUSCHER  
The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 8 of-

ferred by the gentlewoman from California (Mrs. TAUSCHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 207, noes 219, not voting 8, as follows:

[Roll No. 366]

AYES—207

|                |                |                  |
|----------------|----------------|------------------|
| Abercrombie    | Goodlatte      | Obey             |
| Allen          | Gordon         | Olver            |
| Andrews        | Graves         | Osborne          |
| Baird          | Green (TX)     | Owens            |
| Baldwin        | Grijalva       | Pallone          |
| Ballance       | Gutierrez      | Pastor           |
| Becerra        | Harman         | Paul             |
| Bell           | Hastings (FL)  | Payne            |
| Bereuter       | Hastings (WA)  | Pelosi           |
| Berman         | Hill           | Petri            |
| Bishop (GA)    | Hinchev        | Pombo            |
| Bishop (NY)    | Hinojosa       | Pomeroy          |
| Blumenauer     | Holt           | Price (NC)       |
| Boehler        | Honda          | Radanovich       |
| Boehner        | Hooley (OR)    | Rahall           |
| Bonilla        | Houghton       | Ramstad          |
| Boswell        | Hoyer          | Rangel           |
| Boucher        | Hulshof        | Rodriguez        |
| Boyd           | Inslee         | Rohrabacher      |
| Brady (PA)     | Israel         | Rothman          |
| Brown (OH)     | Jackson (IL)   | Roybal-Allard    |
| Brown, Corrine | John           | Ruppersberger    |
| Cannon         | Johnson (IL)   | Rush             |
| Capps          | Johnson, E. B. | Ryan (OH)        |
| Cardin         | Jones (OH)     | Sabo             |
| Cardoza        | Kelly          | Sanchez, Linda   |
| Carson (IN)    | Kennedy (RI)   | T.               |
| Case           | Kilpatrick     | Sanchez, Loretta |
| Clay           | Kind           | Sanders          |
| Clyburn        | Klecza         | Schakowsky       |
| Conyers        | Kolbe          | Schiff           |
| Cooper         | Kucinich       | Scott (GA)       |
| Costello       | LaHood         | Scott (VA)       |
| Cramer         | Langevin       | Sensenbrenner    |
| Crane          | Larsen (WA)    | Serrano          |
| Crowley        | Larson (CT)    | Sherman          |
| Cummings       | Latham         | Skelton          |
| Davis (AL)     | Leach          | Slaughter        |
| Davis (CA)     | Lee            | Smith (WA)       |
| Davis (IL)     | Levin          | Snyder           |
| Davis, Tom     | Lewis (GA)     | Solis            |
| DeFazio        | Lipinski       | Lofgren          |
| DeGette        | Lofgren        | Stark            |
| Delahunt       | Lowe           | Stearns          |
| DeLauro        | Majette        | Stupak           |
| Deutsch        | Maloney        | Sweeney          |
| Dicks          | Manzullo       | Tanner           |
| Doggett        | Markey         | Tauscher         |
| Doolley (CA)   | Marshall       | Thomas           |
| Doyle          | Matheson       | Thompson (CA)    |
| Dreier         | Matsui         | Thompson (MS)    |
| Dunn           | McCarthy (MO)  | Towns            |
| Edwards        | McCarthy (NY)  | Turner (TX)      |
| Ehlers         | McCollum       | Udall (CO)       |
| Emanuel        | McDermott      | Udall (NM)       |
| Engel          | McGovern       | Upton            |
| Eshoo          | Meehan         | Van Hollen       |
| Etheridge      | Meek (FL)      | Visclosky        |
| Evans          | Meeks (NY)     | Walters          |
| Farr           | Menendez       | Watson           |
| Fattah         | Miller (NC)    | Watt             |
| Filner         | Miller, George | Waxman           |
| Flake          | Mollohan       | Weiner           |
| Ford           | Moore          | Weller           |
| Fossella       | Moran (VA)     | Wexler           |
| Frank (MA)     | Murtha         | Wilson (SC)      |
| Frost          | Nadler         | Woolsey          |
| Gilchrest      | Napolitano     | Wu               |
| Gonzalez       | Neal (MA)      | Wynn             |
|                | Oberstar       |                  |

NOES—219

|                 |              |               |
|-----------------|--------------|---------------|
| Ackerman        | Gingrey      | Ortiz         |
| Aderholt        | Goode        | Ose           |
| Akin            | Goss         | Otter         |
| Alexander       | Granger      | Oxley         |
| Baca            | Green (WI)   | Pascrell      |
| Bachus          | Greenwood    | Pearce        |
| Baker           | Gutknecht    | Pence         |
| Ballenger       | Hall         | Peterson (MN) |
| Barrett (SC)    | Harris       | Peterson (PA) |
| Bartlett (MD)   | Hart         | Pickering     |
| Barton (TX)     | Hayes        | Pitts         |
| Bass            | Hefley       | Platts        |
| Beauprez        | Hensarling   | Porter        |
| Berry           | Herger       | Portman       |
| Biggert         | Hobson       | Pryce (OH)    |
| Bilirakis       | Hoefel       | Putnam        |
| Bishop (UT)     | Hoekstra     | Quinn         |
| Blackburn       | Holden       | Regula        |
| Blunt           | Hostettler   | Rehberg       |
| Bonner          | Hunter       | Renzi         |
| Bono            | Hyde         | Reyes         |
| Boozman         | Isakson      | Reynolds      |
| Bradley (NH)    | Issa         | Rogers (AL)   |
| Brady (TX)      | Istook       | Rogers (KY)   |
| Brown (SC)      | Jackson-Lee  | Rogers (MI)   |
| Brown-Waite,    | (TX)         | Ros-Lehtinen  |
| Ginny           | Jenkins      | Ross          |
| Burgess         | Johnson (CT) | Royce         |
| Burns           | Johnson, Sam | Ryan (WI)     |
| Burr            | Jones (NC)   | Ryun (KS)     |
| Burton (IN)     | Kanjorski    | Sandlin       |
| Buyer           | Kaptur       | Saxton        |
| Calvert         | Keller       | Schrock       |
| Camp            | Kennedy (MN) | Sessions      |
| Cantor          | Kildee       | Shadegg       |
| Capito          | King (IA)    | Shaw          |
| Capuano         | King (NY)    | Shays         |
| Carson (OK)     | Kingston     | Sherwood      |
| Carter          | Kirk         | Shimkus       |
| Castle          | Kline        | Shuster       |
| Chabot          | Knollenberg  | Simmons       |
| Chocola         | Lampson      | Simpson       |
| Coble           | Lantos       | Smith (MI)    |
| Cole            | LaTourette   | Smith (NJ)    |
| Collins         | Lewis (CA)   | Smith (TX)    |
| Cox             | Lewis (KY)   | Souder        |
| Crenshaw        | Linder       | Stenholm      |
| Cubin           | LoBiondo     | Strickland    |
| Culberson       | Lucas (KY)   | Sullivan      |
| Cunningham      | Lucas (OK)   | Tancredo      |
| Davis (TN)      | Lynch        | Tauzin        |
| Davis, Jo Ann   | McCotter     | Taylor (MS)   |
| Deal (GA)       | McCrery      | Taylor (NC)   |
| DeLay           | McHugh       | Terry         |
| DeMint          | McInnis      | Thornberry    |
| Diaz-Balart, L. | McIntyre     | Tiahrt        |
| Diaz-Balart, M. | McKeon       | Tiberi        |
| Dingell         | McNulty      | Tierney       |
| Doolittle       | Mica         | Toomey        |
| Duncan          | Michaud      | Turner (OH)   |
| Emerson         | Miller (FL)  | Velazquez     |
| English         | Miller (MI)  | Vitter        |
| Everett         | Miller, Gary | Walden (OR)   |
| Feeney          | Moran (KS)   | Walsh         |
| Fletcher        | Murphy       | Wamp          |
| Foley           | Musgrave     | Weldon (FL)   |
| Forbes          | Myrick       | Weldon (PA)   |
| Franks (AZ)     | Nethercutt   | Whitfield     |
| Frelinghuysen   | Neugebauer   | Wicker        |
| Gallely         | Ney          | Wilson (NM)   |
| Garrett (NJ)    | Northup      | Wolf          |
| Gerlach         | Norwood      | Young (AK)    |
| Gibbons         | Nunes        | Young (FL)    |
| Gillmor         | Nussle       |               |

NOT VOTING—8

|          |           |            |
|----------|-----------|------------|
| Berkley  | Hayworth  | Millender- |
| Ferguson | Janklow   | McDonald   |
| Gephardt | Jefferson | Spratt     |

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised that there are two minutes remaining in the vote.

□ 1751

Messrs. CARTER, SIMPSON, TANCREDO, OTTER, NEUGEBAUER, TERRY, WHITFIELD, BURTON of Indiana, BROWN of South Carolina, Mrs. CUBIN, Messrs. SHIMKUS, FEENEY, BRADY of Texas, NETHERCUTT, KIRK, Mrs. JOHNSON of Connecticut

and Mrs. BIGGERT changed their vote from "aye" to "no."

Mrs. KELLY, and Messrs. EDWARDS, THOMAS, RAHALL and ABER-CROMBIE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. HOSTETTTLER

The CHAIRMAN pro tempore (Mr. SWEENEY). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. HOSTETTTLER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 198, not voting 10, as follows:

[Roll No. 367]

AYES—226

|               |               |               |
|---------------|---------------|---------------|
| Aderholt      | Davis, Jo Ann | Johnson (CT)  |
| Akin          | Deal (GA)     | Johnson (IL)  |
| Alexander     | DeFazio       | Johnson, Sam  |
| Bachus        | DeLay         | Jones (NC)    |
| Baker         | DeMint        | Keller        |
| Ballenger     | Doolittle     | Kelly         |
| Barrett (SC)  | Duncan        | Kennedy (MN)  |
| Bartlett (MD) | Dunn          | King (IA)     |
| Barton (TX)   | Emerson       | King (NY)     |
| Bass          | English       | Kingston      |
| Beauprez      | Everett       | Kirk          |
| Bereuter      | Feeney        | Kline         |
| Berry         | Flake         | Knollenberg   |
| Bilirakis     | Fletcher      | LaHood        |
| Bishop (UT)   | Foley         | Latham        |
| Blackburn     | Forbes        | LaTourette    |
| Blunt         | Fossella      | Lewis (KY)    |
| Boehlert      | Franks (AZ)   | Lipinski      |
| Boehner       | Frelinghuysen | LoBiondo      |
| Bonilla       | Gallely       | Lucas (KY)    |
| Bonner        | Garrett (NJ)  | Lucas (OK)    |
| Boozman       | Gerlach       | Lynch         |
| Bradley (NH)  | Gibbons       | Manzullo      |
| Brady (TX)    | Gilchrest     | Marshall      |
| Brown (SC)    | Gingrey       | Matheson      |
| Brown-Waite,  | Goode         | McCotter      |
| Ginny         | Goodlatte     | McCrery       |
| Burgess       | Gordon        | McHugh        |
| Burns         | Goss          | McInnis       |
| Burr          | Granger       | McIntyre      |
| Burton (IN)   | Graves        | McKeon        |
| Buyer         | Green (WI)    | Mica          |
| Calvert       | Greenwood     | Miller (FL)   |
| Camp          | Gutknecht     | Miller (MI)   |
| Cannon        | Hall          | Miller, Gary  |
| Cantor        | Harris        | Moran (KS)    |
| Capito        | Hart          | Murphy        |
| Carson (OK)   | Hastings (WA) | Musgrave      |
| Carter        | Hayes         | Myrick        |
| Castle        | Hefley        | Nethercutt    |
| Chabot        | Herger        | Neugebauer    |
| Chocola       | Hill          | Ney           |
| Coble         | Hobson        | Northup       |
| Cole          | Hoekstra      | Norwood       |
| Collins       | Holden        | Nunes         |
| Costello      | Hostettler    | Nussle        |
| Cox           | Houghton      | Osborne       |
| Cramer        | Hulshof       | Otter         |
| Crane         | Hunter        | Oxley         |
| Crenshaw      | Hyde          | Paul          |
| Cubin         | Isakson       | Pence         |
| Culberson     | Issa          | Peterson (MN) |
| Cunningham    | Istook        | Peterson (PA) |
| Davis (TN)    | Jenkins       | Petri         |

|             |               |             |
|-------------|---------------|-------------|
| Pickering   | Sensenbrenner | Taylor (NC) |
| Pitts       | Sessions      | Terry       |
| Platts      | Shadegg       | Thomas      |
| Pombo       | Shaw          | Thornberry  |
| Portman     | Shays         | Tiahrt      |
| Putnam      | Sherwood      | Tiberi      |
| Quinn       | Shimkus       | Toomey      |
| Radanovich  | Shuster       | Turner (OH) |
| Ramstad     | Simmons       | Upton       |
| Regula      | Simpson       | Vitter      |
| Rehberg     | Skelton       | Walden (OR) |
| Reynolds    | Smith (MI)    | Walsh       |
| Rogers (AL) | Smith (TX)    | Wamp        |
| Rogers (KY) | Souder        | Weldon (PA) |
| Rogers (MI) | Stearns       | Whitfield   |
| Rohrabacher | Stenholm      | Wicker      |
| Ross        | Sullivan      | Wilson (NM) |
| Royce       | Sweeney       | Wilson (SC) |
| Ryan (WI)   | Tancredo      | Wolf        |
| Ryun (KS)   | Tanner        | Young (AK)  |
| Saxton      | Tauzin        | Young (FL)  |
| Schrock     | Taylor (MS)   |             |

NOES—198

|                 |                |                   |
|-----------------|----------------|-------------------|
| Abercrombie     | Grijalva       | Obey              |
| Ackerman        | Gutierrez      | Olver             |
| Allen           | Harman         | Ortiz             |
| Andrews         | Hastings (FL)  | Ose               |
| Baca            | Hensarling     | Owens             |
| Baird           | Hinchee        | Pallone           |
| Baldwin         | Hinojosa       | Pascrell          |
| Ballance        | Hoefel         | Pastor            |
| Becerra         | Holt           | Payne             |
| Bell            | Honda          | Pearce            |
| Berman          | Hoolley (OR)   | Pelosi            |
| Biggert         | Hoyer          | Pomeroy           |
| Bishop (GA)     | Inslee         | Porter            |
| Bishop (NY)     | Israel         | Price (NC)        |
| Blumenauer      | Jackson (IL)   | Pryce (OH)        |
| Bono            | Jackson-Lee    | Rahall            |
| Boswell         | (TX)           | Rangel            |
| Boucher         | John           | Renzi             |
| Boyd            | Johnson, E. B. | Reyes             |
| Brady (PA)      | Jones (OH)     | Rodriguez         |
| Brown (OH)      | Kanjorski      | Ros-Lehtinen      |
| Brown, Corrine  | Kaptur         | Rothman           |
| Capps           | Kennedy (RI)   | Roybal-Allard     |
| Capuano         | Kildee         | Ruppersberger     |
| Cardin          | Kilpatrick     | Rush              |
| Cardoza         | Kind           | Ryan (OH)         |
| Carson (IN)     | Kleczka        | Sabo              |
| Case            | Kolbe          | Sanchez, Linda T. |
| Clay            | Kucinich       | Sanchez, Loretta  |
| Clyburn         | Lampson        | Sanders           |
| Conyers         | Langevin       | Sandlin           |
| Cooper          | Lantos         | Schakowsky        |
| Crowley         | Larsen (WA)    | Schiff            |
| Cummings        | Larson (CT)    | Scott (GA)        |
| Davis (AL)      | Leach          | Scott (VA)        |
| Davis (CA)      | Lee            | Serrano           |
| Davis (FL)      | Levin          | Sherman           |
| Davis (IL)      | Lewis (CA)     | Slaughter         |
| Davis, Tom      | Lewis (GA)     | Smith (NJ)        |
| DeGette         | Linder         | Snyder            |
| Delahunt        | Lofgren        | Solis             |
| DeLauro         | Lowe           | Stark             |
| Deutsch         | Majette        | Strickland        |
| Diaz-Balart, L. | Maloney        | Stupak            |
| Diaz-Balart, M. | Markey         | Tauscher          |
| Dicks           | Matsui         | Thompson (CA)     |
| Dingell         | McCarthy (MO)  | Thompson (MS)     |
| Doggett         | McCarthy (NY)  | Tierney           |
| Dooley (CA)     | McCollum       | Towns             |
| Doyle           | McDermott      | Turner (TX)       |
| Dreier          | McGovern       | Udall (CO)        |
| Edwards         | McNulty        | Udall (NM)        |
| Ehlers          | Meehan         | Van Hollen        |
| Emanuel         | Meek (FL)      | Velazquez         |
| Engel           | Meeks (NY)     | Viscosky          |
| Eshoo           | Menendez       | Waters            |
| Etheridge       | Michaud        | Watson            |
| Evans           | Miller (NC)    | Watt              |
| Farr            | Miller, George | Waxman            |
| Fattah          | Mollohan       | Weiner            |
| Filner          | Moore          | Weller            |
| Ford            | Moran (VA)     | Wexler            |
| Frank (MA)      | Murtha         | Woolsey           |
| Frost           | Nadler         | Wu                |
| Gillmor         | Napolitano     | Wynn              |
| Gonzalez        | Neal (MA)      |                   |
| Green (TX)      | Oberstar       |                   |

NOT VOTING—10

|          |            |             |
|----------|------------|-------------|
| Berkley  | Janklow    | Smith (WA)  |
| Ferguson | Jefferson  | Spratt      |
| Gephardt | Millender- | Weldon (FL) |
| Hayworth | McDonald   |             |

ANNOUNCEMENT BY THE CHAIRMAN PRO  
TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1759

Mr. BAIRD changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HAYWORTH. Mr. Chairman. As you know, I was absent today for medical reasons. If I had been in attendance, I would have voted "no" on rollcall vote No. 364; "yes" on rollcall vote No. 365; "no" on rollcall vote No. 366; and "yes" on rollcall vote No. 367.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 32 printed in House Report 108-206.

AMENDMENT NO. 32 OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Mr. RANGEL:

At the appropriate place in the bill, insert the following (and conform the table of contents accordingly):

SEC. \_\_\_\_ ASSISTANCE TO COMBAT HIV/AIDS IN CERTAIN COUNTRIES OF THE CARIBBEAN REGION.

Section 1(f)(2)(B)(ii)(VII) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(f)(2)(B)(ii)(VII)) is amended by inserting after "Zambia," the following: "Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saint Lucia, Suriname, Trinidad and Tobago, Dominican Republic."

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from New York (Mr. RANGEL) and a Member opposed (Mr. BEREUTER) each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Chairman, I yield myself such time as I may consume.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

□ 1800

Mr. RANGEL. Mr. Chairman, the gentlewoman from California (Ms. LEE) and I have brought this amendment to this piece of legislation which would expand the coverage of the \$15 billion emergency plan for AIDS relief to include 14 additional countries in the Caribbean.

Recently, the President had a very successful trip to Africa where, in support of the African Growth and Opportunity Bill, he made it abundantly clear that in order to be healthy trading partners with the United States of America you had to be healthy, and the \$15 billion was an attempt to prevent and to provide cure for the ravaging epidemic that has swept sub-Saharan Africa.

In addition to Africa, Haiti and Guyana were named. What we are saying is

that we have spent a lot of time and effort in trying to build a better Caribbean basin initiative program where our friends in the Caribbean can share in trade with the United States of America. The leaders of the countries in this area believe that in order to get a handle on this disease, which is the largest region second only to sub-Saharan Africa, that you have to go beyond Guyana, you have to go beyond Haiti; you have to have a comprehensive approach to this disease in education, in prevention and in cure.

And so it makes a lot of sense, we think, that as we approach this serious disease, that we give the leaders, especially the medical leaders in this area, an opportunity to put their program to work.

Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. LEE), who has spent most of her legislative career trying to correct this disease, and I thank her for her effort, and I ask unanimous consent that she be entitled to yield to whomever the time would allow her to yield to.

The CHAIRMAN pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. LEE. Mr. Chairman, I yield myself such time as I may consume, and I want to thank the gentleman from New York for yielding me this time and for his leadership and his commitment to addressing the HIV/AIDS pandemic globally.

We passed very recently H.R. 1298, the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, and the President signed this into law. This bill would expand the list of countries which the HIV/AIDS response coordinator has directed funding authority over.

Now, while USAID administers programs in some of the countries, such as Jamaica and the Dominican Republic, the practical effect of this amendment would be to highlight the Caribbean as a region that deserves our special attention in the fight against the global AIDS pandemic. As we look at the Caribbean, we must focus on the fact that the prevalence rates are similar to what they were in sub-Saharan Africa before this unbelievable explosion.

Today, over 500,000 people in the Caribbean are estimated to be living with HIV and AIDS with prevalence rates in most countries ranging from 1 to 3 percent. While it is clear that Africa, as the epicenter of the AIDS pandemic, should be the focus of our global AIDS initiative, we must be very clear and aware that the Caribbean is poised to undergo a dramatic increase in the number of new AIDS cases, with estimates of over 1 million people infected by 2010.

The Caribbean has, as the gentleman from New York (Mr. RANGEL) indicated, the second largest population of persons affected outside of sub-Saharan

Africa with AIDS. And it is important that while he support AIDS prevention and treatment efforts in Haiti and Guyana, two of the hardest-hit countries respectively, we must also promote a regional response to the epidemic rather than a piecemeal two-country strategy. Such a response must also take into consideration the high volume of mobility within the Caribbean due to labor force shifts and the tourism industry.

We have a moral obligation to act not only because of the devastation that the AIDS pandemic has and will cause, but also because of our close connection to the Caribbean region and its people, as there are nearly 23 million Caribbean immigrants residing in the United States today; and over 10 million people from the United States visit the Caribbean annually.

The Rangel-Lee amendment does not preclude other countries from receiving funding, it does not authorize new funding, and will not steer an arbitrary level of funding to go to the Caribbean. It merely adds CARICOM countries and the Dominican Republic to the list of countries the HIV/AIDS response coordinator will oversee so that we can better coordinate our response to the pandemic in the Caribbean region.

Mr. LANTOS. Mr. Chairman, will the gentlewoman yield?

Ms. LEE. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I strongly support the Rangel-Lee amendment. I think it is a very constructive contribution to our global fight against AIDS, and I urge all of our colleagues to do so.

The CHAIRMAN pro tempore. The gentlewoman's time has expired.

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume.

I did claim the time in opposition, although I recognize the efforts and interests on the part of the gentleman from New York and the gentlewoman from California, and I respect the contribution just made by the ranking member of the committee. They want to focus more attention on HIV/AIDS in the Caribbean region. That is understandable. Actually, the authorizing legislation focuses not just on Africa, not sub-Saharan Africa only, but also specifically mentions the Caribbean, the only other part of the world mentioned beyond sub-Saharan Africa.

It is a growing problem in the island nations and the coastal countries of the Caribbean, no doubt about it; and this would add 13 countries to the list of two Caribbean countries already identified by the President as focus countries. Under PL 180-25, the United States Leadership Against HIV/AIDS Act, it provides the President with the authority to add additional countries to the list of countries under the purview of the coordinator.

I would have to say to the gentleman from New York that this does not expand the coverage because there are no



limits on the number of countries that may be assisted; but it does place those countries listed, illustrative countries, as being under the purview of the coordinator to give special attention. It actually puts more control by the White House through the coordinator on any of those that are listed. And if the gentleman expands that list, then we run the danger, I think, of diluting the focus of the HIV/AIDS. China could just as well be listed soon, unfortunately; Southeast Asia, certainly countries there.

I would say, Mr. Chairman, that since we have no adverse and negative, or very negative reaction from the White House, and since I think it does no damage, although we may well be adding all of the countries eventually we are going to work under this kind of theory, I would not express opposition to the gentleman and gentlewoman's amendment.

Mrs. CHRISTENSEN. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentlewoman from the Virgin Islands.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Chairman, I thank the gentleman for yielding to me, and I will be brief.

A little over a month ago, I rose to urge the passage of H.R. 1298 because of the moral imperative for Congress to act and take an affirmative step towards fighting AIDS globally, particularly in Africa and the Caribbean. We may not be able to correct all the deficiencies we saw in that bill today, but the Lee-Rangel amendment does help in one critical area, and that is in expanding the coverage of that \$15 billion emergency plan to an additional 14 countries in the Caribbean. As you know, Mr. Chairman, the Caribbean has the second highest rate of HIV infection and AIDS in the world, and the economies of those small island nations are strained to deal with the impact of it.

I want to take this opportunity to thank the gentleman from New York (Mr. RANGEL) and the gentlewoman from California (Ms. LEE) for their leadership and commitment for the Caribbean and for continuing to press for the amendment that is before us now. I urge my colleagues to support it.

Mr. BEREUTER. Mr. Chairman, I urge support of the amendment, and I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 33 printed in House Report No. 108-206.

AMENDMENT NO. 33 OFFERED BY MR. SHERMAN

Mr. SHERMAN. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 33 offered by Mr. SHERMAN:

At the end of title VII of the bill, add the following new section (and conform the table of contents accordingly):

**SEC. —. STATEMENT OF POLICY RELATING TO DEMOCRACY IN IRAN.**

(a) FINDINGS.—Congress finds the following:

(1) Iran is neither free nor democratic. Men and women are not treated equally in Iran, women are legally deprived of internationally recognized human rights, and religious freedom is not respected under the laws of Iran. Undemocratic institutions, such as the Guardians Council, thwart the decisions of elected leaders.

(2) The April 2003 report of the Department of State states that Iran remained the most active state sponsor of terrorism in 2002.

(3) That report also states that Iran continues to provide funding, safe-haven, training and weapons to known terrorist groups, notably Hizballah, HAMAS, the Palestine Islamic Jihad, and the Popular Front for the Liberation of Palestine.

(b) POLICY.—It is the policy of the United States that—

(1) currently, there is not a free and fully democratic government in Iran;

(2) the United States supports transparent, full democracy in Iran;

(3) the United States supports the rights of the Iranian people to choose their system of government; and

(4) the United States condemns the brutal treatment, imprisonment and torture of Iranian civilians expressing political dissent.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, our hearts go out to the people of Iran who are fighting valiantly for freedom and democracy. The least we could do in this bill is to provide our support and put the United States on record in favor of minority rights, women's rights, democracy, and freedom for the people of Iran.

I want to commend Senator BROWNBACK, who authored the very words of this amendment and persuaded the Senate to adopt them and add them to their version of this bill. I want to commend the Senate for adopting these words on a voice vote.

Let me just summarize the provisions of this amendment. It contains, first, findings which state: "Iran is neither free nor democratic. Men and women are not treated equally. Women are deprived of legal and internationally recognized rights. Religious freedom is not respected under the laws of Iran. And undemocratic institutions, such as the Guardians Council, thwart the decisions of elected leaders."

It goes on to cite the September 2003 report of the Department of State which identified Iran as the most active state sponsor of terrorism in the

year 2002, and specifically sites the provisions of that report which indicate that Iran continues to provide funding and safe haven to such terrorist groups as Hezbollah, Hamas, and the Palestinian Islamic Jihad.

The second part of the amendment indicates it is the policy of the United States to support transparent, full democracy in Iran; that the United States supports the rights of the Iranian people to choose their system of government; and the United States condemns the brutal treatment and torture of Iranian civilians expressing political dissent.

Mr. Chairman, I would hope that we could adopt this amendment on voice vote, just as the Senate did, so as to eliminate a possible difference between the bodies as this bill goes to conference.

I should also point out, Mr. Chairman, that I have a separate bill, H.R. 2466, that provides much more substantive support for democracy. It is called the Iran Democracy Support Act, and I would hope that on some other occasion we would be on this floor debating that bill, and I invite my colleagues to cosponsor it.

But for now let me urge the adoption of this amendment.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. SHERMAN. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, we have no objection to the gentleman's amendment, and we hope he will take yes for an answer.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. SHERMAN. I yield to the gentleman from California.

□ 1815

Mr. LANTOS. Mr. Chairman, I congratulate the gentleman from California (Mr. SHERMAN) for introducing this important amendment.

The Iranian people continue to suffer under a theocratic, terror-supporting dictatorship. Those courageous enough to call for democratic change are regularly met by the regimes-supported security forces and vigilante groups. Just last month the Iranian government acknowledged they arrested some 4,000 peaceful demonstrators. What was their crime? They wanted freedom.

This amendment affirms that the view of this body is that Iranians deserve real freedom, that they should not suffer because of their religious or political beliefs or because of their gender. The Sherman amendment supports Iranians' right to choose their own system of government, rather than having to endure the theocracy that has been forced upon them.

Oppression in Iran is a humanitarian issue, but it is not only that. The existence of a dictatorial Iranian regime directly affects the security of the United States which now faces an enemy with a rigid ideology which it backs through an unlimited use of terrorism, and it may soon have nuclear weapons.

Freedom in Iran is a nonpartisan issue. I strongly support this amendment and urge my colleagues on both sides of the aisle to join me in voting in favor of it.

Mr. SHERMAN. Mr. Chairman, reclaiming my time, I urge support for this amendment today. I urge my colleagues to take a look at H.R. 2466, the Iran Democracy Support Act, for consideration on another day. I thank the gentleman from California (Mr. LANTOS) and the gentleman from Nebraska (Mr. BEREUTER).

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. ISAKSON). The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 37 printed in House Report 108-206.

AMENDMENT NO. 37 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 37 offered by Mr. MCKEON: At the end of title VII of the bill, add the following new section (and conform the table of contents accordingly):

**SEC. \_\_\_\_ . SENSE OF CONGRESS REGARDING THE EXTRADITION OF VIOLENT CRIMINALS FROM MEXICO TO THE UNITED STATES.**

(a) FINDINGS.—The Congress finds as follows:

(1) The Mexican Supreme Court ruled in October 2001 that Mexico will not extradite criminals who face life sentences in the United States.

(2) Due to this ruling, the United States has been unable to prosecute numerous suspects wanted for violent crimes that they committed in the United States if there is a possibility that these criminals will face life imprisonment.

(3) The person or persons responsible for the April 29, 2002, murder of Los Angeles County Sheriff Deputy David March is believed to have fled to Mexico to avoid prosecution for a possible life imprisonment.

(4) The attorneys general from all 50 States have asked United States Attorney General John Ashcroft and Secretary of State Colin Powell to continue to address this extradition issue with their counterparts in Mexico.

(5) The Governments of the United States and Mexico have experienced positive cooperation on numerous matters relevant to their bilateral relationship.

(6) The Mexican Minister of Foreign Affairs has been demonstrating to the Mexican Supreme Court the international ramifications of the Court's October 2001 ruling.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should encourage the Mexican Government to work closely with the Mexican Supreme Court to persuade the Court to reconsider its October 2001 ruling so that the possibility of life imprisonment will not have an effect on the timely extradition of criminal suspects from Mexico to the United States.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from California (Mr. MCKEON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to the Foreign Relations Authorization Act to address the issue of extradition, specifically as it pertains to Mexico. The seriousness of this issue is best described by the following tragic story:

On April 29, 2002, over a year ago, Deputy David March, a 7-year veteran of the Los Angeles Sheriff's Department, was shot and killed in the line of duty. David March was 33 years old, a husband, a father, a son, a brother, a neighbor, a stalwart in our community. The suspect who took his life was a Mexican national, a convicted felon. He fled to Mexico to avoid prosecution.

Historically, the Mexican government has refused to extradite Mexican nationals who commit crimes and flee to Mexico unless there are assurances granted by the United States that the death penalty would not be sought. Then in October, 2001, the Mexican Supreme Court ruled, in addition to the death penalty, they would not extradite criminals who also face life imprisonment sentences in the United States. For the crime that was committed, one of those penalties would be required. As such, Deputy March's killer roams free in Mexico; and the United States is unable to threaten a sentence commensurate with this murderer's horrific crime.

It should be noted this is not an isolated case for it is estimated that more than 60 suspected killers from Los Angeles County alone are in Mexico, along with countless more individuals who are suspected of rape, child molestation, attempted murder and other serious, violent crimes.

Mr. Chairman, this is an outrage. We cannot allow the most heinous criminals to escape the bar of justice. They must pay the penalties for their crimes, and the victims and their families must have reprieve through a judicial process.

Just imagine the turmoil that these families feel. David's younger sister went to school with my youngest daughter, good friends growing up. It is a great family. Every day they have to get up knowing that their son, brother, husband, father, is no longer with them, and the person who committed the crime, that took his life, is free. It is just not fair.

As such, my amendment expresses the sense of Congress that the United States Government should work closely with and encourage the Mexican government to persuade its Supreme Court to reconsider this October, 2001, ruling so the possibility of life imprisonment will not have an effect on the timely extradition of criminal suspects from Mexico to the United States.

It also should be noted that, historically, the United States government and the Mexican government have cooperated on many issues of mutual

concern to our bilateral relationship, including elements of extradition as it pertains to drug trafficking. I am confident that, with further cooperation between our two governments, we can continue in like manner to address all of the points of concern within the issue of extradition to the point of complete resolution.

I thank the chairman for his help in getting this bill to the floor. I thank the ranking member. I thank the gentleman from California (Mr. DREIER), the gentleman from California (Mr. SCHIFF), the gentleman from California (Mr. BERMAN), the gentleman from California (Mr. CALVERT) and other Members who have been supportive in this important effort.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. MCKEON. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, this is an outstanding amendment, and we support it, and we are pleased the gentleman has offered it.

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. Does any Member rise in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from California (Mr. MCKEON).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 41 printed in House Report 108-206.

AMENDMENT NO. 41 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Ms. WATERS:

At the end of Division B, insert the following:

**SEC. \_\_\_\_ . REPORT ON PROGRESS MADE IN MODIFYING THE ENHANCED HIPC INITIATIVE.**

Within 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall submit to the Committees on Financial Services, on Appropriations, and on International Relations of the House of Representatives and the Committees on Foreign Relations and on Appropriations of the Senate a written report that describes the progress made in modifying the Enhanced HIPC Initiative (as defined in section 1625(e)(3) of the International Financial Institutions Act) as called for in section 501 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003.

Conform the table of contents accordingly.

The CHAIRMAN pro tempore. Pursuant to House Resolution 316, the gentleman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, a few years ago, at the end of 20th century, the world community came together under the leadership of several of the world's most influential churches and created the Jubilee 2000 movement, a worldwide movement to cancel the debts of the world's poorest countries. The Jubilee 2000 movement included the Catholic Church, the Episcopalian Church, the World Council of Churches, Bread for the World, many other Christian, Jewish and other faith-based organizations. Student groups, HIV/AIDS activists, development specialists, business leaders and labor unions also joined this diverse movement.

In 1999, Jubilee 2000 convinced the G-8 group of industrialized countries to develop the Enhanced Heavily Indebted Poor Countries Initiative, known as HIPC, a program to significantly reduce poor country's debt. In 2000, Jubilee 2000 convinced the United States Government as well as the governments of other G-8 countries to authorize this debt relief program and appropriate the funds to carry it out.

Unfortunately, the Enhanced HIPC Initiative has failed to provide a lasting solution to poor country debts. At least 18 heavy indebted poor countries are still spending more money on debt payments than they are on health care.

The goal of Jubilee 2000 was to completely cancel the debts of the world's poorest countries. We must do more to accomplish this goal. We must do more to proclaim Jubilee for the poorest of the poor.

Earlier this year, I introduced H.R. 643, the Debt Cancellation for the New Millennium Act. This bill would urge the President to negotiate with the IMF and the World Bank to completely cancel 100 percent of the debts of the world's most impoverished countries who owe these institutions and give these countries a fresh start in the new millennium. This bill has 45 cosponsors.

H.R. 1298, the Global AIDS bill, included a debt relief provision, Title V, urging the administration to advocate deeper debt relief within the Enhanced HIPC Initiative. Title V states that the Secretary of the Treasury should immediately commence efforts with the IMF, the World Bank and other creditor countries to modify the Enhanced HIPC Initiative to reduce poor countries' debts to ensure that poor countries are not required to spend more than 10 percent of their annual current revenues on debt payments. For poor countries facing a public health crisis as a result of HIV/AIDS, the limit would be 5 percent. The Global AIDS bill was signed into law by the President on May 27, 2003, and is now Public Law 108-025.

Title V of the Global AIDS bill, which was added in the Senate by amendment and subsequently approved by the House, reflected provisions in H.R. 1376, a bipartisan debt relief bill introduced by the gentleman from New Jersey (Mr. SMITH), the gentleman

from Massachusetts (Mr. FRANK), the gentleman from Iowa (Mr. LEACH), the gentleman from California (Mr. LANTOS), the gentleman from Connecticut (Mr. SHAYS), the gentleman from Alabama (Mr. BACHUS) and the gentleman from Connecticut (Mrs. MALONEY). H.R. 1376 would have required the Secretary of the Treasury to submit reports to Congress describing the efforts and progress made in negotiating improvements to the Enhanced HIPC Initiative. Unfortunately, Title V of the Global AIDS bill does not require the Secretary of the Treasury to report to Congress on the administration's effort.

My amendment would require the Secretary of the Treasury to report to Congress on the progress made in modifying the Enhanced HIPC Initiative as called for in Title V. This simple reporting requirement would enable Congress to monitor the administration's effort to achieve deeper debt relief for poor countries. A reporting requirement also could provide an incentive for multilateral development institutions and other creditor countries to support proposals for deeper debt relief.

Deeper debt relief for the world's heavily indebted poor countries will remove a major obstacle to HIV/AIDS treatment and prevention, poverty reduction and economic growth. I urge my colleagues to support my amendment.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Ms. WATERS. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I strongly support the gentleman's amendment. It is sorely needed. I could not think of a more noble project than to assist Buddhist countries with huge debts with debt relief. This is a measure that deserves bipartisan support. I ask all of my colleagues on both sides of the aisle to vote for it.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Ms. WATERS. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, the amendment points to an important subject, the need for prompt implementation of the Act, and we certainly think that the Committee on International Relations and other relevant committees ought to receive periodic reports and hold hearings and briefings, if necessary.

The reporting provisions in the legislation require the Secretary of Treasury to inform the Congress of his progress in implementing the Act, but we have no objection to the amendment of the gentleman at this point. Unless we figure something differently, we are entirely supportive.

Ms. WATERS. Mr. Chairman, reclaiming my time, I thank the gentleman from Nebraska (Mr. BEREUTER) for his words of support. I do not think there would be any other information which would lead to opposition to the amendment, and I thank the gen-

tleman from California (Mr. LANTOS) for his support and superb leadership on this committee.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. Does any Member rise in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from California (Ms. WATERS).

The amendment was agreed to.

Mr. BEREUTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WALDEN of Oregon) having assumed the chair, Mr. BEREUTER, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1950) to authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes, had come to no resolution thereon.

□ 1830

ANNOUNCEMENT OF INTENT TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003

Mr. MICHAUD. Mr. Speaker, pursuant to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308.

The form of the motion is as follows:

I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of the conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the *Columbia* disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate