H.R. 1646, THE FOREIGN RELATIONS AUTHORIZATION

WEDNESDAY, MAY 2, 2001

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 10:39 a.m. in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde [Chairman] presiding.

Chairman HYDE. The Committee will come to order. Pursuant to notice, I now call up the bill, H.R. 1646, the State Department Authorization for fiscal years 2002 and 2003, for purposes of markup and move its favorable recommendation to the House.

[The attachment to Chairman Hyde's statement follows:]

PREPARED STATEMENT OF THE HONORABLE HENRY J. HYDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

Before us is H.R. 1646 the Foreign Relations Authorization Bill. This bipartisan bill which I introduced with the ranking democratic Member, Mr. Lantos, authorizes the funding and activities for the Department of State for two fiscal years, 2002 and 2003. The accounts covered in this bill are funded at or above the President's request. I note that the President's budget request for the main State Department operating accounts, those included within the Administration of Foreign Affairs, reflects a 19 percent increase over the current fiscal year. The total authorization for this bill is $7.8 billion for fiscal year 2002. For the most part, the bill provides "such sums as may be necessary for fiscal year 2003."

The bill is limited to the narrow scope of authorities for the State Department and the conduct of foreign policy. I remind members that this is not a foreign assistance bill. We will address foreign assistance matters at a later time.

The measure includes several recommendations from the Administration and Committee members. Many of the State Department requests are administrative in nature. However, one of their requests is for the authority to pay arrears to the United Nations. That request is included in the bill before you. Briefly, the bill before us today would modify the Helms-Biden legislation allowing us to pay our arrears to the U.N.. We do so subject to a certification from the Administration that the reforms mandated in that legislation remain on track.

As many of my colleagues are well aware, an agreement reached with the U.N. last December reduced our regular assessment to the world body from 25 to 22 percent. The U.N. peacekeeping budget rate was cut from 30 percent to 28.14 percent on January I of this year, and will be cut again to 27.58 in July of this year with the goal of reaching 25 percent on a sliding scale by 2006.

I appreciate the cooperation we have received in developing the bill before the Committee, and hope that we can proceed in a bipartisan manner with the amendment process and finish the markup today and order the bill reported to the House floor for consideration next week..

I now recognize Mr. Lantos for any opening comments he may wish to make.

Chairman HYDE. I might add parenthetically, we will expect a vote around 12:30, perhaps two votes, and we will then recess for lunch when the vote is called. We expect to finish the markup of

this bill today. So that may mean some evening work, and I just thought I would announce that.

Without objection, the bill will be read by title, and each title will be considered as read and open for amendment at any point. Due to the considerable number of amendments which I understand Members may wish to offer, opening statements will be limited to the Chair and the Ranking Minority Member. Without objection, other Members who wish to do so may insert statements in the record. The Chair yields himself 5 minutes for purposes of making an opening statement.

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Briefly, the bill before us today would modify the Helms-Biden legislation, allowing us to pay our arrears to the U.N. We do so subject to a certification from the Administration that the reforms mandated in that legislation remain on track. As many of my colleagues are aware, an agreement reached with the U.N. last December reduced our regular assessment to the world body from 25 to 22 percent. The U.N. peacekeeping budget rate was cut from 30 percent to 28.14 percent on January 1st of this year and will be again cut to 27.58 in July of this year, with the goal of reaching 25 percent on a sliding scale by 2006.

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Mr. LANTOS. Thank you very much, Mr. Chairman, and let me identify myself with your comments, both with respect to paying delinquent U.N. dues and other items. Let me also say at the outset, Mr. Chairman, that you and your staff have been both cooperative and collegial, and I am proud to join you in introducing this legislation.

The bill before our Committee today is a critical piece of legislation, not simply because it is the first authorization for the Department of State under our new secretary of state, Colin Powell. The bill is important because it authorizes the full budget request for the Department of State, and it pays our dues to the United Nations. This is a good bill, and I am pleased to be a cosponsor of it with my good friend, Chairman Hyde.

The bill fully funds the Administration's request for the State Department and contains many of the provisions that Secretary Powell has requested to help him manage the department more effectively and more efficiently. I am also satisfied that the bill provides flexibility for the department for fiscal year 2003. As I argued on an earlier occasion, I was disappointed and disturbed to note the decrease in funds for international affairs in fiscal year 2003 in the President's budget blueprint. However, Secretary Powell has reassured us that he intends to fight for additional resources next year, and I, for one, will help him with all my capabilities to achieve the goal of funding the Department of State and our international activities adequately. By making the second-year funding levels in the bill such sums as may be required, there is maximum flexibility for pursuing increased funding, which I intend to do.

Let me just highlight a couple of areas of particular importance. In the area of human rights, this bill increases the resources for the State Department's Bureau for Democracy, Human Rights, and Labor to $16 million in 2002 and $20 million for 2003 and provides authority to the bureau to fund overseas staff positions for monitoring and reporting on human rights issues.

With respect to the U.N. Human Rights Commission, the bill directs the Administration to oppose membership on the Commission for any country that does not allow human rights monitors. I strongly support this provision. I find it both obscene and absurd that countries like Libya and Cuba should be sitting on the U.N. Human Rights Commission, making judgments and voting on human rights matters.

I was very pleased that many of the initiatives by Members on both sides of the aisle are included in the base text of the bill. For example, the provision submitted by Chris Smith to increase funding for UNICEF and refugees or Bob Menendez's provision to increase funding for the National Endowment for Democracy are all in this bill.

In the cultural exchanges and public-diplomacy area, this bill expands the programs to include scholarships for Sudanese students and incorporates new fields of study, including HIV–AIDS and the study of the ethics of human-subject research in developing countries.

This is not a perfect bill, Mr. Chairman, but it is a very good bill. We have tried to include the requests of our new secretary of state. We have tried to include many provisions that Members on both sides of the aisle have requested, and I hope that after vigorous and healthy debate, the Committee will approve this truly bipartisan measure. Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Lantos. Prior to opening up title I of the bill for amendment, the Chair wishes by unanimous consent to offer a series of amendments to various titles of the bill

enbloc. I understand these amendments are noncontroversial, and the minority has been consulted about each of them, and we have attempted to accommodate most of their requests. Each Member has the text of the amendments contained in the enbloc amendments before them, with a list of the proponents. The clerk will read the amendments enbloc.

Ms. BLOOMER. Enbloc amendment offered by Mr. Hyde. "Page 13, strike lines three through 13. Page 1, after line seven"——

Chairman HYDE. Without objection, further reading of the enbloc amendments is dispensed with, and the question occurs on the amendments enbloc. All in favor say aye.

[A chorus of ayes.]

Chairman HYDE. Opposed, nay.

[No response.]

Chairman HYDE. The ayes have it, and the amendment is agreed to. The clerk will designate title I.

Ms. BLOOMER. Title I, Authorizations of Appropriations.

Chairman HYDE. Are there any amendments to title I?

Ms. LEE. Mr. Chairman, I have an amendment at the desk.

Chairman HYDE. The gentlelady from California has an amendment, and the clerk will read the amendment.

Ms. BLOOMER. Amendment offered by Ms. Lee. "Page 26, after line eight insert the following: Subtitle C, Global Democracy Promotion Act of 2001."

Chairman HYDE. Without objection, further reading of the amendment is dispensed with. And since I believe this amendment has been the subject of extended debate in the past, without objection, Mr. Lantos will be granted 45 minutes as the proponent, which he may control, and a Member opposed, Mr. Smith of New Jersey, will also be granted 45 minutes, which he may control. After the 90 minutes has expired, the Committee will proceed to vote on this amendment. The gentlelady from California is recognized.

Ms. LEE. Thank you, Mr. Chairman. I would like to take this opportunity to offer this pro-family planning amendment to the Foreign Relations Authorization Act before us today. This amendment repeals the Mexico City International Family Planning Policy, also known as the Global Gag Rule, by adding the text of H.R. 755, the bipartisan, Lowey, Shays, Pilosi, Greenwood Global Democracy Promotion Act.

The Mexico City policy prohibits foreign, nongovernmental organizations from receiving population aid from the United States from using their own funds for providing abortion services as a method of family planning in other countries. Now, let me clarify right off the bat that no United States funding goes to perform abortions abroad. This has been our Nation's policy since 1973. My amendment is about ensuring that international family planning services, which can prevent abortions, can be delivered to millions of women and men all over the world, especially to those in developing countries. My amendment is also about ensuring that these family planning groups do not lose essential funds.

Let me now talk briefly about each of these points. After President Bush issued his executive memo reinstating the Mexico City policy on January 22nd, he stated that it was his conviction that

taxpayer funds should not be used to pay for abortions or advocate or actively promote abortion either here or abroad.

I would like to clarify one important point regarding this misstatement issued by the Bush Administration. Once again, since 1973, under the Helms amendment, the United States has prohibited foreign recipients of international family planning aid to use United States taxpayer funds to perform abortions. I want to make that perfectly clear once again.

My amendment would not fund abortions but would allow foreign, nongovernmental organizations receiving United States aid to use their own funds for providing vital family planning services. The truth is that every year approximately 600,000 women die from preventable complications related to pregnancy and childbirth. Nine percent of these women are in developing countries. Complications from pregnancy and childbirth are the leading cause of death and disability among women and young girls, age 15 to 49, in developing countries. Many of these deaths can be prevented by providing women with the means and the information to responsibly plan their families.

United States' funding provides family planning services and reproductive health education to families worldwide. Denying funding for organizations that use their own resources to perform abortions or whatever type of services they perform that is legal within their country; it simply prohibits these individuals from receiving access to family planning services, family planning services, that actually reduce the number of unintended pregnancies as well as the number of abortions. That is what family planning is all about.

Access to international, family planning services is one of the most effective means of reducing the need for abortion and protecting the health of women. However, limiting access to family planning results in high rates of unintended and high-risk pregnancy, unsafe abortions, and maternal deaths.

So it is crucial that women across the world have fundamental access to health care. Our support for international family planning helps save lives, promotes women's and children's health, and strengthens families and communities around the world. By denying these vital services, we deny women access to methods of contraception, leading to the higher risk of spreading HIV and AIDS, also sexually transmitted diseases.

So my amendment will allow organizations to provide a wide range of vital family planning services that will help curb the spread of sexually transmitted diseases. As we know, international family programs are crucial to stopping the spread of HIV and AIDS worldwide. The HIV and AIDS pandemic in Africa and other developing nations has already left millions of victims. If the Mexico City policy remains in effect, many international, family planning groups will be denied life-saving funds to continue their work to stop the spread of HIV and AIDS through prevention and through education. Since family planning clinics sometimes are the only point of contact women have with the health-care system in their country, these facilities also serve as HIV and AIDS education centers. Additionally, with access to contraception, including condoms, they can protect both pregnancy and passing this deadly disease on to the unborn child and infections.

So let me just briefly give you some facts about the HIV and AIDS crisis that I want you to remember today as you consider this amendment. Thirty-six million people worldwide are living with this disease, 70 percent of whom live in the developing world. Seventeen million people have died from HIV and AIDS in Africa, 3.7 million of whom are children. AIDS has left 12 million—12 million—orphans in Africa alone. More than 600,000 infants become infected with HIV each year worldwide. The prevention of unwanted pregnancies among HIV-infected women through the use of contraception, which comes as a result of family planning——

Mr. LANTOS. Mr. Chairman, the Committee is not in order. The lady is entitled to be heard.

Ms. LEE. Thank you very much.

Chairman HYDE. The Committee will be in order.

Ms. LEE. The prevention of unwanted pregnancies, Mr. Chairman, among HIV-infected women through the use of contraception, which is a result of family planning education, is one way—it is a very crucial way—to limit the numbers of HIV-infected infants. And if you have been to Africa, especially, you may have seen, and we have seen, many infants who are infected with HIV and AIDS as a result of mother-to-child transmission. Family planning services are crucial to helping these young babies and helping women ensure that our children are not born infected.

So the Mexico City policy really prevents health-care providers from counseling the world's poorest women about all of their legal health options. This ill-advised policy turns our back on the millions of women and children in developing countries who rely on our help. Right here today, they are relying on us. No poor country can increase its standard of living and raise its per capita income while wrestling with the problems of trying to feed and care for a rapidly expanding population. A full range of family planning services will allow countries to finally rise above their impoverished status.

In closing, I am asking you to pause for a minute and imagine yourself, if you will, as a 16-year-old Indian or African young girl living on $500 a year, imagine going into a health clinic searching for answers, searching for ways to prevent unwanted pregnancies, pleading for information on how to prevent AIDS or gonorrhea, begging, literally begging, for condoms for your partner, and really desperate to talk to someone about sexual abuse. Imagine being a young woman, going to a rural health clinic, your only health clinic anywhere within 500 square miles, imagine being a young woman going in there seeking counseling, just to learn, basically just to learn how to plan your family so that you can really feed and clothe your children with such meager resources.

So please, Members, supporting lives, protecting women and children's health; that is what you will be doing by supporting this amendment. And I know it is hard to put yourself in the place of a young girl trying to manage her life with so many complications, but please try to understand what your vote today could mean to millions of women and children. Thank you, and I yield back the balance of my time.

Chairman HYDE. The gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman. I yield myself 10 minutes. I would like to begin by asking the author of this amendment a question. During the Reagan and Bush Administrations, how many family planning organizations accepted the pro-life safeguards and abided by the Mexico City policy?

This is not a new issue, as we all know. It was in effect since the mid-1980's and was repealed on Day Two of President Clinton's presidency. But how many groups accepted it? How many organizations, foreign, nongovernment organizations? The brunt of your amendment deals with, as does the Mexico City policy, the foreign, nongovernmental organizations. How many——

Ms. LEE. I do not have the exact number of organizations accepted, but I do know the number of organizations that received it who provided family planning services and helped prevent unwanted pregnancies and helped prevent——

Mr. SMITH OF NEW JERSEY. With the pro-life safeguards, they accepted the Mexico City clauses.

Ms. LEE. They accepted the Mexico City clauses; however, they were able to receive family planning funds as a result of the Clinton Administration's repeal of the——

Mr. SMITH OF NEW JERSEY. During the Reagan and Bush Administration, when this policy was in effect, how many organizations accepted it?

Ms. LEE. Could you answer me, Mr. Smith, with regard to the abortions that it avoided? How many?

Mr. SMITH OF NEW JERSEY. I would say to my good friend, I have asked a very specific question.

Ms. LEE. I have no idea what number. I do not have any idea with regards to the number. Okay?

Mr. SMITH OF NEW JERSEY. I reclaim my time. Unfortunately, a hyperbole, a gross exaggeration, is made about the Mexico City policy, that somehow it denies family planning money from going to organizations that provide family planning. I would just ask, Mr. Chairman, that this be made a part of the record. It is a letter from the Agency for International Development, dated October 22, 1990, when that same fictitious argument was made repeatedly, as it was when the Mexico City was first put into effect back in 1984, that none of the organizations would accept the family planning provisions, the pro-life, pro-child, and pro-family planning provisions.

Here are the numbers from Ray Randlett, the administrator for legislative affairs. And he writes:

> "I would like to call to your attention a few important facts which I believe have become obscured,"

and that is an understatement,

> "obscured in this debate. Over 350 foreign, family planning organizations have signed the Mexico City clauses. Only two organizations, Planned Parenthood Federation of America and the International Planned Parenthood, IPPF, have formally refused to sign. However, 57 International Planned Parenthood Federation affiliates have signed on to the Mexico City clauses."

He goes on to say:

"Since 1981"—

remember, this is dated 1990—

"AID has obligated $2.3 billion for population activities. AID accounts for more than 40 percent,"

and this is with the Mexico City provisions,

"40 percent of all international population-planning funds this year."

And then it goes on further, and I would ask that the full statement be made a part of the record.

Let me just say to my colleagues, even the title of the Lee amendment, which is before you on your desks right now, which is just the text of H.R. 755, is, with all due respect, Orwellian and misleading. The Lee amendment hides its sole purpose, providing Federal funds to organizations that perform and promote abortion overseas, under the seemingly benign heading of "Global Democracy Promotion Act of 2001."

This amendment has nothing whatsoever to do with building democracy and the rule of law. It has nothing whatsoever to do with protection of human rights, all causes to which I have devoted my entire life to. This amendment is not about protecting people. The absolute contrary is true.

As Chairman of the Organization for Security and Cooperation in Europe, as former Chairman of the International Operations and Human Rights Subcommittee, and today, as Vice Chairman of this Committee, I have not only traveled on numerous human rights trips around the globe and have been in gulags and have met with despots and tyrants all over the globe. We held over 160 hearings and markups on democracy building in the People's Republic of China, Russia, Vietnam, Sudan, Ruwanda, Indonesia, Cuba, Peru, Turkey, the Middle East, Northern Ireland, Belarus, and many other regions, and today I just left our hearing on democracy building in the Ukraine.

I am also the prime sponsor of Public Law 106386, the Victims of Trafficking and Violence Protection Act of 2000; Public Law 10320, the Torture Victims Relief Act of 1998; Public Law 10687, the Torture Victims Relief Act Reauthorization of 1999; Public Law 104319, the Human Rights Refugee and Other Foreign Relations Provisions Act of 1996, as well as Public Law 106113, Division B, which I worked with Mr. Gejdenson on; fiscal years 2002, 2000, and 2001, the Foreign Relations Authorization Act, which is filled, like the other bills, with human rights and democracy provisions. In addition to authoring human rights legislation, I have offered scores of amendments to boost the Child Survival Fund, refugee protection, and freedom broadcasting like Radio Free Asia.

So, frankly, I find it highly offensive when an amendment that seeks to abolish the most fundamental human right on the face of the earth, the right to live, is euphemistically cloaked as a democracy builder. It is not.

Amazingly, no specific mention is made of abortion in either the findings or in the operative clause of the amendment. Why the unwillingness to be up front and totally transparent? Abortion is referred to as a "particular issue" or "medical service," but I guess

one would have to be blind not to understand the precise nature of this amendment. It is designed to repeal the pro-life, pro-child, Mexico City policy recently reinstated by President Bush to ensure that we do not fund the killing of unborn babies, either directly or indirectly.

Mr. Chairman, abortion is violence against children. Abortion methods are cruel. Abortion procedures referred to in this amendment as "medical services"

NGOs will take that money and do family planning to their heart's content, but they just have to divest themselves from the killing of children. I yield the balance of my time.

Chairman HYDE. The gentleman from California, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. I am happy to yield 3 minutes to the gentleman from Pennsylvania, my good friend, Joseph Hoeffel.

Mr. HOEFFEL. I thank the gentleman for yielding. I strongly support the Lee amendment to repeal the Global Gag Rule on family planning. I would like to say to my colleague and good friend in New Jersey that no one is challenging his great record on fighting for human rights. No one is challenging his record in supporting democracy building around the world. The issue here is not the gentleman's record in those two areas. The issue here is whether we want to impose on international organizations restrictions that would not be constitutional if imposed on Americans.

The gentleman from New Jersey says that during the Reagan-Bush years when the gag rule was in place, most or many of the foreign organizations accepted the restrictions so that they could keep receiving U.S. money for family planning. And that is exactly our point, that we are putting these organizations in a situation that they have to make a cruel choice. A choice that will hurt the poorest women in America, not the women from the gentleman's district, not the women from my district, but the poorest women around the world who have to rely upon family planning information and services wherever they can find them to avoid unwanted pregnancies. When those organizations accept U.S. funding with this gag rule, they are not allowed to get all of the information that should be available to them regarding reproductive choices. We impose upon them a restriction that in this country would be unconstitutional, and we should not be doing that as part of our official foreign policy overseas. I support the gentlelady's amendment, and I yield back.

Chairman HYDE. The gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Chairman. I yield to Mr. Pitts 3 minutes.

Mr. PITTS. Thank you, Mr. Chairman. I want to voice my strong opposition to this amendment. This amendment is a direct attack on the President's authority and policy to ensure that contractors that promote or perform abortions are not subsidized by the U.S. taxpayer. When President Bush took office, he reinstated this important policy that protects the use of our taxpayer dollars from subsidizing something to which many Americans are morally opposed.

When the United States funds any activities of contractors that are in the abortion business, it automatically frees up their money to be used for abortions. Further, this policy does not reduce by one penny the $425 million allocated for international, population-control funding. Under President Clinton, in fiscal year 2000, we enacted the compromise Mexico City policy where groups receiving this funding were required to certify that they would not perform abortions or violate the laws of their host country on abortion or lobby to change countries' laws. Groups who refuse to abide by

these pro-life protections could still receive funds, but no more than $15 million total.

Well, the sky did not fall. Women were not hurt. Family planning programs continued. In fact, 448 out of the 457 groups agreed to abide by this simple policy. Only nine international-abortion groups refused, a mere 2 percent.

Our disagreement today is on the issue of whether or not taxpayer dollars should be used to subsidize abortion on demand worldwide. We may agree to continue funding international population control but not in a way that is morally objectionable to the majority of taxpayers.

While Americans differ on the issue of abortion, most agree that it is not the role of our government to subsidize abortion on demand worldwide and that it is a misuse of taxpayer dollars to lobby foreign governments to change their abortion laws. I urge you, my colleagues, to oppose this amendment, stand with President Bush in protecting both women overseas and taxpayer consciences, and I yield back.

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to my friend from New York, Mr. Ackerman.

Mr. ACKERMAN. Thank you, Mr. Chairman. I support the amendment offered by my colleague from California, Ms. Lee, to overturn the Global Gag Rule that President Bush has reimposed by executive order. The passionate comments by my good friend and colleague from New Jersey notwithstanding, Mr. Chairman, at its core the co-called Mexico City policy is not about abortion; it is about free speech, which is also a fundamental human right.

This policy denies the right of a foreign, nongovernmental organization to simply talk about abortion. The Mexico City policy prohibits foreign, nongovernmental organizations from counseling women about abortion in accordance with the laws of their own countries. It prohibits them from providing abortion services with separate, separate, non-U.S. governmental funds by denying them U.S. family planning assistance, and it prohibits organizations from lobbying their own governments in accordance with the laws of their own nations on legalized abortion.

I think, Mr. Chairman, it is interesting to note that there are no similar restrictions on foreign, nongovernmental organizations that lobby against abortion. Imagine, you can speak against, but you cannot speak for. What a hypocritical abrogation of free speech that is. If an organization breaks these rules, it is denied all U.S. funding.

In effect, the Mexico City policy holds women in developing countries, primarily poor women, hostage by denying them vital information and resources for family planning. Prohibiting health-care providers from providing full and accurate information to their patients jeopardizes the health around the world. It is a dangerous double standard, Mr. Chairman to deny any NGO participation in a U.S.-supported program because it provides services like voluntary abortion and counseling that are legal in the NGO's country of operation and are also legal in the United States.

Chairman HYDE. The gentleman's time has expired.

Mr. ACKERMAN. Thirty seconds more, Mr. Chairman?

Chairman HYDE. You will have to ask Mr. Lantos.

Mr. LANTOS. I am happy to yield 30 seconds.

Mr. ACKERMAN. Mr. Chairman, the Global Gag Rule makes a mockery of the values that we as Americans hold dear: The right to speak freely and to make informed legal choices. The Global Gag Rule would be unconstitutional in the United States, and I believe that we should apply the same constitutional principles to the conduct of U.S. foreign policy as we would apply here at home. I urge my colleague to support Ms. Lee's amendment, and I thank the Chairman.

Chairman HYDE. There are two votes on the Floor. It is a little early to go to lunch. Let us go vote and come right back, and then at 12:30 we will recess for lunch.

Mr. BERMAN. Mr. Chairman?

Chairman HYDE. Yes.

Mr. BERMAN. Could I ask you to entertain a suggestion? There are a number of us who have luncheon obligations. I am wondering if we could vote on the amendment now or is it possible to indicate a time certain. My assumption is our break now will mean that by the time we finish the debate, it will be time for lunch. Is it possible to schedule a vote at a time certain, say, 1:15 or 1:30, or whenever you were planning to restart, and just have the vote at that time?

Chairman HYDE. Well, we will vote when we are finished with the debate, and we have a time limit on the debate. So when that time is reached, then we will vote, whenever that is. If we go to lunch at 12:30, Howard, you can have a nice, leisurely lunch.

Mr. BERMAN. I would be happy to eat right here, but——

Chairman HYDE. As you have so many times. Well, let us go vote, and let us come back, and we will recess at 12:30 for luncheon, and we will stand at ease.

[Recess.]

Chairman HYDE. The Committee will come to order. The gentleman from New Jersey is recognized.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Chairman. I yield 2 minutes to the distinguished Chairwoman of the International Operations and Human Rights Committee 2 minutes.

Ms. ROS-LEHTINEN. Thank you so much, Chairman Smith and Chairman Hyde. As a woman who believes in the sanctity of life and the need to protect the most vulnerable of all children, I strongly oppose Ms. Lee's amendment. U.S. taxpayers should not have their hard-earned dollars go to fund abortions. Nobody is challenging the funding for family planning, so long as that family planning is about life and not about death.

The choice is not removed. What is removed is the U.S. Government's subsidized abortions. If those who advocate for the choice to have abortions want government out of their lives, they should not expect the government to pay for those abortions. The Mexico City policy does not take one penny away from the $425 million that the Administration has requested for global population assistance, and you are going to be hearing this over and over again, and that is the truth.

On the contrary, it strengthens these programs by ensuring that U.S. funds are directed to those groups that provide true family

planning, which is something entirely distinct from abortion, but do not perform or promote abortion as a method of birth control.

And you will hear a lot of people making this claim, but the most outrageous claim by opponents of the amendment is that somehow this interferes with efforts to address the HIV/AIDS epidemic, which I spoke about on the Floor just this morning. This claim is simply false. The U.S. currently spends more than half a billion dollars per year on fighting AIDS. That is $482.5 million in direct U.S. expenditures in fiscal year 2001, plus many millions more in contributions to organizations such as WHO and UNDP, part of which funds anti-AIDS programs.

The President's Mexico City policy has absolutely no application to these funds. Advocates of international abortion rights have once again dredged up the tired, old argument that the Mexico City policy is a gag rule that violates the right to free speech. Even if the U.S. constitutional provisions applied to foreign organizations doing business on foreign soil, the first amendment would not give these organizations a right to receive Federal tax dollars.

Supporters of the amendment also argue that U.S. family planning grantees should be allowed to perform and promote abortions, so long as their abortion-related activities were carried out with their own money rather than U.S. grant money. But this is nothing more, as we know, than a bookkeeping trick. It ignores the fact that the money is fungible and that when we subsidize an organization, we inevitably enrich and empower all of its activities as well as enhancing the domestic and international prestige of the organization by giving it an official U.S. seal of approval.

The only real effect of this amendment, Mr. Chairman, will have if it passes today is to a great deal endanger the chances of passage of a foreign-appropriations authorizations bill, including the agreement on U.N. funding. If some Members of Congress insist on requiring the President to fund foreign abortion providers, they should do so with the appropriate vehicle—that is the Foreign Operations Appropriations Bill—as pro-life members have done in previous Congresses.

Without this killer amendment, Congress has an excellent chance to pass a bipartisan bill that provides the necessary resources for a strong, U.S. foreign policy for the 21st century. And I hope that our colleagues reject this amendment and the false premise upon which it is based. And I yield back.

Chairman HYDE. The gentleman from California, Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman. I am very pleased to yield 2 minutes to my colleague from California, Mr. Schiff.

Mr. SCHIFF. Thank you, Mr. Chairman and Members. There were a couple of points raised by the opposition to the amendment that I wanted to address.

The first is the idea that somehow by providing funding to family planning clinics without this gag rule, that there is some insidious, indivisible method by which this funding will actually be used to fund family planning services that are anathema to the opponents of the amendment. And the concern that I have with this, is the claim that this is some kind of a bookkeeping trick. Really, this is the same argument, I suppose, that could be made against the President's faith-based initiative. How is it that we can fund reli-

gious organizations to provide community services and be comfortable that those funds do not go for nonsecular purposes, and yet say that in the case of family planning services it must be some kind of a bookkeeping trick?

Plainly, if the premise of the faith-based initiatives is correct—which most of the opponents to the amendment, I think, support—you cannot provide funding under one thing and require it not be

Mr. SMITH OF NEW JERSEY. He does not have the time. To suggest there is an equivalency between that and faith-based work, I think, is wrong headed, however well intentioned the gentleman may be.

Let me also make the point that foreign, nongovernmental organizations are an extension of U.S. foreign policy. We can pick, and I think we have the duty to pick, those organizations that provide a service, in this case family planning, and we can have family planning without abortion promotion or performance, and the record is clear that we have had it in the past, by imposing the Mexico City policy. It is pro-child.

The issue of abortion is not a sidebar issue. Children are sacred. A child before birth—even the United Nations Declarations on the Rights of the Child and the Convention on the Rights of the Child has in its preamble that the child, by reason of its developmental immaturity, is deserving of respect before as well as after birth.

I think we need to show respect for those children as well as for the mothers. As Ms. Ros-Lehtinen pointed out so well, the $425 million that is already covered by the——

Chairman HYDE. The gentleman's time has expired.

Mr. SMITH OF NEW JERSEY. I yield myself an additional 30 seconds, Mr. Chairman. The $425 million that is expected to be allocated in fiscal year 2002; all of it will go to family planning programs and to the provision of family planning services. We just say we do not want abortion being a part of that. Family planning is not abortion. They are very much different.

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. Before I yield my time to my colleague from New Jersey, I would like to respond to my friend on the other side to clarify a point that our colleague from California made. He did not make the concepts of faith and abortion identical or analogous or parallel. His reference was to the concept of fungibility.

There is an argument, and a legitimate argument, to be made that those who oppose Ms. Lee's amendment, as we have just heard a minute ago, use the fungibility argument as an argument against that, namely, that the funds are provided for Project A, and those funds which were designated for that can be shifted to Project B. That is the concept of fungibility. That is as applicable to this argument as it is applicable to President Bush's faith-based initiative. As a matter of fact, we have heard countless arguments ad nauseam and ad infinitum that a wall of separation will be maintained between funds that are provided for faith-based initiatives and religious instruction.

So the gentleman from California made an argument of impeccable logic. One may disagree on the underlying issue, as we clearly do, but I think it is unfair to claim that he equated faith with abortion. He did not do so. He used the concept of fungibility, which our friends on the other side so often use with respect to faith-based initiatives.

I am now pleased to yield 2 minutes to my good friend from New Jersey, Mr. Payne.

Mr. PAYNE. Thank you very much, Mr. Lantos. I stand in strong support of the amendment offered by Ms. Lee. As she made very

clear, and there is no need for me to repeat the issues that she made so clearly, the Mexico City policy, as we know, is not about an abortion. We know that the U.S. does not fund abortions overseas. But it is typical of the United States to impose upon the world, because we are sort of king-of-the-hill, to tell them what is really best for them. We even find that in U.S. territory—take Vieques in Puerto Rico, where we are shelling and bombing—that we tell our Puerto Rican citizens that this is the way we do it. And so as long as we have this king-of-the-hill power, this is the way we do it.

I think that it is wrong to prohibit foreign, nongovernmental organizations who are not using any of these funds to promote abortion to even talk about the full range of options to women. Women are raped in some African countries. Someone has to go out for the wood, and sometimes a decision has to be made whether the male goes out and risks the loss of his life or a woman goes out and risks being raped. These are decisions that some people have to make—unbelievable decisions that families have to discuss. But we sit here pontificating, talking about what is best for the least of us in this world. And so I strongly support Ms. Lee's amendment. It is very clear we are in the first day of Mr. Bush's bipartisan, compassionate Administration——

Chairman HYDE. The gentleman's time has expired.

Mr. PAYNE. May I have 30 seconds, Mr. Chairman?

Mr. LANTOS. I would be happy to yield 30 seconds.

Mr. PAYNE. And the first move was to strike down this rule. So it certainly sends the tone of what we should expect. I think that the poorest among us should be given the consideration that this resolution would do. I yield back the balance of my time.

Chairman HYDE. The gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Before yielding to Mr. Issa, I just want to respond very briefly to my good friend, Mr. Lantos. The previous speaker, Mr. Schiff, did equate the idea that under some faith-based organizations under the faith-based initiative some money might trickle into religion with the argument that if you fund abortionists, some money might be shifted to abortion.

It seems to me that if the fungibility permits a church or a synagogue or a mosque to expand their other work, that is a benign consequence. We would argue because the killing of an unborn child is of high interest to us, many of us, if fungibility permits the killing of an unborn baby, that is not a benign——

Mr. SCHIFF. Will the gentleman yield?

Mr. SMITH OF NEW JERSEY. On your time, I would be happy to yield all you would like.

Mr. ACKERMAN. May I have 30 seconds?

Mr. SMITH OF NEW JERSEY. Let me just answer one other question by my good friend from New Jersey. He mentioned the issue of rape. The Mexico City policy specifically includes a rape exception, as it did going back to 1984, when it originally was announced by President Reagan at the Conference on Population in Mexico City. I would like to yield 3 minutes to Mr. Issa.

Mr. ISSA. Thank you, Mr. Smith. Thank you, Mr. Chairman. I rise in opposition to this amendment not on the base issue of abortion, although I do oppose abortion. I rise because this is the Inter-

national Relations Committee. Our responsibility is to participate in setting a consistent policy on behalf of the American people abroad and to foster improved relations with every country in which we operate, which is virtually every country on the face of the earth.

And when we fund NGOs, even though they are often called non-government organizations, they carry with them the prestige of the United States' dollars that they say they were funded with, and they do the good work of the American people in promoting a better relation with that country.

It is a compromise that some of these organizations promote birth control, but I think it is a compromise that has been long-standing and which the world has become comfortable with. It is very clear that many NGOs, if allowed to promote abortion, do so in direct opposition to the position of the country in which they are hosted. And for that reason, it is not consistent with the policy of improving relations and is not appropriate for this Committee to hamstring, if you will, the Administration.

I believe that in America, where you get a very large tax deduction if you choose to give to nonprofits, and those nonprofits often give to these efforts overseas, but do not carry the prestige of the United States Government. This is a mechanism for those who believe strongly in this need to provide this other service but to do so with an organization that does not, in effect, represent the United States policy.

For that reason, I strongly recommend my colleagues look at this as an obligation of the International Relations Committee not to allow government to get involved in abortion, something which my colleagues—many on the other side—are often wanting to say, that government should stay out of abortion. If we fund abortion overseas, we, as a nation, are putting dollars into abortion in exactly the opposite of what pro-choice advocates in America are constantly saying. Thank you very much. I yield back the balance of my time.

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman. It seems to me you have one more speaker and yourself on your side. Is that correct?

Mr. SMITH OF NEW JERSEY. That is correct.

Mr. LANTOS. Mr. Smith, may I then reserve my time and yield to you?

Mr. SMITH OF NEW JERSEY. I would like to yield such time as she may consume to Ms. Davis, the gentlelady from Virginia.

Ms. DAVIS. Thank you, Mr. Chairman. Once again, we see the pro-abortion advocates attempting to override the reinstatement of the Mexico City policy by attempting to paint this policy as an antifamily, yet their objections to this policy have nothing to do with families. This current attempt to repeal President Bush's executive order banning U.S. Government aid for U.S. and foreign contraception groups that perform abortions overseas is another disturbing sign of the pro-abortion movement's contempt for the vast majority of Americans who oppose the spending of their tax dollars on abortion. The President's executive order protects the desires of millions of Americans who ethically and morally oppose the Federal funding of abortion.

Mr. Chairman, I also wish to address the current misconception being spread by the Mexico City policy that it hurts family planning efforts overseas. This, Mr. Chairman, simply is not true. By withholding funds from groups that violate the Mexico City policy, the U.S. does not reduce the amount of foreign family assistance. Instead, most of this funding is redirected to organizations that agree not to promote abortion. It is that simple, Mr. Chairman.

Abortion is not needed for family planning, and according to statistics, most family planning groups agree. According to an AID report, approximately 400 nongovernmental organizations were receiving funds under the Mexico City terms in 1991. Under this policy, the U.S. provided about 45 percent of all international, family planning assistance in more than 100 countries. Eighty-five of those countries were developing countries. And it has been successful. According to the *New York Times*, there was a "near halt in the liberalization of abortion laws in Third World countries, while at the same time population-control programs were not hindered in pursuing their objectives."

While my colleague on the other side of the aisle gave a very passionate plea on how the Mexico City policy would harm women, it simply is not true. It does not harm the woman's ability to have family planning.

Mr. Chairman, we must respect the views of millions of Americans who do not want their tax dollars spent overseas to promote abortion. The Mexico City policy continues family planning funding while respecting the views of millions who cherish life and oppose abortion. Mr. Chairman, I hope we will defeat this amendment.

Chairman HYDE. The gentleman from California.

Mr. LANTOS. Thank you, Mr. Chairman. I am happy to yield 2 minutes to my friend, Congressman Davis.

Mr. DAVIS. Thank you, Mr. Lantos. I wanted to make a comment and then ask a question of Representative Smith. I support the Lee amendment for several reasons, and I do not support using Federal tax dollars to fund abortion overseas. That is not the subject of this amendment today.

One of the reasons I support the amendment is that without the amendment we are essentially telling not-for-profits, including potentially some faith-based organizations that—Mr. Smith, you and I are glad in some of these issues to serve the needs of people in Third World countries—we are telling them how to spend their own money. It seems to me that by denying them of control of their own funds and exercising a right of control over their funds, we are essentially making them our agents.

And if we are not going to adopt the Lee amendment, shouldn't we go ahead and just exercise total control over these NGOs and really begin the transformation of making this a truly governmental agency with full governmental control? I think that is the path we are headed down here. So I would like to direct a question to that effect to you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. I thank the gentleman for his question. I think this Congress and the President has every right and an obligation to establish meaningful and reasonable guidelines when it comes to any program, whether it be domestic or foreign. We would make the argument on this particular piece of legislation

or on this policy that if you care about protecting a child from the violence of abortion, if it were my baby, my wife was having a baby, would I buy into the fungibility that they are killing that baby with somebody else's funds, so, therefore, I wash my hands of it and say I had nothing to do with it?

We know for a fact that many of these organizations had at their core the idea, the proposition, that abortion on demand, even minors' abortions without parental knowledge or consent, and I am talking about the International Planned Parenthood Federation based in London, there is no doubt Vision 2000 articulates that throughout, which is their document, their manifesto, that they want government-sponsored abortion. I disagree with that. A majority, I believe, of the full House will disagree with that. I dare say, a majority of this Committee probably will not. So the real fight will be on the Floor of the House of Representatives.

But we have an obligation to establish parameters that are reasonable. We do it when it comes to bookkeeping. We do it when it comes to scope and mission that we fund. These are our dollars. We are not saying that——

Mr. ACKERMAN. I ask unanimous consent that the gentleman be given an extra minute, being that his time is up.

Chairman HYDE. I thank the gentleman for reminding me.

Mr. SMITH OF NEW JERSEY. You know, when it comes to establishing these programs, we would not give money to a racist regime, and that is as it should be. We have made a collective judgment that racism is an abomination; and, therefore, if a group espouses racism, we are not going to fund that group, even though they may provide another laudable—maybe feeding of the hungry or something else that we think is important. We will find another NGO.

For those of us who believe that abortion is killing and takes the life of an innocent girl or boy, we believe that we need to get them out of harm's way to the greatest extent possible. And as Ms. Davis pointed out so well, we do provide family planning money. We do not reduce it by a single penny.

Mr. DAVIS. Well, reclaiming my time, let me just close by saying that I think you need to be prepared for where your argument is taking you, Mr. Smith, which is for us to eventually exercise total control over these NGOs on any matters with which we disagree.

Mr. SMITH OF NEW JERSEY. I appreciate the gentleman's. I yield myself a couple of minutes, and then I will yield to Mr. Cantor.

Just to respond a little bit further, that has not happened in the past. Again, this is not a brand-new policy. It was in effect during the Reagan years and the Bush years, the previous Bush Administration, and it worked. And I remember when good friends of mine took to the Floor when I first offered the amendment in 1985 to protect the Mexico City policy, good friends like Sam Gejdenson, and we worked very closely on the Violence Against Women Act and other bills in the last Congress and said no one will accept these pro-life—I call them pro-life guidelines, but the Mexico City clauses.

In fact, as Ms. Davis pointed out and I point out, earlier, virtually every NGO accepted those guidelines. We have a duty to es-

tablish those guidelines. I yield 2 minutes to Mr. Cantor, our final speaker, except for Mr. Hyde.

Mr. CANTOR. Thank you, Mr. Chairman, Mr. Smith, for yielding time. Mr. Chairman, in my view, what we are talking about here is the use of American taxpayers' dollars and whether it is an appropriate use of taxpayer dollars to underwrite abortion activities in foreign countries. Certainly there are tens of millions of Americans who come down on the issue that our taxpayer dollars should not be used for that purpose, and it is my opinion that under no circumstances should American taxpayer dollars be used for that purpose. Clearly, by saying that organizations can use their own money to engage in promoting or allowing for abortion in foreign countries and then allowing U.S. taxpayer dollars to flow to those organizations, we are simply talking a shell game with the use of the money.

Currently, a hundred countries restrict abortion, and it should not be the policy of the United States to undermine those countries in the promulgations of those laws. The amendment would allow American aid to go to groups that violate existing foreign laws dealing with abortion, and I simply find that unacceptable. If one thinks taxpayer dollars should go to fund organizations that are going to try to overturn these laws in foreign countries, then they should oppose President Bush and support the amendment. If, on the other hand, my colleagues think that it is an inappropriate use of the taxpayer dollars of all hard-working Americans, then vote against the amendment and stand with the President. I urge defeat of this amendment. Thank you, and I yield back the balance of my time.

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. I think we are ready to vote, and before we do, do you want to speak? I will be happy to yield. How much time would you like? One minute.

Mr. CROWLEY. Mr. Chairman, thank you for yielding the time. I rise in strong support of the gentlelady's amendment. I do not believe this is about abortion. Again, I believe, as I said last year, I believe this is about providing contraception to the most needy people in the world. I think in the end it will save the lives of women and children, as I said before, in the most needy countries the world knows today.

And I think that the gag rule would be unacceptable here in the United States, and I know people know and understand I am not a big fan of abortion in any way, shape, or form, but when it comes to the issue of family planning, I think we should make everything available that we possibly can to women and men to make rational decisions about their families and their lives. So I support the gentlelady and yield back the balance of my time.

Mr. LANTOS. If I may take 1 minute, Mr. Chairman.

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. Mr. Chairman, to save time, since everything has been said on this subject, may I express my strong support for Ms. Lee's amendment and indicate to my colleagues on both sides of this issue and on both sides of the aisle, reasonable people may differ on many issues. We certainly differ on this issue. Funding abortions with U.S. taxpayers'

dollars has been illegal since 1973. This issue, in our view, is a freedom-of-speech issue, not an abortion issue, and I strongly urge my colleagues to vote for the Lee amendment. I yield back the balance of our time.

Mr. SMITH OF NEW JERSEY. Mr. Chairman, I yield to the distinguished Chairman of the Full Committee all of our remaining time.

Chairman HYDE. Can someone tell me how much time we have left?

Ms. BLOOMER. Mr. Chairman, Mr. Lantos has 17——

Chairman HYDE. Well, he has yielded back. How much time have I?

Ms. BLOOMER. Okay. Eighteen minutes, 15 seconds.

Chairman HYDE. Well, I certainly will not use more than a very few of those, so I want to allay the fears of my colleague.

Mr. LANTOS. I will be happy to yield my 17 minutes to you, Mr. Chairman.

Chairman HYDE. You want me to wear out my welcome.

Very quickly, on this very important issue, it is true we have talked about it for years. We are not telling NGOs what to do. We are not destroying their autonomy. We are saying, hey, if you want our money, we would like to tell you what to spend it on, and what you spend it on is fertility rates, population, but not abortion.

Abortion is not a part of population control, except in the grossest sense, but we do not pay for abortions in America with Federal money. We are carrying this policy overseas, and we are not going to pay for them overseas. We will pay for family planning up to the extent of $425 million. The money is there. Plan away, but do not exterminate unborn children. We do not do that in America with Federal money. We have not since 1976. And so the same policy should apply overseas.

Now, as far as it being unconstitutional, Mr. Hoeffel mentioned that in his remarks, in 1980, in the case of *Harris* v. *Macrae*, the Supreme Court said we have a right of free speech, but it does not mean you have a right to have the taxpayers buy you a typewriter. You can exercise free speech, but the Federal Government does not have to subsidize your exercise of your constitutional right. Therefore, if the Federal Government will not permit its dollars to pay for abortions domestically, they need not overseas, so there is nothing unconstitutional about it.

Lastly, I think if this amendment prevails, that is to say, if Ms. Lee's amendment prevails, the bill will be vetoed. There are a lot of good things in this bill, including U.N. arrearages, et cetera, and I think we ought to think about whether we want the bill to be vetoed. But in any event, family planning is important. We play the major role in the world in funding family planning, but we should not fund exterminating unborn children with taxpayers' dollars. We do not do it domestically. We should not do it in foreign aid. And I yield back the balance of my time, and all time has expired. And the clerk—the question occurs on the Lee amendment. All those in favor, say aye.

[A chorus of ayes.]

Chairman HYDE. All opposed, nay.

[A chorus of nays.]

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

Chairman HYDE. A recorded vote has been requested, and the gentlelady, Nancy Bloomer, will call the role.

Ms. BLOOMER. Mr. Gilman?

Mr. GILMAN. Aye.

Ms. BLOOMER. Mr. Gilman votes yes. Mr. Leach?

Mr. LEACH. Aye.

Ms. BLOOMER. Mr. Gilman votes yes. Mr. Bereuter?

Mr. BEREUTER. No.

Ms. BLOOMER. Mr. Bereuter votes no. Mr. Smith?

Mr. SMITH OF NEW JERSEY. No.

Ms. BLOOMER. Mr. Smith votes no. Mr. Burton?

Mr. BURTON. No.

Ms. BLOOMER. Mr. Burton votes no. Mr. Gallegly?

Mr. GALLEGLY. No.

Ms. BLOOMER. Mr. Gallegly votes no. Ms. Ros-Lehtinen?

Ms. ROS-LEHTINEN. No.

Ms. BLOOMER. Ms. Ros-Lehtinen votes no. Mr. Ballenger?

Mr. BALLENGER. No.

Ms. BLOOMER. Mr. Ballenger votes no. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. BLOOMER. Mr. Rohrabacher votes no. Mr. Royce?

[No response.]

Ms. BLOOMER. Mr. King?

Mr. KING. No.

Ms. BLOOMER. Mr. King votes no. Mr. Chabot?

Mr. CHABOT. No.

Ms. BLOOMER. Mr. Chabot votes no. Mr. Houghton?

Mr. HOUGHTON. Yes.

Ms. BLOOMER. Mr. Houghton votes yes. Mr. McHugh?

[No response.]

Ms. BLOOMER. Mr. Burr?

Mr. BURR. No.

Ms. BLOOMER. Mr. Burr votes no. Mr. Cooksey?

Mr. COOKSEY. No.

Ms. BLOOMER. Mr. Cooksey votes no. Mr. Tancredo?

[No response.]

Ms. BLOOMER. Mr. Paul?

Mr. PAUL. No.

Ms. BLOOMER. Mr. Paul votes no. Mr. Smith?

Mr. SMITH OF MICHIGAN. No.

Ms. BLOOMER. Mr. Smith votes no. Mr. Pitts?

Mr. PITTS. No.

Ms. BLOOMER. Mr. Pitts votes no. Mr. Issa?

Mr. ISSA. No.

Ms. BLOOMER. Mr. Issa votes no. Mr. Cantor?

Mr. CANTOR. No.

Ms. BLOOMER. Mr. Cantor votes no. Mr. Flake?

Mr. FLAKE. No.

Ms. BLOOMER. Mr. Flake votes no. Mr. Kerns?

Mr. KERNS. No.

Ms. BLOOMER. Mr. Kerns votes no. Ms. Davis?

Ms. DAVIS. No.

Ms. BLOOMER. Ms. Davis votes no. Mr. Lantos?

Mr. LANTOS. Aye.

Ms. BLOOMER. Mr. Lantos votes yes. Mr. Berman?
Mr. BERMAN. Aye.
Ms. BLOOMER. Mr. Berman votes yes. Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. BLOOMER. Mr. Ackerman votes yes. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. BLOOMER. Mr. Faleomavaega votes yes. Mr. Payne?
Mr. PAYNE. Aye.
Ms. BLOOMER. Mr. Payne votes yes. Mr. Menendez?
Mr. MENENDEZ. Aye.
Ms. BLOOMER. Mr. Menendez votes yes. Mr. Brown?
Mr. BROWN. Aye.
Ms. BLOOMER. Mr. Brown votes yes. Ms. McKinney?
Ms. MCKINNEY. Aye.
Ms. BLOOMER. Ms. McKinney votes yes. Mr. Hastings?
Mr. HASTINGS. Yes.
Ms. BLOOMER. Mr. Hastings votes yes. Mr. Hilliard?
Mr. HILLIARD. Aye.
Ms. BLOOMER. Mr. Hilliard votes yes. Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. BLOOMER. Mr. Sherman votes yes. Mr. Wexler?
Mr. WEXLER. Aye.
Ms. BLOOMER. Mr. Wexler votes yes. Mr. Davis?
Mr. DAVIS. Yes.
Ms. BLOOMER. Mr. Davis votes yes. Mr. Engel?
Mr. ENGEL. Aye.
Ms. BLOOMER. Mr. Engel votes yes. Mr. Delahunt?
Mr. DELAHUNT. Aye.
Ms. BLOOMER. Mr. Delahunt votes yes. Mr. Meeks?
Mr. MEEKS. Yes.
Ms. BLOOMER. Mr. Meeks votes yes. Ms. Lee?
Ms. LEE. Aye.
Ms. BLOOMER. Ms. Lee votes yes. Mr. Crowley?
Mr. CROWLEY. Yes.
Ms. BLOOMER. Mr. Crowley votes yes. Mr. Hoeffel?
Mr. HOEFFEL. Yes.
Ms. BLOOMER. Mr. Hoeffel votes yes. Mr. Blumenauer?
Mr. BLUMENAUER. Aye.
Ms. BLOOMER. Mr. Blumenauer votes yes. Ms. Berkley?
Ms. BERKLEY. Yes.
Ms. BLOOMER. Ms. Berkley votes yes. Ms. Napolitano?
Ms. NAPOLITANO. Yes.
Ms. BLOOMER. Ms. Napolitano votes yes. Mr. Schiff?
Mr. SCHIFF. Aye.
Ms. BLOOMER. Mr. Schiff votes yes. Mr. Hyde?
Mr. HYDE. No.
Ms. BLOOMER. Mr. Hyde votes no.
Chairman HYDE. Mr. Royce?
Mr. ROYCE. No.
Ms. BLOOMER. Mr. Royce votes no.
Chairman HYDE. Mr. Tancredo?
Mr. TANCREDO. No.
Ms. BLOOMER. Mr. Tancredo votes no.
Chairman HYDE. The clerk will report.

Ms. BLOOMER. On this vote there were 26 ayes and 22 noes.

Chairman HYDE. And the amendment is agreed to, and the Committee will stand in recess for 1 hour.

[Whereupon, at 12:35 p.m., the Committee recessed, to reconvene at 1:44 p.m., the same day.]

AFTERNOON SESSION

Chairman HYDE. The Committee will come to order. The Chair will ask if there are any further amendments to this title, and we look for a Republican.

Mr. SMITH OF NEW JERSEY. Mr. Chairman.

Chairman HYDE. The gentleman from New Jersey.

Mr. SMITH OF NEW JERSEY. I have an amendment at the desk, and I will be very brief.

Chairman HYDE. The clerk will report the amendment.

Ms. BLOOMER. Amendment offered by Mr. Smith. ''Page 14, after line 16 insert the following''——

Mr. SMITH OF NEW JERSEY. Chairman, I ask unanimous consent that the amendment be considered as read.

Chairman HYDE. Without objection, so ordered. The gentleman is recognized for 5 minutes in support of his amendment.

Mr. SMITH OF NEW JERSEY. Mr. Chairman, this amendment authorizes an international scholarship program for students of foreign origin to specialize in Judaic heritage, culture, ethics, and law at the New Jersey and Jerusalem college campuses of Beth Madrash Govoya of America. Currently, that organization offers, or that Yeshiva offers, an exchange program for students from all around the world, the Mideast, Africa, Central and South America, Eastern Europe, specifically recruiting students from Third World and poor countries, countries where democratic values are under attack and countries where the populations are suffering from internal and external conflicts. Through the exchange program students are exposed to American and democratic values and ideals, many of which are rooted in ancient Judaic culture, history, law, and ethics.

Mr. Chairman, approximately 200 students participate in the program each year. Like other companies funded by this bill, this program creates opportunities for the United States and foreign publics to better understand each other's societies and thereby provide a thoughtful context in which the United States can better articulate our policies and activities abroad. The amendment would provide an earmark in the bill for this exchange program.

However, in deference to a longstanding transition with regard to not tying the hands of USIA and now the State Department by specifically naming educational institutions as grantees in the bill, I plan on withdrawing the amendment at the appropriate time. However, I am seeking the Chairman's support for report language that would strongly recommend this unique program to appropriate officials at the State Department.

Historically, USIA and the State Department have been particularly attentive to the recommendations of this Committee, and, again, out of deference to the Committee staff who have voiced some concern about this earmarking, I would ask unanimous consent to withdraw that amendment at this time.

Chairman HYDE. The gentleman is asking unanimous consent to withdraw his amendment. The Chair extends his deep appreciation to the gentleman for doing that. It is not the most prudent thing to start earmarking, as this amendment does, no matter the merit, the evident merit, of what the gentleman seeks to do. And I would strongly support appropriate report language covering this topic. Is there any further discussion from anyone? Very well, the amendment is withdrawn. Is there a Democrat ready? If not, are there further amendments? Mr. Flake.

Mr. FLAKE. Mr. Chairman, I have two amendments at the desk and wish to offer them enbloc.

Chairman HYDE. Without objection, so ordered, and the clerk will report.

Ms. BLOOMER. Amendments offered by Mr. Flake. "Page 15, strike lines five through 13; page 18, strike lines three through 10."

Chairman HYDE. The gentleman is recognized for 5 minutes in support of his amendments.

Mr. FLAKE. Thank you, Mr. Chairman. I rise today to offer these amendments to strip funding for the Asia Foundation, the East-West Center, and the North-South Center. I want to point out from the beginning that I am not against these organizations. I think they do great work. I am certainly not opposed to work done in Asia. I am a huge supporter of engagement with China. I was one of only four, I believe, who voted against the resolution urging that we argue against the Olympics going to China. I believe that we ought to have trade and commerce and cooperation.

But my only point here is that these organizations do work that other groups do as well. They ought to have to compete for grants from the State Department and from other groups, like other organizations do. If we Republicans are serious about keeping our budget in check and living under budget constraints that we have set for ourselves, then we have got to look at actually trimming some of these funds.

If we look, the Asia Foundation is slated for a 62-percent increase over last year. That is pretty hefty. The North-South Center is actually coming in for a 185-percent increase over last year. I should note that both House and Senate appropriators in the last cycle actually zeroed out funding for these organizations. Funding only came back when the omnibus bill came through.

So with that, I reserve the balance of my time.

Chairman HYDE. The gentleman from Florida, Mr. Hastings.

Mr. HASTINGS. Thank you very, very much, Mr. Chairman. Mr. Chairman, I full well respect and understand my colleague's concern for the budgetary constraints that we are confronted with here in Congress as well as in this Nation.

I would urge my friend, Mr. Flake, to take into consideration, maybe with a bit of melancholy, the name of the North-South Center, not to mention the substantive aspects of its research agenda. It's named the Dante B. Fascell North-South Center. That is no accident. That is done because he is a pre-eminent scholar and former colleague of people who still serve here, our Chair and our Ranking Member. He was the former Chair of this International Relations Committee and was a spearhead in recognizing the crit-

ical need to have programs to support and implement the Department of State's strategic agenda for the Western Hemisphere.

Let me make it very clear, I am a firm advocate of the North-South Center, but I also am equally firm in my support of the East-West Center, which I have visited on two occasions, and I can tell you that if there are research organs that benefit Congress, then these particular organs, as they exist, help us a lot.

Let us take this Administration, which I find myself ideologically opposed to from time to time, the more recent circumstances giving rise to President Bush's activities at the Summit of the Americas in Quebec. Emanating from that and this President's great belief that there should be a free-trade area of the Americas and his belief in Plan Colombia, I want you to know that all of these priorities that are expressed by this Administration are supported with the underpinnings of the research that is ongoing at the North-South Center.

I do not see how in the United States Congress, when it comes to having information regarding major initiatives of American foreign policy, that we can find ourselves in a position of cutting organizations that have proved on a continuing basis their value to us as it pertains to inter-American issues that are vital. There are too many things happening in the Western Hemisphere for us to believe that we are going to get all of that information without dealing with organizations who, I might add, go out and seek additional funding. The North-South Center, for example, has received additional funding from private entities and does, in fact, say to us that we are in a position to be able to have philanthropic and private-sector input so that we can keep matters going.

So I respectfully urge my colleagues to oppose not the spirit, Mr. Flake, of your amendment and its concerns for our budgetary constraints, but I do believe the amendment to be misguided because it, in the final analysis, cuts the information arms that are vitally needed by all of us, and I will not even begin to tell you again how strongly I believe this President, with his emphasis on the Western Hemisphere, as rightly it should be, is going to be in need of the North-South Center. Thank you very much, Mr. Chairman.

Chairman HYDE. The gentlemen from California, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. I rise in the strongest possible opposition to this singularly ill-advised amendment. Let me say, first, that both the North-South Center and the East-West Center contribute enormously to our international, foreign-policy objectives. They stimulate intellectual exchange, scholarly work, the opportunity to build a society where nongovernmental organizations, civic institutions, educational forums have a vital role. It would be one of the most ill-advised moves on the part of this Committee to agree to cutting funding for that.

Now, a number of us have recently returned from Asia, and I would merely like to tell my friend, Mr. Flake, that in Cambodia and Vietnam, the Asia Foundation does incredibly valuable work with a broad spectrum of sincere, hard-working, and honest private organizations that are trying to create a civic society, protect human rights, and enhance multicultural understanding in all of these areas.

I find it also incomprehensible that at a time when some of my colleagues are in favor of giving tax breaks to billionaires we are trying to cut out literally puny sums in the most important work we do in the field, which is not an economic field and not a military field. I do not think it is just helpful to have trade with these countries. It is important to develop these countries' civic societies so they will become respectful of human rights, religious freedoms, the rights of women, and opportunities for people to develop themselves into full human beings.

The Asia Foundation does that. The East-West Center, the North-South Center does that. And I strongly urge my colleagues on a bipartisan basis to reject these amendments. I yield back the balance of my time.

Chairman HYDE. Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman. I have great respect for the knowledge and the experience that Mr. Flake brings to this Committee on Asian issues—among those others—and even greater expectations about the contributions he will make. But I do oppose the amendment enbloc. I am not intimately familiar with the workings of the North-South Center, but I do know that the Asia Foundation has made a very important contribution to our national interest by its performance.

We depend upon that external organization, the East-West Center, which has a formal relationship with our government, and on the new Center for Asian Pacific Security Studies, which the Department of Defense has recently created in the last several years, operating out of Honolulu. I understand the gentleman's concern—a principled one—that these organizations ought to compete with other organizations for funds that are available from the Federal Government, but I do think it is important that we demonstrate our continuing commitment to funding these organizations on a very modest level, as we have been, and that we authorize sufficient funds for those appropriations.

Something that was said a few minutes inadvertently might have been a bit misleading. The House appropriators have, to my knowledge and in my experience, never zeroed out funding for the Asia Foundation. In fact, I think the suggestion there was probably the North-South Center, but it seemed to imply that they have zeroed out for all three.

Now, there has been a game going on between appropriators on the two sides of the Hill for some time with respect to the East-West Center and the Asia Foundation, where House appropriators unfortunately always zero out the East-West Center, depending on Senator Inouye to appropriate funds for the East-West Center, and the Senate zeros out the Asia Foundation. We have got to get over this gamesmanship, but we have not yet at this point.

Mr. Berman and I have circulated to you a brief, "dear colleague" letter which went to all Members in the last day or two. He is the former Ranking Minority Member of the Subcommittee on Asia and the Pacific, and I am the former Chairman of the Subcommittee. We have watched the Asia Foundation. We have noted that they have substantially increased their nongovernmental funds for programs. We believe that they leverage very well the appropriated funds that are provided, and appropriators have provided a modest

amount within the $15 million authorization level for the Asia Foundation in the past.

We have never, I think, reached that point where we have actually used the full authorization level. But in this instance I think the demonstrated commitment to the Asia Foundation, for example, provides them with the continuity. They know that they will have a minimum level of support from the Federal Government they can count on, demonstrating good performance, and that is important to them in gaining additional funds from nongovernmental sources.

I think they do exceptional work in Southeast Asia and other parts of Asia. We have seen it in a direct sense. And I know that Congressman Sanford in the past offered such an amendment, but I do ask my colleagues to reject the Flake amendment enbloc because it does include the Asia Foundation. Thank you, Mr. Chairman.

Chairman HYDE. Mr. Faleomagaeva.

Mr. FALEOMAVAEGA. Mr. Chairman, it is Faleomavaega, but that is all right.

Chairman HYDE. I cannot spell it either.

Mr. FALEOMAVAEGA. Mr. Chairman, I do want to express my appreciation in understanding also the sentiments expressed by the gentleman sponsoring this amendment, Mr. Flake from Arizona. I respect his opinion, and I know that it is incumbent upon all of the Members in the Congress to know the fiscal constraints to make sure that we properly spend the taxpayers' money as far as issues reflecting our responsibility in this Committee, but I would respectfully object to the gentleman's proposed amendment.

If I may, I would like to, in particular, address my remarks to the establishment of the East-West Center, which is a federally chartered organization that is dedicated to the promotion of better relations between the United States and the nations of the Asia-Pacific region.

Creation of this institution since 1960 was an initiative by the Congress, whose farsighted leaders saw the challenge and opportunities that America would face in a dynamic region where two-thirds of the world's population resides, where our national trade with the Asia-Pacific region is twice that of Europe or any other region of the world, where six of the largest armies of the world are located in the Asia-Pacific region. So I think we do have very important, national interests in this region.

Today, the nations of the Asia-Pacific region loom even larger on the world stage, and their relations with the United States have become increasingly important and even more complex. The world's most dynamic economic growth has and will continue to be experienced in the Asia-Pacific region, which has become the center of world trade. For my friend's information, it is America's largest market, the Asia-Pacific region, where we conduct well over $400 billion in annual trade, as well as the home of our most aggressive competitors.

In addition to economic revolution, many of the Asia-Pacific nations are also undergoing fundamental changes in their political, social, and military structures that pose potential threats not only to the region's stability, but as well as to our own national inter-

ests. Clearly, Americans must attach greater priority to the Asia-Pacific region than they have ever done before and be prepared to understand and respond to the challenges and opportunities that will confront us, such as recent incidents with China in the North Korean Peninsula.

For the past four decades, Mr. Chairman, the East-West Center has worked to fulfill the mandate set out for it by the U.S. Congress, which is the projection of U.S. values abroad. The center's programs of cooperative study, training, and research have attracted thousands of students. Scholars, government officials, business leaders, journalists, and other professionals from the entire Asia-Pacific region, including the United States, come to the center to study, to give and receive training, forums, and the like.

In so doing, the center has built an elite, Asia-Pacific network of scholars and professionals numbering well over 40,000, which reaches from the South Asian subcontinent to the United States and provides the East-West Center direct access to governments, businesses, and educational institutions that is not found in any other organization in the region. And because of this network, Mr. Chairman, the East-West Center is an irreplaceable bridge, in my humble opinion.

Contacts in our government, educational agencies, and multinational corporations turn for recommendations, advice, and information on issues impacting the Asia-Pacific region as well as our own. In drawing on these unique assets, Mr. Chairman, the East-West Center has been active in several initiatives. It is well known today in our ties with Okinawa, Japan, scholarship program exchanges, bringing together various factions, and even in the situation in an island nation like Fiji.

Mr. Chairman, given the importance of the Asia-Pacific region to America's immediate and long-term future and given the effectiveness and contributions of this important institution, it is vital that we retain our present, modest level of funding. I might also add, Mr. Chairman, this has the full support of the Administration and President Bush. And I urge again, respectfully, to reject my good friend's amendment. I yield back the balance of my time.

Chairman HYDE. I thank the gentleman. I have five more speakers. Mr. Berman.

Mr. BERMAN. Thank you, Mr. Chairman. I rise in opposition to the amendment. As I understand the gentleman from Arizona's purpose in this amendment, it really has two different purposes. One is a fiscal question. I think it is important to note that the funding levels authorized here still leave these below the authorization levels of these programs back in the early and mid-1990's.

I also fundamentally believe we should be spending significantly more money on international relations functions and reinvigorating the variety of different programs under that part of the budget. And I know the Secretary of State came here and eloquently spoke to his belief that that should happen as well.

But the other issue that I really want to address is what I understand is the notion that if you are going to spend all of these dollars, quit earmarking and micromanaging from the congressional point of view. Let the State Department decide what the best use of that money is. And there I want to make a case that in the con-

text of these programs, and I have all kinds of experience with all three of those programs and think a tremendous amount of good work is done with it—I am not going to take my time to recite all of that now, but there is a broader and, I think, important philosophical reason here.

There are things that the Asia Foundation does and can do, because we earmark and appropriate funds to them. The State Department, because of its concern with diplomatic niceties, because of its government-to-government relationships, because of its influence over AID, cannot really engage without creating a diplomatic kind of wild fire that intimidates these organizations from supporting things in the areas of human rights monitoring, of helping to build constituency support in some of these countries for democratic elections, and in terms of making contacts and keeping contacts with dissidents.

When we made a decision to spin off our Radio Free Asia and our Voice of America from State Department control, it was because we recognize that there are things at the director, diplomatic, ambassadorial, embassy country-desk officer level that are limited by virtue of the need to maintain certain kinds of relationships. And these programs, both in the context of research and, even more importantly, in the context of actually implementing and funding other groups, can do things with greater freedom and latitude, all in the name of promoting the things that I think the overwhelming majority of Congress believes in—promoting democracy, pluralism, respect for religious and human rights around the world in furtherance of those ideals.

So that the notion that this could be done through AID or the State Department is not right when you look at the practical conflicts those governmental agencies have in doing some of these kinds of things. And so that is why I think it is critically important to maintain and increase levels of funding for these kinds of activities through congressional direction because otherwise they will not happen, or they will happen in a compromised version, or they will be so diluted and tainted with U.S. Government imprimatur, that they will not be successful. So just as we have with our National Endowment for Democracy, we are filling some other areas that the NED does not fill. They are very important, and I would urge that we oppose the amendment.

Chairman HYDE. The gentleman from Texas, Mr. Paul.

Mr. PAUL. Thank you, Mr. Chairman. I would like to urge strong support for this amendment. It is argued that this is a puny amount. Well, you know $65 million used to be a significant amount, but in the age of big government, it is puny. There is an argument that we should have more, not less. But if you are a poor person in America, and you live in the inner city, $65 million is still a significant amount of money.

If we are demanding that we spend this money, why don't we spend it here at home? What moral right do we have to extract it from our economy and shift it to these overseas operations? I do not even think we should be doing this. I do not think it is proper. I do not think it is morally correct. I do not think it is constitutional, but that is not the argument of the sponsor of the amendment. He is not even arguing to get rid of these programs, but he

does make a very important point. Why duplicate it? Why just pour more money into it? Call it puny.

The other departments can do this: The Department of Commerce, the Department of State. They can and will, so it is not like he is saying do away with it. But, you know, it just bothers me a whole lot when we should support this because it is puny. You know, there is a lot of puny stuff that we vote on, and that is why we have this huge budget. That is why we have runaway taxation. That is why we have a lot of poor people in this country.

If all of the money that we spend overseas, this whole appropriation authorization, if we spent it all at home, think how many poor people could be helped. But, no, we think we are so rich that we can spend endlessly and never call back at any of this funding because it is puny. Well, I think we ought to vote against some of this puny stuff because after a while it will be a significant amount, and it will affect our budget.

Mr. HASTINGS. Will the gentleman yield?

Mr. PAUL. I am going to yield to the gentleman from Arizona.

Mr. FLAKE. Thank you, Mr. Paul. Thank you for your comments. I appreciate the comments of those in opposition to the amendment. I am pleased to hear my sentiments reinforced about the good work that these organizations are doing, and having heard what I have heard, I have no doubt that they will be able to survive without the subsidy that we provide.

Mr. HASTINGS. Would the gentleman yield?

Mr. PAUL. Yes.

Mr. HASTINGS. Mr. Paul, the North-South Center is situated at the University of Miami, and the East-West Center is situated, for all intents and purposes, in Honolulu. That said, I just would hope to be able to, most respectfully, to disabuse you of the notion that this is money being spent abroad. It is money being spent in our country for purposes of furthering the understanding in the Western Hemisphere——

Mr. PAUL. Let me reclaim my time and ask the gentleman, this money that goes to the University of Miami; does it help the poor people in your district?

Mr. HASTINGS. You know, that is a very good question. If you will continue to yield. I best might describe this to you by saying, yes, it does. While the center is at the University of Miami, the Caribbean Basin is one that I have a substantial number of constituents involved. This same center has sponsored activities that led to economic development between Caribbean Basin countries and my constituents, who were involved in import-export. So there is a direct relationship, if you wish to have it put that way.

Mr. PAUL. Well, let me just conclude by saying, the activity is directed for overseas activity. Some of this money is being spent overseas. Some of it is being spent here for special interests and influential people who can get these grants. But nevertheless, I see no long-term benefit to the activity. It just means that we have to continue the funding, continuing the increase, never questioning it, and just saying because it is puny, we must support it, and I yield back the balance of my time.

Chairman HYDE. The gentlelady from Miami, Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Mr. Chairman, first, I want to say increasing funding for the North-South Center by 185 percent is really mixing apples and oranges, because the statement compares the appropriation levels from last year with the authorization ceilings of this year. And I'd like to just briefly explain that the Fascell Center, because I am very proud to represent the University of Miami, where it is located, here in Congress.

And the Fascell Center has worked extensively with the U.S. Department of State and other government agencies, the World Bank, the Organization of American States, private business corporation, academic and research institutions, Latin American and Caribbean governments, in a series of projects with the U.S. Government and with U.S. business, both new and ongoing, aimed at creating information technology opportunities in developing areas; bringing marginalized communities, including women, into the global market place; training entrepreneurs and educating businesses and policy makers in Latin America and in the Caribbean, on the challenges and the opportunities of globalization; contributing to the study and the debate on the economic integration of the Americas through a free trade area, the Americas through continuing studies, concerning weakness and political representation; failures in the rule of law; unresolved issues in civil and military relations; collaboration with civil and government and academic entities, in the areas of environmental security and environmental protection in the Americas; studies and collaborative efforts aimed at enhancing the role of civil society, which is so needed in our neighbors; seminars on fiscal and management reform for senior, federal, and state level officials, to improve efficiency, to root out corruption, to improve measurable results.

And with its strong institutional base at the University of Miami and its ideal geographic location in Miami, which is the cross roads of the Americas, the Dante B. Fascell North-South Center is well placed as the primary research and public policy study center dedicated to finding its practical responses to vital hemispheric challenges that confront us here in the United States. It is a domestic issue.

The Center's research agenda focuses on vital inter-American issues, such as trade and investment, migration, security, democratic governance, civil military relations, corruption, institution reform, civil society participation, sustainable development. These are our issues, as well. This research through us responds to a hemispheric agenda that directly impacts American people, in the form of our jobs and our prosperity, the drug problem in our communities, migration, export opportunities for businessmen, environmental quality, the promotion of shared democratic values.

The Fascell North-South Center played an important role in the recent summit of the Americas. And in January, the leadership counsel for Inner American Summitry, organized by the Fascell Center and consisting of notables from around the hemisphere, they met in Miami and they drafted a report, offering recommendations to the heads of state, who met in Quebec, and that meeting was President Bush's first multilateral agreement.

In the past year, the Fascell Center has received private support grants from Federal agencies, from international organizations, pri-

vate donors. They include the John and Catherine McArthur Foundation, the Tinker Foundations, the Organization of American States, the U.S. Agency of International Development, the World Bank, Governments of Japan, Dominican Republic, and on and on. The core founding for the Congress has enabled the center to attract such support from private sources.

And the Dante B. Fascell North-South Center, in summary, Mr. Chairman, is a reflection of the belief that the nations benefits—that all of the nations benefit, when the great issues of the western hemisphere are analyzed and when they are debated by the private sector and non-governmental groups, and organized to get an opinion, for academic institutions to have a different mandate and get a different perspective.

As a respected independent public policy institution that is fully cognizant of the special responsibilities attached to its Federal funding, the Center has served its function successfully for many years. It is crucial that business people, professionals, non-governmental organization have a trusted, non-partisan policy center that can assist them in changing opinions and bringing their views to the attention of policy makers.

Chairman HYDE. The gentlelady's time——

Ms. ROS-LEHTINEN. The issues involved today——

Chairman HYDE [continuing]. Has expired.

Ms. ROS-LEHTINEN [continuing]. In an increasingly integrated hemisphere, Mr. Chairman, touch the lives and the interest of all American families, U.S. families, in one way or another. This is a U.S. project of benefit to Americans.

Chairman HYDE. The gentleman from New York, Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. I will be brief. I rise in opposition to the Flake amendment to our Foreign Relations Authorization Act, which would completely eliminate all funding for the Asian Foundation, the Center for Cultural Exchange between East and West, and the Dante Fascell North-South Center, to the detriment of our U.S. national interest. I was around when Dante Fascell created the North-South Center and I want to join our colleagues who have spoken out in support of these centers.

Now, the Asia Foundation has a 46-year proven track record promoting successful democratic economic activities across Asia. It remains in the front line of advancing democracy, the rule of law, human rights, economic reform, and sustainable recovery in emerging democracies, like countries in the jurisdiction of our South Asia Committee, such as Bangladesh. It is trying to lay a foundation for positive changes in both China and Vietnam.

And the North-South Center does an outstanding job, as Ms. Lehtinen has indicated, in promoting good relations between all nations in the western hemisphere, and I think both of them do great work for all of us. When we take a good look at the works in both of these foundations, I think it's incumbent upon us to continue their authorization.

I thank the gentleman for yielding.

Chairman HYDE. Mr. Smith of New Jersey.

Mr. SMITH OF NEW JERSEY. Thank you, very much, Mr. Chairman, and I will be very brief. I was going to revise these summary remarks.

I know in the future, I will probably be supporting many of Mr. Flake's amendments, because I have a great deal of respect for him. But, on this one, I reluctantly oppose it.

Just to point, and I think many of the speakers have made the argument, these foundations, and East-West Center and the North-South Center, provide an intellectual and academic framework, to promote democracy, human rights, environmental protection, and capitalism. We have held extensive hearings on them in the past and when I was Chairman of the International Ops Committee and have had numerous conversations with people associated with them.

Just for the record, we did provide 1.4 million dollars last year for the North-South Center, although we had authorized 2.5. And, Mr. Chairman, the Hyde-Lantos bill very modestly ratchets that up to four million and I think that is an appropriate amount. We straight lined the Asian Foundation from last year's authorization, 15 million dollars, and there is a one million dollar increase for the East-West Center.

So, these are all, I think, modest sums. It can be justified. And, again, I reluctantly oppose my friend's——

Chairman HYDE. The question occurs on the amendment. All in favor, say "aye."

[Ayes.]

Chairman HYDE. All opposed, "nay."

[Nays.]

Mr. LANTOS. I request a rollcall, Mr. Chairman.

Chairman HYDE. The gentleman has requested a rollcall. He shall have one. The gentlelady, Ms. Bloomer, will call the roll.

Ms. BLOOMER. Mr. Gilman?

Mr. GILMAN. No.

Ms. BLOOMER. Mr. Gilman votes no. Mr. Leach?

Mr. LEACH. No.

Ms. BLOOMER. Mr. Leach votes no. Mr. Bereuter?

[No response.]

Ms. BLOOMER. Mr. Smith?

Mr. SMITH OF NEW JERSEY. No.

Ms. BLOOMER. Mr. Smith votes no. Mr. Burton?

Mr. BURTON. No.

Ms. BLOOMER. Mr. Burton votes no. Mr. Gallegly?

[No response.]

Ms. BLOOMER. Ms. Ros-Lehtinen?

Ms. ROS-LEHTINEN. No.

Ms. BLOOMER. Ms. Ros-Lehtinen votes no. Mr. Ballenger?

[No response.]

Ms. BLOOMER. Mr. Rohrabacher?

[No response.]

Ms. BLOOMER. Mr. Royce?

[No response.]

Ms. BLOOMER. Mr. King?

[No response.]

Ms. BLOOMER. Mr. Chabot?

Mr. CHABOT. Aye.

Ms. BLOOMER. Mr. Chabot votes yes. Mr. Houghton?

Mr. HOUGHTON. No.

Ms. BLOOMER. Mr. Houghton votes no. Mr. McHugh?
[No response.]
Ms. BLOOMER. Mr. Burr?
[No response.]
Ms. BLOOMER. Mr. Cooksey?
[No response.]
Ms. BLOOMER. Mr. Tancredo?
[No response.]
Ms. BLOOMER. Mr. Paul?
Mr. PAUL. Aye.
Ms. BLOOMER. Mr. Paul votes yes. Mr. Smith?
[No response.]
Ms. BLOOMER. Mr. Pitts?
Mr. PITTS. No.
Ms. BLOOMER. Mr. Pitts votes no. Mr. Issa?
Mr. ISSA. No.
Ms. BLOOMER. Mr. Issa votes no. Mr. Cantor?
Mr. CANTOR. Aye.
Ms. BLOOMER. Mr. Cantor votes yes. Mr. Flake?
Mr. FLAKE. Aye.
Ms. BLOOMER. Mr. Flake votes yes. Mr. Kerns?
Mr. KERNS. Yes.
Ms. BLOOMER. Mr. Kerns votes yes. Ms. Davis?
Ms. DAVIS. No.
Ms. BLOOMER. Ms. Davis votes no. Mr. Lantos?
Mr. LANTOS. No.
Ms. BLOOMER. Mr. Lantos votes no. Mr. Berman?
Mr. BERMAN. No.
Ms. BLOOMER. Mr. Berman votes no. Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. BLOOMER. Mr. Ackerman votes no. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. BLOOMER. Mr. Faleomavaega votes no. Mr. Payne?
[No response.]
Ms. BLOOMER. Mr. Menendez?
[No response.]
Ms. BLOOMER. Mr. Brown?
[No response.]
Ms. BLOOMER. Ms. McKinney?
Ms. MCKINNEY. No.
Ms. BLOOMER. Ms. McKinney votes no. Mr. Hastings?
Mr. HASTINGS. No.
Ms. BLOOMER. Mr. Hastings votes no. Mr. Hilliard?
Mr. HILLIARD. No.
Ms. BLOOMER. Mr. Hilliard votes no. Mr. Sherman?
[No response.]
Ms. BLOOMER. Mr. Wexler?
Mr. WEXLER. No.
Ms. BLOOMER. Mr. Wexler votes no. Mr. Davis?
Mr. DAVIS. No.
Ms. BLOOMER. Mr. Davis votes no. Mr. Engel?
Mr. ENGEL. No.
Ms. BLOOMER. Mr. Engel votes no. Mr. Delahunt?
Mr. DELAHUNT. No.

Ms. BLOOMER. Mr. Delahunt votes no. Mr. Meeks?
Mr. MEEKS. No.
Ms. BLOOMER. Mr. Meeks votes no. Ms. Lee?
Ms. LEE. No.
Ms. BLOOMER. Ms. Lee votes no. Mr. Crowley?
[No response.]
Ms. BLOOMER. Mr. Hoeffel?
Mr. HOEFFEL. No.
Ms. BLOOMER. Mr. Hoeffel votes no. Mr. Blumenauer?
Mr. BLUMENAUER. No.
Ms. BLOOMER. Mr. Blumenauer votes no. Ms. Berkley?
Ms. BERKLEY. No.
Ms. BLOOMER. Ms. Berkley votes no. Ms. Napolitano?
Ms. NAPOLITANO. No.
Ms. BLOOMER. Ms. Napolitano votes no. Mr. Schiff?
Mr. SCHIFF. No.
Ms. BLOOMER. Mr. Schiff votes no. Mr. Hyde?
Chairman HYDE. No.
Ms. BLOOMER. Mr. Hyde votes no.
Chairman HYDE. Mr. Tancredo?
Mr. TANCREDO. Aye.
Ms. BLOOMER. Mr. Tancredo votes yes.
Mr. MENENDEZ. Mr. Chairman, how am I recorded?
Chairman HYDE. Mr. Menendez asked for his vote.
Ms. BLOOMER. Mr. Menendez has not voted.
Mr. MENENDEZ. No.
Ms. BLOOMER. Mr. Menendez votes no.
Chairman HYDE. Mr. Crowley?
Mr. CROWLEY. No.
Chairman HYDE. I thought sure you were.
Ms. BLOOMER. Mr. Crowley votes——
Chairman HYDE. No.
Ms. BLOOMER [continuing]. No.
Chairman HYDE. And now the clerk will report.
Ms. BLOOMER. On this vote, there were six ayes and 30 nos.

Chairman HYDE. Then the amendment is not agreed to. The gentleman from Iowa, Mr. Leach, is recognized for purposes of an amendment.

Mr. LEACH. Mr. Chairman, I have an amendment that gets two sections of the bill, but it is the same subject matter and I will ask unanimous consent that both of these amendments be considered in one.

Chairman HYDE. Without objection, so ordered. And the gentlelady will report the amendment.

Ms. BLOOMER. En Bloc amendments offered by Mr. Leach, in section 104(a)(1).

Mr. LEACH. Without objection, I ask the amendments be considered as read.

Chairman HYDE. Without objection, so ordered, and the gentleman is recognized for 5 minutes, in support of his amendment.

Mr. LEACH. Thank you, Mr. Chairman. What this amendment does, it calls for the United States to return to UNESCO and provide some resources necessary to accomplish this task.

By background, in the 1980's, there was a great deal of concern in some political circles for the U.N. system. A number of institutions were considered for U.S. withdrawal, led at one point by EA, which was then determined that we should remain a part of. But, UNESCO was chosen as an agency that the United States might appropriately withdraw from.

There were considerable problems at the time at UNESCO. One was excessive budgeting; another was a severe political polarization on journalistic issues, as well as on the subject of Israel.

On the big issue of concern for the U.N., I personally believed that the government was a bit misguided. But whether or not it was, on the specific issues relating to UNESCO, there was a meritable case; whether it was a persuasive one is another matter. In any regard, on the budgeting issue that has been brought under control at UNESCO, the GAO almost a decade ago reviewed the issue and said that the concerns of the United States Congress had been met.

With regard to the subject of Israel, it is always possible that international foreign governments could attack. But, the government of Israel has always held that it is better for the United States to be participatory in such settings and they are better protected with U.S. participation than without it.

As far as the journalistic issue, which was an issue that some had advocated involving the possible licensing of journalists, that is an issue that is now appropriately and thoroughly dead.

As far as I am concerned, UNESCO is perhaps the least dangerous international organization I know of, from almost any conceivable perspective. I can't say it is most important; but in the world in which ideas matter, the issues of science, of education and culture are of more than slight significance, and UNESCO has a small, but symbolic niche on these circumstances.

The Secretary of State, George Schultz, who took part in the decisionmaking to withdraw from UNESCO, spoke up last fall and suggested that now is the time for the U.S. to return. Whether or not we made a mistake in withdrawing from UNESCO, I believe that it is clear folly not to rejoin. If one thinks it through, there are 188 member nations of UNESCO. All of the concerns the United States had at the time of our withdrawing have now been ameliorated, and we stand as a self-made pariah.

I, personally, believe that empty chair diplomacy is an oxymoron and it should be ended. And there is no reasonable case that I know of, of any measure, for the United States not to withdraw from UNESCO. And so, I believe it is incumbent upon this Congress to begin the process of authorizing its rejoining.

Chairman HYDE. Mr. Lantos?

Mr. LANTOS. Thank you, very much, Mr. Chairman. First, let me commend and congratulate my friend and colleague from Iowa for offering this amendment, which I strongly support. Last year, as a matter of fact, I introduced legislation that was designed to achieve precisely this goal.

In order to save time, I shall not repeat all of the good arguments Congressman Leach has made. Let me just state the obvious. Secretary of State, George Schultz, recommended in 1984 that we withdraw from UNESCO for good and substantial reasons. It

was a corrupt anti-American organization. It has cleaned up its act. There is a cultural reform, which has swept through UNESCO. It is now fiscally a responsible organization and its anti-American taint has been removed.

As my friend indicated, it is an absurdity to have 188 countries on the face of this plant be part of the United Nations Educational, Scientific, and Cultural Organization, but the United States, the only super power, staying out of it.

Since some of my colleagues will no doubt in opposition raise the question of cost, let me indicate what the cost is of rejoining UNESCO. It is a little less than 25 cents per person a year. It is difficult to argue, it seems to me, that we cannot afford a quarter a year, to be part of the world's only global educational, scientific, and cultural organization.

Secretary Schultz, who properly recommended that we withdraw from this organization, is now recommending that we rejoin it. I think it is long overdue that we rejoin it and I urge all of my colleagues to support the Leach amendment.

Yield back with my time.

Chairman HYDE. Mr. Ros-Lehtinen?

Ms. ROS-LEHTINEN. Thank you, so much, Mr. Chairman. This amendment directs the U.S. to begin the process of rejoining UNESCO, the United Nation's Educational, Scientific, and Cultural Organization. I hope that we reject this amendment and an organization, which we withdrew from in 1984.

While I am aware that my colleagues have made some good points that this agency has indeed reformed itself over the past 15 years and that its director general has instituted measures leading to staff reductions, greater accountability, the fact remains that there are serious funding restraints on our ability to rejoin this organization. It would cost us some 67 million dollars to come back in and I question whether this is a wide use of our resources. And I am informed that the Department of State actually does not favor our rejoining UNESCO and has not provided the needed resources for doing so in the international organization account.

David Malone, the President of the International Peace Academy in New York and the former Canadian foreign ministry official in charge of relations with international agencies, is not optimistic about the prospects for reform by the new director general of UNESCO, Mr. Masuri of Japan. In fact, Mr. Malone says,

> "I think Mr. Masuri faces an uphill battle in turning around an organization that is deeply scarred."

He continues by saying,

> "The problem of UNESCO is that successive heads have turned it into a personal patronage machine, neglecting programs and bloating the staff."

He continues saying,

> "We used to all know what UNESCO's objectives were. Now, nobody knows what UNESCO does beyond world heritage sites and whoever consults UNESCO now on science."

That is his quote.

And how specifically does the director general plan on fulfilling his mandate? Well, in a very concrete way, one of his plans is by spending millions of dollars to restore colonial Havana, for example, historical preservation of foreign buildings. Why should we be joining an organization, which is promoting tourism in Cuba and in the process of helping provide hard currency to one of the worst human rights violators in the world?

We would all like historical preservations of our buildings. Why are we shipping our U.S. tax dollar abroad to do it for someone else? Is this the type of effort that the U.S. Congress should be funding? It is not clear how we can justify to our taxpayers, taking this much money away or even from other U.N. agencies, for an organization, whose time appears to have come and gone.

I understand that seven studies have been conducted on UNESCO over the past 12 years, citing the reforms that have been made in management and accounting practices. But, I will argue that the cost of rejoining this organization is very high and that we would be forced to reduce our participation in other important development and standard setting agencies. If we have 67 million dollars extra, shouldn't we be spending it on UNICEF, for example, or any other organization that is more noteworthy and that can really help people?

I would, therefore, oppose any amendments that direct the U.S. to rejoin this agency that is really no longer needed. Thank you, Mr. Chairman.

Chairman HYDE. The gentleman from New York, Mr. Gilman?

Mr. GILMAN. Thank you, Mr. Chairman. I regret that I cannot join my good colleagues, Mr. Leach and Mr. Lantos, who are offering amendments directing our Nation to begin the process of rejoining the United Nations Educational, Scientific, and Cultural Organization, known as UNESCO, an organization from which we withdrew our support back in 1984.

While I am fully aware that my colleagues are making some good points—that this agency has reformed itself somewhat over the past 15 years and that its director general has instituted measures leading to staff reductions and greater accountability—I do point out that there remains some serious funding restraints on our ability to rejoin this organization.

It is going to cost us 67 million dollars to get back into UNESCO. I question whether this is an appropriate use of our resources and I am informed that the Department of State does not favor our rejoining UNESCO and has not provided resources for doing so in its international organization account.

In sum, it is not clear how we can justify taking these funds away from other U.N. agencies, for an organization, whose time appears to have come and gone. I understand that seven studies have been conducted on UNESCO over the past 12 years, citing the reforms that have been made in its management and accounting practices. But, I would argue that the cost of rejoining is extremely high and that we would be forced to reduce our participation I other important development standard setting agencies.

Accordingly, I reluctantly oppose this amendment, directing our Nation to rejoin this U.N. agency. And I yield back the rest of my time.

Chairman HYDE. The question occurs on the amendment. All those in favor, say "aye."

[Ayes.]

Chairman HYDE. Oppose, "nay."

[Nays.]

Mr. LANTOS. Request to record the vote, Mr. Chairman.

Chairman HYDE. The clerk will call the roll.

Ms. BLOOMER. Mr. Gilman?

Mr. GILMAN. No.

Ms. BLOOMER. Mr. Gilman votes no. Mr. Leach?

Mr. LEACH. Aye.

Ms. BLOOMER. Mr. Leach votes yes. Mr. Bereuter?

[No response.]

Ms. BLOOMER. Mr. Smith?

Mr. SMITH OF NEW JERSEY. No.

Ms. BLOOMER. Mr. Smith votes no. Mr. Burton?

[No response.]

Ms. BLOOMER. Mr. Gallegly?

[No response.]

Ms. BLOOMER. Ms. Ros-Lehtinen?

Ms. ROS-LEHTINEN. No.

Ms. BLOOMER. Ms. Ros-Lehtinen votes no. Mr. Ballenger?

[No response.]

Ms. BLOOMER. Mr. Rohrabacher?

[No response.]

Ms. BLOOMER. Mr. Royce?

[No response.]

Ms. BLOOMER. Mr. King?

Mr. KING. No.

Ms. BLOOMER. Mr. King votes no. Mr. Chabot?

Mr. CHABOT. No.

Ms. BLOOMER. Mr. Chabot votes no. Mr. Houghton?

Mr. HOUGHTON. Yes.

Ms. BLOOMER. Mr. Houghton votes yes. Mr. McHugh?

[No response.]

Ms. BLOOMER. Mr. Burr?

[No response.]

Ms. BLOOMER. Mr. Cooksey?

[No response.]

Ms. BLOOMER. Mr. Tancredo?

[No response.]

Ms. BLOOMER. Mr. Paul?

Mr. PAUL. No

Ms. BLOOMER. Mr. Paul votes no. Mr. Smith?

[No response.]

Ms. BLOOMER. Mr. Pitts?

Mr. PITTS. No.

Ms. BLOOMER. Mr. Pitts votes no. Mr. Issa?

Mr. ISSA. No.

Ms. BLOOMER. Mr. Issa votes no. Mr. Cantor?

Mr. CANTOR. No.

Ms. BLOOMER. Mr. Cantor votes no. Mr. Flake?

Mr. FLAKE. No.

Ms. BLOOMER. Mr. Flake votes no. Mr. Kerns?

Mr. KERNS. No.
Ms. BLOOMER. Mr. Kerns votes no. Ms. Davis?
Ms. DAVIS. No.
Ms. BLOOMER. Ms. Davis votes no. Mr. Lantos?
Mr. LANTOS. Yes.
Ms. BLOOMER. Mr. Lantos votes yes. Mr. Berman?
Ms. BLOOMER. Mr. Ackerman?
Mr. BERMAN. Aye.
Ms. BLOOMER. I'm sorry, Mr. Berman votes yes.
Mr. ACKERMAN. Aye.
Ms. BLOOMER. Mr. Ackerman votes yes. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Yes.
Ms. BLOOMER. Mr. Faleomavaega votes yes. Mr. Payne?
[No response.]
Ms. BLOOMER. Mr. Menendez?
Mr. MENENDEZ. Aye.
Ms. BLOOMER. Mr. Menendez votes yes. Mr. Brown?
[No response.]
Ms. BLOOMER. Ms. McKinney?
Ms. MCKINNEY. Aye.
Ms. BLOOMER. Ms. McKinney votes yes. Mr. Hastings?
Mr. HASTINGS. Yes.
Ms. BLOOMER. Mr. Hastings votes yes. Mr. Hilliard?
[No response.]
Ms. BLOOMER. Mr. Sherman?
Mr. SHERMAN. Yes.
Ms. BLOOMER. Mr. Sherman votes yes. Mr. Wexler?
Mr. WEXLER. Yes.
Ms. BLOOMER. Mr. Wexler votes yes. Mr. Davis?
[No response.]
Ms. BLOOMER. Mr. Engel?
[No response.]
Ms. BLOOMER. Mr. Delahunt?
Mr. DELAHUNT. Yes.
Ms. BLOOMER. Mr. Delahunt votes yes. Mr. Meeks?
Mr. MEEKS. Yes.
Ms. BLOOMER. Mr. Meeks votes yes. Ms. Lee?
Ms. LEE. Yes.
Ms. BLOOMER. Ms. Lee votes yes. Mr. Crowley?
Mr. CROWLEY. Yes.
Ms. BLOOMER. Mr. Crowley votes yes. Mr. Hoeffel?
Mr. HOEFFEL. Yes.
Ms. BLOOMER. Mr. Hoeffel votes yes. Mr. Blumenauer?
Mr. BLUMENAUER. Aye.
Ms. BLOOMER. Mr. Blumenauer votes yes. Ms. Berkley?
Ms. BERKLEY. Yes.
Ms. BLOOMER. Ms. Berkley votes yes. Ms. Napolitano?
Ms. NAPOLITANO. Yes.
Ms. BLOOMER. Ms. Napolitano votes yes. Mr. Schiff?
Mr. SCHIFF. Yes.
Ms. BLOOMER. Mr. Schiff votes yes. Mr. Hyde?
Chairman HYDE. No.
Ms. BLOOMER. Mr. Hyde votes no.
Chairman HYDE. Mr. Tancredo?

Mr. TANCREDO. No.

Ms. BLOOMER. Mr. Tancredo votes no.

Mr. HILLIARD. Mr. Chairman, how am I recorded?

Chairman HYDE. How is Mr. Wynn recorded?

Ms. BLOOMER. Mr. Hilliard has not voted.

Chairman HYDE. Is that Mr. Hilliard?

Mr. HILLIARD. Aye.

Ms. BLOOMER. Mr. Hilliard votes yes.

Mr. PAYNE. Mr. Chairman, how am I recorded?

Chairman HYDE. Mr. Payne?

Ms. BLOOMER. Mr. Payne has not voted.

Mr. PAYNE. Yes.

Ms. BLOOMER. Mr. Payne votes yes.

Chairman HYDE. Mr. Engel?

Ms. BLOOMER. Has not voted.

Mr. ENGEL. Yes.

Ms. BLOOMER. Mr. Engel votes yes.

Chairman HYDE. Have all voted who wish? The clerk will call the roll—the clerk will report it, having already called the roll.

Ms. BLOOMER. On this vote, there were 23 ayes and 14 nos.

Chairman HYDE. Then the amendment is agreed to. Are there further amendment to this title?

[No response.]

Chairman HYDE. The clerk will designate title II.

Ms. BLOOMER. Title II, authorities and activities of the Department of State.

Chairman HYDE. Are there any amendments to title II? The Chair recognizes the gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Chairman, I have an amendment at the desk and I ask unanimous consent, on behalf of myself and Mr. King of New York.

Chairman HYDE. The clerk will designate the amendment.

Ms. BLOOMER. Amendment offered by Mr. Smith, page 28, after line 13, insert the following——

Mr. SMITH OF NEW JERSEY. Mr. Chairman, I ask the amendment be considered as read.

Chairman HYDE. Without objection, so ordered, and the gentleman is recognized for 5 minutes in support of his amendment.

Mr. SMITH OF NEW JERSEY. Thank you, very much, Mr. Chairman. First of all, let me just point out that this amendment I offer on behalf of Mr. King and myself, builds on provisions that we, together, inserted in Public Law 106–113, which is suspend the training and exchange programs between the FBI and the Royal Officer Constabulary, the Northern Ireland Police Force, until certain human rights standards are met.

As this Committee well knows, the issue of policing and the conduct of the RUC is at the very heart of the Good Friday agreement. Over the last 3 years, I have chaired some seven hearings on human rights violations in Northern Ireland. A recurring theme presented by numerous international human rights experts at these hearings has been at the RUC's long history of involvement in human rights abuses against the people of Northern Ireland.

Mr. LANTOS. Mr. Chairman, the Committee is not in order.

Chairman HYDE. The Committee will be in order. If Mr. Berman has something to share with us, we would all love to hear it. The gentleman will continue.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Chairman.

Chairman HYDE. Sorry, Mr. Smith.

Mr. SMITH OF NEW JERSEY. And thank you Mr. Lantos, as well.

Accordingly, our amendment keeps the suspension of the FBI–RUC exchanges in place, ensuring that the United States is not subsidizing or supporting the efforts of a Northern Ireland police force without first vetting those officers, who are believed to have committed or condoned violations of internationally recognized human rights.

It also puts a time certain on a previously mandated report on the scope of the FBI–RUC exchange programs, and we have learned from this, if you do not have a time, don't expect a report to show up. So, now, we have put an exact time.

Additionally, our amendment requires the President to report within 60 days of enactment the extent to which the government of the United Kingdom has implemented the 175 recommendations contained in the Patton Commission's recommendations for police reform in Northern Ireland. Mr. Patton, Members might recall, was a witness at one of our hearings held by the Subcommittee. And while many of us were disappointed that the Patton Commission failed to find a way to rid the force of what he called "bad apples," we at least felt that his 175 recommendations for reform could serve as a floor, rather than a ceiling—a beginning for subsequent changes for the better.

Recent reports indicate, however, that the British Government's implementation legislation merely cherry picks, and Mr. Patton had warned against that. The Patton Commission's recommendations, some were adopted, some were ignored. The President's report will help identify the progress made and underscore the reforms still to be accomplished.

The amendment also requires a report on the status of the investigations of the murders of human rights attorneys Patrick Fenucken and Rosemary Nelson, as well as a report on the investigation of the murder of Robert Hammel.

No one, who was at the Subcommittee's September 1998 hearing, will ever forget the chilling testimony provided to us by human rights attorney Rosemary Nelson. Rosemary sat in this very room and told us about harassment, intimidation and threats by the police against defense attorneys, simply because of the politics of their clients. She testified that she had been physically assaulted by a number of RUC officers. She sat right there, where Nancy Bloomer is sitting today, and said that the RUC is going to kill me. She feared for her life and 6 months after her testimony here on the Hill, defense attorney Rosemary Nelson was killed, the victim of an assassin's car bomb.

That was 2 years ago and still, no one has been arrested for the murder. Amazingly, the RUC remains very much involved in the investigation, despite her stated fears and despite subsequent findings by Northern Ireland's independent commission on police complaints, the RUC officers were, indeed, hostile toward Rosemary and the death threats that she had reported.

Not surprisingly, Mr. Chairman, several international human rights organizations, as well as the U.N. Special Replitoire on The Independence of Judges and Lawyers, have called for the creation of an independent judicial inquiries into the murders of Rosemary Nelson and Pat Fenucken.

Mr. Chairman, let me conclude, and I would ask my full statement made part of the record, we hope that this amendment gets passed. It is high time that this provision and the reports that we are requesting be provided to the Congress.

Chairman HYDE. The gentleman from California, Mr. Lantos?

Mr. LANTOS. Mr. Chairman, I want to commend my friends, Mr. Smith and Mr. King, for bringing this amendment before us, and I strongly support it. I urge all of my colleagues to do so.

Chairman HYDE. The question occurs on the amendment offered by Mr. Smith and Mr. King. All those in favor, say "aye."

[Ayes.]

Chairman HYDE. Oppose, "nay."

[No response.]

Chairman HYDE. The ayes have it. The amendment is agreed to. The Committee will stand in recess for the vote and then we will return. We are making good progress. We might finish this bill—we will finish this bill, so please come back.

[Recess.]

Chairman HYDE. The Committee will come to order, and the Chair recognizes the gentleman from New York, Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. I had asked Mr. Smith if he would engage in a colloquy with me. Would the author of the amendment we just considered, calling for a report on recruitment efforts to get Catholics to join the new police service, agree that the report to be provided by the Administration should also include the facts surrounding the recent refusal of two Garda police officers in the Republic, for any consideration for the position of assistant chief constable position in the North, and also tell us what both British and Irish government are doing about fixing that violation of the Patton Commission's recommendations, to have senior level officers transferred to the North. Would the gentleman agree to make that part of the report language?

Mr. SMITH OF NEW JERSEY. I thank my good friend from New York and I think he makes a very important observation, and I would fully agree that that should be a part of the report language in that report.

Mr. GILMAN. I thank the gentleman. Thank you, Mr. Chairman.

Chairman HYDE. The Chair recognizes Mr. Delahunt for purposes of an amendment.

Mr. DELAHUNT. I thank the Chair. Mr. Chairman, the amendment before you would mandate two different——

Chairman HYDE. Before the gentleman explains it, the clerk will designate the amendment.

Ms. BLOOMER. Amendment offered by Mr. Delahunt, page 34, after line two, insert the following section——

Chairman HYDE. Without objection, further reading of the amendment is dispensed with. The gentleman now is recognized for 5 minutes.

Mr. DELAHUNT. Again, thank you, Mr. Chairman, and I want to thank you and the staff for your cooperation and support on this amendment.

And it simply mandates two reports that I believe are very significant, that will help Congress monitor the progress and provide us with the data and the empirical evidence, to assess the effectiveness of our assistance under Plan Colombia. And as every Member of this Committee is aware, Plan Colombia was considered by the House of Representatives and the Senate, and signed into law last year. It provided well in excess of 1.3 billion dollars, to develop and implement a comprehensive strategy to deal with the issue of drugs flowing from Colombia into the United States.

Now, the strategy, itself, had two aspects. One dealt primarily with eradication and support of those efforts, as well as interdiction. Eighty percent of American aid, in excess of one billion dollars, was allocated to this aspect of the comprehensive strategy that was the basis for many of us supporting Plan Colombia. The remaining 20 percent, again which most of us felt was critical to a successful implementation of Plan Colombia, was directed to provide civic and economic development, to encourage stability, social and economic justice in Colombia, and to strengthen democratic institutions, to reduce the attraction of the Campesinos, who, for lack of other opportunities, are growing coca and poppy.

Now, many of us had reservations, including myself, about this balance of 80 percent and 20 percent.

Chairman HYDE. Will the gentleman yield?

Mr. DELAHUNT. I will yield.

Chairman HYDE. Does the gentleman intend to offer another amendment En Bloc with the one you are discussing now?

Mr. DELAHUNT. Yes, I do, sir.

Chairman HYDE. We are prepared to accept those amendments. I just would like you to know, if you would like to abbreviate your remarks. [Laughter.]

Mr. DELAHUNT. Well, maybe, Mr. Chair, maybe I won't take—submit them En Bloc——

Chairman HYDE. The question has been answered.

Mr. DELAHUNT. Are you talking about the denial of the visa amendment, as well as——

Chairman HYDE. Yes.

Mr. DELAHUNT. You are?

Chairman HYDE. Yes, sir. Are you offering them En Bloc?

Mr. DELAHUNT. I didn't plan to; but after listening to the plaintive tone of your voice, I will offer them En Bloc, Mr. Chairman.

Chairman HYDE. Very well. Without objection, they are received En Bloc. And would you want to yield to Mr. Ballenger?

Mr. DELAHUNT. I will obviously yield to my friend and Chair of the Western Hemisphere Subcommittee, Mr. Ballenger.

[The attachment to Mr. Delahunt's statement follows:]

PREPARED STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

REPORTING AMENDMENT TO H

This amendment actually mirrors and corrects a similar provision that was included in the Colombian aid package last year which prohibited funding for visas for supporters of these groups. Since that package did not actually fund the issuance of visas, it was not effective. This new measure fixes that, and I urge the committee to support this amendment. Thank you.

Mr. BALLENGER. Well, Mr. Chairman, I am obviously pleased to offer my support to the amendment offered by the gentleman from Massachusetts and concur with the proposed requirement for a report on the implementation of alternative development assistance to Colombia.

Chairman HYDE. The question occurs on the amendments En Bloc offered by the gentleman from Massachusetts. All those in favor, say "aye."

[Ayes.]

Chairman HYDE. Opposed, "nay."

[No response.]

Chairman HYDE. The ayes have it and the amendment is agreed to. I understand there are no amendments to titles III, IV, V, and VI; therefore, the clerk will now designate title VII.

Ms. BLOOMER. Title VII, miscellaneous provisions.

Chairman HYDE. Are there any amendments to title VII?

Mr. MENENDEZ. Mr. Chairman, I have an amendment at the desk.

Chairman HYDE. Mr. Menendez. The clerk will designate the amendment.

Ms. BLOOMER. Amendment offered by Mr. Menendez, after section 737, insert the following new section.

Mr. MENENDEZ. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

Chairman HYDE. Without objection, so ordered. The gentleman is recognized for 5 minutes in support of his amendment.

Mr. MENENDEZ. Thank you, Mr. Chairman. Today, I am introducing a sense of the Congress amendment on climate change. My amendment, introduced on behalf of Congressman Hastings, Congresswoman Lee, and Congressman Faleomavaega, would send an important message to the world—that this Committee and this Congress are concerned about global warming and seize the need to take constructive action now for the benefit of future generations.

Treasury Secretary O'Neill, as Chairman of the board and CEO of ALCOA Corporation, in a most thoughtful presentation on this issue in 1998, said the following:

> "I think that there are certain issues that are different, issues that transcend individual companies and individual industries and individual countries. There are two that rise to a specific level of consideration and concern. One is nuclear holocaust and the danger of renegade states having available to them nuclear weapons of mass destruction. The second is environmental, specifically the issue of global climate change and the potential of global warming."

And I wholeheartedly agree with Secretary O'Neill's comments made in his capacity as an industry leader. I would also point out that Mr. O'Neill expressed concerns, as do several industry leaders today, that annual cost of global warming can run up to three tril-

lion dollars in insurance costs, addressing sea level rise and property damage. So, it is in this bipartisan and cooperative spirit that I offer this amendment.

The industrialized countries, with less than 25 percent of the world's population, are responsible for about 75 percent of the accumulated carbon dioxide emissions currently in the atmosphere. And despite this, no serious efforts to reduce the industrialized worlds skyrocketing missions have yet taken place.

Recently, the Bush Administration made it clear that it has declined to take a leadership role in the global community on this issue, by unilaterally abandoning ongoing negotiations on climate change. However, since the announcement was made to walk away from the Kyoto protocol, we have heard that there may be an effort on the way in the Administration to constructively pursue this issue, and we look forward to hearing about that effort and to working with the Administration on this vital global issue.

The intergovernmental panel on climate change, a scientific body established by the United Nations to study the latest science on global warming, issued its third report this past January. In that report, over 3,000 climate experts conclude that the global average surface temperature has already increased by 1.1 degrees Fahrenheit over the 20th century and projected an increase of as much as 10.4 degrees Fahrenheit from 1990 to the end of this century.

This was the third such report in 15 years and shows more than ever that this problem is real, has a real element of human causation, and has real consequences. Even under the median range of temperature change predicted by the IPCC, the world will go through some significant, if not devastating changes. Already glaciers are shrinking at an alarming rate and some plant and animal populations in arctic regions have entered decline. In the future, the report predicts a reduction in crop yields, decreases in water availability in drought-prone regions, and increases in the number of people exposed to diseases, like cholera and malaria, all due to climate shifts from climate change.

In addition to its devastating impact on the global environment, global warming is also likely to lead to dramatic shifts in populations, food supplies, and water resources. The most at risk echo systems, low lying areas, and drought prone regions also tend to be home to the world's poorest countries, countries that will not be able to bear the brunt of the tremendous cost associated with adapting to a changing climate. It is impossible now to predict the political implications of a world, where millions of already starving people in debilitated countries will have to migrate away from an ever increasing seashore.

The United States, as the world's leader in so many areas, must make common cause with other industrialized nations to address this problem. There is no question that developing countries will have to do their fare share, as well.

But we, in the industrialized world, have long been leaders in one area of climate change that we should not be proud of, and that is emissions of greenhouse gases. Let us demonstrate our responsibility as global leaders, in a globalized world, and take the lead in mitigating climate change, a problem to which we have contributed to greatly.

My amendment states more efficient technologies and renewable energy sources will mitigate global warming and will make the United States economy even more productive and create hundreds of thousands of jobs. In the face of overwhelming scientific evidence, the burden placed on America and its allies by their leadership role in this world and the potential for devastating changes ahead, I strongly urge my colleagues here today to vote for the Menendez, Hastings, Lee amendment. Let us show that there is real concern in this Congress for the impacts of global warming here and abroad. This amendment urges and I urge this Administration to remain engaged in the only current ongoing international negotiations on climate change, those of the Kyoto protocol, the international climate change treaty.

Thank you, Mr. Chairman, and I urge my colleagues to adopt the amendment.

Chairman HYDE. The gentleman from Texas, Mr. Paul.

Mr. PAUL. Thank you, Mr. Chairman. I would like to speak in opposition to this amendment for several reasons. You know, there has been some points made that we shouldn't be in the Kyoto agreement, we shouldn't follow it for economic reasons, because it is expensive. And I don't think there is any doubt about that. It is true. But, I don't think that is the real argument against us participating. I think there are a couple of other reasons for us to avoid this intervention with this—in this treaty.

And the one is the environment, itself. You know, I have not yet met anybody in the Congress or in the United States, for that matter, who is against the environment. I have never heard anybody running for Congress and say, you know, I am opposed to the environment. But, there are two different ways of handling the environment. One is through what I call an authoritarian compulsive approach through big government and the other is through private property.

And this is just more big government, with authoritarianism behind it, with compulsions and regulations and rules. And it literally rejects the notion of the private property approach. And if you look at history and if you even look at our country, the more private property is, the better the property is taken care of. So, the extreme, of course, would be the Soviet system. They didn't do a very good job in taking care of the environment. But, if you have private property ownership, the owners take care of it much better.

Now, you say, yes, but what about polluting your neighbor's property? You have no right to pollute your neighbor's property under the private property arrangement. It is taken care of by the rejection of that. But, it rejects the notion that you have a lot of rules and regulations and you spend a lot of money setting up standards and enforcing them in this manner. Actually, there is no evidence to show that the environment is better taken care of.

So for those of us, who reject the big government approach to protecting the environment, it isn't that we don't care about the environment; we actually have a very sincere deep belief that the environment is better taken care of under the private property arrangement. For this reason, I would reject the notion that we should go in the direction of agreeing to the Kyoto treaty and going along with those types of regulations.

And there is another reason that we should think about not doing it this way and that has to do with the sovereignty issue. When we go to an international body through treaty, we literally give up our responsibilities here in the U.S. Congress, because rules and regulations and laws are written by an international body. In this instance, when we accept that principle, what we do is we literally amend the Constitution, by saying that laws can be written by an international body. That should not be permissible. That means the House, itself, has been totally excluded and the Senate, itself, agrees to a treaty, and it flies in the face of everything that we believe in, under Constitutional law.

So, I would say under our Constitution, it is not legal. I don't think it will work and I don't think it really does the best job to protect the private property. But, both individuals these days, both on the left and the right, are strongly in opposition to a lot of the international activities going on with the WTO and IMF and World Bank, because for this precise reason, they don't believe the environment is being protected and labor law is not being protected.

And the real truth is, is we are rejecting the principles that were laid down by the founders in this country, in establishing the Constitution, that we deal with these problems, that we don't deal with it by more entangling alliances, and with the rejection and the belief that private property can take care of the environment much better than more authoritarian government.

And I yield back.

Chairman HYDE. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman, and I applaud your ability to pronounce my name in the most fashionable way. Thank you, again.

As you recall, Mr. Chairman, when our Committee had our first hearing or meeting with the distinguished Secretary of State, Collin Powell, I extended a courtesy in the fact that I had raised only one question with Secretary Powell, at the time. And the question that I raised with the Secretary then was what was the Administration's position on global warming. And as I recall, the Secretary's position was there was no administrative position, at the time. In fact, the Administration even requested that further time be given to the Administration, maybe around July or August, that the Administration will then have a policy decision to be made about global warming.

Well, as we all know, Mr. Chairman, one thing led to another with the recent pronouncement that the President had made. I want to say for the record, Mr. Chairman, that I am very pleased that the gentleman from New Jersey, Mr. Menendez, has offered this amendment and I am honored to join our colleagues in strong support of the amendment before the Committee, which urges the United States leadership to address global climate warming, and continue participation with the Kyoto protocol negotiations.

Mr. Chairman, there is a growing consensus that global climate change is occurring. The nations of the world must engage in a good faith process to find the solutions. United Nations studies projected that in the next century the earth may warm by as much as six degrees Celsius, which will raise ocean levels by 50 centimeters, or almost 20 inches. I might add, Mr. Chairman, I know

something about ocean levels, coming from this area of the world. Already rising sea levels threaten the existence of low lying island nations of the South Pacific, such as Vonwatsu, Kirvas, the Solomons, the Marshalls, and have caused massive destructive floodings in Bangladesh, Egypt, and China. Parts of the United States, in particular the coastal areas of Florida, Louisiana, and other states, also stand to be inundated in rising sea levels, and global warming are unchecked.

I don't know if our colleagues are aware that El Nina happens to start from the Pacific, right in Vonwatsu, not too far from where I live. Many consider global climate change to be the most challenging environmental issue to ever face our generation and generations to come. Even the initial skepticism over global warming expressed by many U.S. businesses have been replaced by the acknowledgment of the problem, as evidenced by the adoption of emission reduction targets more stringent than the Kyoto protocol by major companies, like IBM, Johnson & Johnson, and Polaroid. Major auto and oil companies, such as Ford and AMOCO, have declared reduction of carbon dioxide to be a top priority.

Mr. Chairman, the United States is only 4 percent of the world's population, but our Nation is responsible for almost 25 percent of the carbon dioxide released into the atmosphere—the main cause of global warming. As the world's per capita leader in fossil fuel emissions, there is very strong indication that Americans see climate change as a serious threat and want our government to take measures.

Mr. Chairman, with the international community having committed over a decade's work, 10 years of work on the Kyoto protocol, we cannot simply walk away from the process. As the planet's worse polluter, the United States has a moral responsibility and duty to lead global efforts, to address climate warming, and it is vital that we work with the Kyoto process, to ensure even our interests are also protected.

Mr. Chairman, if I might say, it is not that—we understand that that there is some very key provisions in the Kyoto protocol that even I would not have accepted, given the fact that the Senate even voted 95 to zero to reject the Kyoto protocol, but the idea that at least we should be actively engage and continue the process. I am against the idea of India and China having a different emissions standard from us. But, that certainly should not be the reason why we should not continue to engage nations that are very concerned about this issue. I think this is the essence of what this proposed amendment tries to achieve, and I sincerely urge my colleagues to support this amendment.

Mr. MENENDEZ. Will the gentleman yield?

Mr. FALEOMAVAEGA. I glad to yield to my fair friend.

Mr. MENENDEZ. I want to thank the gentleman for his support and take the opportunity to just comment on the previous gentleman's comments, and that, in terms of compulsory, the fact is that voluntary measures have not worked. At the '92 Real Earth Summit, the U.S. committed itself to returning to 1990 levels of greenhouse pollution by 2000, but insisted on voluntary compliance. We are 12 percent over the 1990 levels. So, it hasn't worked. Even Mr.

O'Neill, in his speech, recognized that, as well, the President's Treasury Secretary.

And lastly, I want to reenforce what Mr. Faleomavaega said. The protocol is a work in progress. We have an opportunity to be at the table, be part of the negotiating sessions, one that was just completed in France and another one that is going to be scheduled in the Hague in November. And if we are not there, we are not only not asserting leadership, we are not protecting our interest.

Chairman HYDE. The gentlelady from California, Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. And I am really proud to be one of the authors of this amendment. I want to thank my colleague, Mr. Menendez, Mr. Hastings, and Mr. Faleomavaega, for this very important amendment today.

Unabated greenhouse gas emissions, particularly carbon dioxide, represents a really profound threat to American national security, to the U.S. economy, and to our relationship with our allies. The act, or even the appearance that the United States is abandoning efforts to reduce greenhouse gas emissions endangers longstanding relationships and really does threaten environmental health and sustainability.

Now, we have been hearing a lot about burden sharing recently. I agree that burden sharing is important and the United States also must bear its share of this burden in dealing with global warming.

British Deputy Prime Minister John Prescott recently declared that the United States cannot pollute the world while free riding on action by everyone else. Ramona Prody, the President of the European Union Commission stated that if one wants to be a world leader, one must know how to look after the entire earth and not only American industry.

Some of said that voluntary commitments will be sufficient, and they will not be. In 1992, the United States and other industrialized countries of the world signed the United Nations framework convention on climate change, which would voluntarily reduce emissions of greenhouse gases to 1990 levels by 2000. But, it failed. Not one country lived up to its voluntary commitments. That is why in 1997, 165 countries negotiated and signed the Kyoto protocol, which would commit us to binding emissions reductions. The Kyoto protocol is the best instrument that we have at hand to curb global climate change.

As the largest producer of greenhouse gases in the world, we must live up to our responsibilities as global leaders and global citi-

of them over there. And in the middle of the meeting, a rainstorm broke out, as sometimes happens in Washington. It was one of the heaviest rains for the year, but only three of the meteorologists had managed to bring an umbrella with them, which indicates they really hadn't predicted the rainstorm that was upon them at that moment. In fact, most of the people, who are predicting global warming, can't predict the weather 3 days from now, much less that there has been this massive temperature change in the works in the world.

One of the first things President Clinton did when he became President was to fire the chief scientist at the Department of Energy. And he fired him, because that chief scientist was open-minded toward global warming. For the last 8 years, we have had an Administration that has done everything they could in the scientific community, to provide the scientific community to come up with studies that suggest that there is a major threat called global warming.

Being on the Committee on Science and being Chairman of Subcommittee on Space Energy for 2 years, as well as now being the Chairman of the Subcommittee on Aeronautics, I can tell you I have sat through many hearings on global warming and what I come away with, that this is not global warming, this is global bologna that we are talking about. The fact is that some scientists and even some government officials will come to your office afterwards, and they will remain nameless, and say, you know, these people don't know what they are talking about. I can't tell you that in public, and then point out, for example, that the studies for global warming don't take into account cloud cover, when today they take the temperature reading. That was given to me by someone very high up in the government, who is afraid to say that publicly, during the Clinton Administration.

It also doesn't take into account sun spots. Oh, sun spots in cloud cover don't have anything to do with a temperature on a day. It doesn't take into consideration the amount of cement that happens to have been built up in an area that is now urban, where 100 years ago, the temperature that was taken was taken in an area that had yet to be developed.

All of these studies that suggest that they can prove global warming have enormous flaws. The water temperature, for example, of the ocean isn't taken into account. When talking about the temperatures that were taken by ship captains years ago—however ship captains took the temperature—are now being taken by satellites.

For example, we have heard all about the ice cap that—that is the latest trend—is melting. Well, there was—just 2 days ago, there was a report issued from Canada that said the ice caps are not melting. In fact, the ice caps are as thick as they have ever been and that all of these other reports are just so much gobbley gook or, as I say, bologna.

Now, what is happening is there may be some little bit of warming going on and I have concluded that is impossible. It is possible that, yes, the glaciers are receding, as they have probably done 20 times over the history of this planet, back and forth. Even before mankind existed, the glaciers went back and forth. There were ice

ages and there were little warmer areas. And, yes, the glaciers, guess what, have been receding for the last about 500 years. That was before mankind got into this big industrialization that supposedly has caused global warming.

Using the reports that we have, the supposed pseudo scientific reports that we have got, to prove a point about global warming and then using that has a hammer to put draconian ''reforms'' on the American people is an obscene attack on the standard of living of the American people and the worst hurt will be on the poorest of the American people, of course. What we have got here is a situation where China and other countries are exempt and we are called the world's—by the way, to show how cockamamie this idea is, even here, today, we have heard that the United States is the world's worst polluter. Give me a break.

Now, you measure pollution, CO2 is the only pollutant. Well, the bottom line is that the United States produces less CO2 per unit of wealth than any country of the world, any country of the world.

Chairman HYDE. The gentleman's time has expired.

Mr. ROHRABACHER. I would ask permission for one additional minute.

Chairman HYDE. Without objection.

Mr. ROHRABACHER. Okay. Let me just say that the standard of living has to come down. What they are judging when they say the world—that we are the world's worst polluter—is that they judge CO2 emissions by population, which is ridiculous. We shouldn't be attacking the standard of living of the American people, which is exactly what is happening here. If people get their way on the other side, the poor in our country will be the worst hurt by this cockamamie idea of global warming, and I would suggest that we reject this amendment wholeheartedly. Thank you.

Chairman HYDE. The gentleman from California, Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman. For the sake of time, let me just say, I strongly urge my colleagues to support this amendment. It is a farsighted, intelligent amendment. When the Chairman and I met with Chancellor Schroder the other day, he spent a good deal of his time on this issue. As to all of our friends and allies in the developed world, we are totally out of step, as we walk away from Kyoto. We should support this amendment.

I yield the balance of my time.

Chairman HYDE. The Chair yields himself 2 minutes and states that he opposes this amendment. I do not doubt the environmental concerns are real and deserve study. We have not had any hearings on this. This is very important and should not be trivialized, in the sense that we just take a look at it and react emotionally.

The Kyoto treaty is an important document that has been rejected in the Senate by a sense of the Senate vote. It has never been submitted for ratification. And so to implement the treaty through the passage of this amendment, it seems to me is getting ahead of ourselves.

The Kyoto protocol exempts 130 nations, including China and other of the world's greatest polluters. And I don't say we should do nothing, but I do say that we should make a judgment on this issue after hearings. And the jurisdiction doesn't belong to us, it belongs to the Committee on Science and Technology.

So, I just think this is misplaced and ill-advised. The people, who hate nuclear, hate fossil fuel. And I would hate to reduce America to the level of the Amazon. So, we ought to study this and study it by the Committee of jurisdiction.

I yield back and the question is on the amendment. All those in favor—no, the clerk will call the roll.

Ms. BLOOMER. Mr. Gilman?

Mr. GILMAN. No.

Ms. BLOOMER. Mr. Gilman votes no. Mr. Leach?

[No response.]

Ms. BLOOMER. Mr. Bereuter?

[No response.]

Ms. BLOOMER. Mr. Smith?

[No response.]

Ms. BLOOMER. Mr. Burton?

[No response.]

Ms. BLOOMER. Mr. Gallegly?

Mr. GALLEGLY. No.

Ms. BLOOMER. Mr. Gallegly votes no. Ms. Ros-Lehtinen?

Ms. ROS-LEHTINEN. No.

Ms. BLOOMER. Ms. Ros-Lehtinen votes no. Mr. Ballenger?

Mr. BALLENGER. No.

Ms. BLOOMER. Mr. Ballenger votes no. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. BLOOMER. Mr. Rohrabacher votes no. Mr. Royce?

[No response.]

Ms. BLOOMER. Mr. King?

Mr. KING. No.

Ms. BLOOMER. Mr. King votes no. Mr. Chabot?

Mr. CHABOT. No.

Ms. BLOOMER. Mr. Chabot votes no. Mr. Houghton?

[No response.]

Ms. BLOOMER. Mr. McHugh?

[No response.]

Ms. BLOOMER. Mr. Burr?

[No response.]

Ms. BLOOMER. Mr. Cooksey?

Mr. COOKSEY. No.

Ms. BLOOMER. Mr. Cooksey votes no. Mr. Tancredo?

[No response.]

Ms. BLOOMER. Mr. Paul?

Mr. PAUL. No.

Ms. BLOOMER. Mr. Paul votes no. Mr. Smith?

[No response.]

Ms. BLOOMER. Mr. Pitts?

Mr. PITTS. No.

Ms. BLOOMER. Mr. Pitts votes no. Mr. Issa?

Mr. ISSA. No.

Ms. BLOOMER. Mr. Issa votes no. Mr. Cantor?

[No response.]

Ms. BLOOMER. Mr. Flake?

Mr. FLAKE. No.

Ms. BLOOMER. Mr. Flake votes no. Mr. Kerns?

Mr. KERNS. No.

Ms. BLOOMER. Mr. Kerns votes no. Ms. Davis?
Ms. DAVIS. No.
Ms. BLOOMER. Ms. Davis votes no. Mr. Lantos?
Mr. LANTOS. Aye.
Ms. BLOOMER. Mr. Lantos votes yes. Mr. Berman?
Mr. BERMAN. Aye.
Ms. BLOOMER. Mr. Berman votes yes. Mr. Ackerman?
[No response.]
Ms. BLOOMER. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. BLOOMER. Mr. Faleomavaega votes yes. Mr. Payne?
Mr. PAYNE. Yes.
Ms. BLOOMER. Mr. Payne votes yes. Mr. Menendez?
Mr. MENENDEZ. Aye.
Ms. BLOOMER. Mr. Menendez votes yes. Mr. Brown?
Mr. BROWN. Yes.
Ms. BLOOMER. Mr. Brown votes yes. Ms. McKinney?
Ms. MCKINNEY. Aye.
Ms. BLOOMER. Ms. McKinney votes yes. Mr. Hastings?
[No response.]
Ms. BLOOMER. Mr. Hilliard?
Mr. HILLIARD. Aye.
Ms. BLOOMER. Mr. Hilliard votes yes. Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. BLOOMER. Mr. Sherman votes yes. Mr. Wexler?
Mr. WEXLER. Yes.
Ms. BLOOMER. Mr. Wexler votes yes. Mr. Davis?
Mr. DAVIS. Aye.
Ms. BLOOMER. Mr. Davis votes yes. Mr. Engel?
[No response.]
Ms. BLOOMER. Mr. Delahunt?
Mr. DELAHUNT. Yes.
Ms. BLOOMER. Mr. Delahunt votes yes. Mr. Meeks?
Mr. MEEKS. Yes.
Ms. BLOOMER. Mr. Meeks votes yes. Ms. Lee?
Ms. LEE. Yes.
Ms. BLOOMER. Ms. Lee votes yes. Mr. Crowley?
Mr. CROWLEY. Yes.
Ms. BLOOMER. Mr. Crowley votes yes. Mr. Hoeffel?
Mr. HOEFFEL. Yes.
Ms. BLOOMER. Mr. Hoeffel votes yes. Mr. Blumenauer?
Mr. BLUMENAUER. Aye.
Ms. BLOOMER. Mr. Blumenauer votes yes. Ms. Berkley?
Ms. BERKLEY. Yes.
Ms. BLOOMER. Ms. Berkley votes yes. Ms. Napolitano?
Ms. NAPOLITANO. Yes.
Ms. BLOOMER. Ms. Napolitano votes yes. Mr. Schiff?
Mr. SCHIFF. Yes.
Ms. BLOOMER. Mr. Schiff votes yes. Mr. Hyde?
Chairman HYDE. No.
Ms. BLOOMER. Mr. Hyde votes no.
Chairman HYDE. Mr. Cantor?
Mr. CANTOR. Mr. Cantor votes no.
Ms. BLOOMER. Mr. Cantor votes no.

Chairman HYDE. Mr. Burton?
Mr. BURTON. Mr. Burton votes no.
Ms. BLOOMER. Burton votes no.
Chairman HYDE. Have all voted, who wish?
Ms. BLOOMER. Mr. Royce?
Chairman HYDE. Mr. Ackerman?
Mr. ACKERMAN. Sorry, Mr. Burton, yes.
Ms. BLOOMER. Mr. Ackerman votes yes. Mr. Royce?
Mr. ROYCE. No.
Ms. BLOOMER. Votes no. Mr. McHugh?
Mr. MCHUGH. No.
Ms. BLOOMER. Mr. McHugh votes no. Mr. Tancredo?
Chairman HYDE. Mr. Tancredo?
Mr. TANCREDO. No.
Ms. BLOOMER. Mr. Tancredo votes no.
Chairman HYDE. Mr. Smith?
Ms. BLOOMER. Mr. Smith?
Mr. SMITH OF NEW JERSEY. Yes.
Ms. BLOOMER. Mr. Smith votes yes.
Chairman HYDE. Mr. Engel?
Ms. BLOOMER. Mr. Engel?
Mr. ENGEL. Yes.
Ms. BLOOMER. Mr. Engel votes yes.
Chairman HYDE. The clerk will report.
Ms. BLOOMER. On this vote, there were 23 ayes and 20 no.
Chairman HYDE. And the amendment is agreed to. The gentleman from New York, Mr. Crowley.
[Applause.]
Mr. CROWLEY. Mr. Chairman, I have an amendment at the desk.
Chairman HYDE. As soon as the tumultuous applause subsides, we will get to your amendment. The clerk will designate the amendment.
Ms. BLOOMER. Amendment offered by Mr. Crowley, after section 737, insert the following new section, section 738.
Chairman HYDE. Without objection, further reading of the amendment is dispensed with and Mr. Crowley is recognized for 5 minutes in support of his amendment.
Mr. CROWLEY. Thank you, Mr. Chairman. Today, I would like to call your attention to an issue that is of great importance to me and to the members of my constituency. In 1998, the Irish, British, and U.S. Governments, for unionists and nationals from all traditions together, signed the historic Good Friday agreement. After generations of bloodshed, the parties involved in the conflict in Northern Ireland came together as one voice, to say that the cycle of violence will never bring a lasting peace. Ninety-five percent of the electorate in the Republic of Ireland and 71 percent in Northern Ireland voted in favor of revisions outlined in this agreement.
The Good Friday agreement laid the foundation for fair and equitable democratic institutions to be established throughout the north of Ireland. One such institution is the North-South Ministerial Counsel. This body was created to bring together those with executive responsibilities in Northern Ireland and the Republic of Ireland, to discuss matters of mutual interest on a cross border, all island basis.

The Northern Ireland side of this body is comprised of four parties that make up the Northern Ireland executive: the Unionist Party, the Social Democratic and Labor Party, the Democratic Unionist Party, and Sinn Fein. Each of these four parties has selected their respective ministers to participate in the North-South Ministerial Counsel, in accordance with the terms of the Good Friday agreement. Unfortunately, First Minister David Trimble unilaterally excluded Sinn Fein ministers Martin McGuinness and Barbara DeBruin from these meetings, putting the integrity of the North-South body in jeopardy.

Mr. Chairman, if I may use as an example the action taken by Mr. Trimble is no different than if you decided one day to prohibit the Members to your left from attending International Relations Committee meetings, no matter how appetizing that may be for you to do. We all know that you would never take such action, but the point is quite clear.

On January 30, 2001, the Belfast high court ruled that First Minister David Trimble had acted illegally in preventing the Sinn Fein ministers from attending the North-South meetings.

Mr. LANTOS. Mr. Chairman, the Committee is not in order.

Chairman HYDE. The Committee will be in order. We don't have very much to go, so let us please attend to the proceedings.

Mr. CROWLEY. Thank you. Thank you, Member and Chairman. Thank you.

It troubles me to report that Mr. McGuinness and Ms. DeBruin continue to be excluded in defiance to the Belfast high court and the Good Friday agreement. This should not be an issue of participation in the political party. This should not be an issue of religious affiliation, nor should this be an issue of unionists versus nationalists. This is an issue of doing what is right for the people of Northern Ireland.

This amendment calls upon First Minister David Trimble to lift the ban on Sinn Fein ministers and allow Mr. McGuinness and Ms. DeBruin to take their rightful place in the North-South Ministerial Counsel. In the interest of keeping the prospects of peace alive in Northern Ireland, I encourage all my colleagues to support this amendment. And, Mr. Chairman, at this time, I would yield whatever remaining time I have to the former Chair of the Committee, Mr. Gilman from New York.

Mr. GILMAN. I thank the gentleman from New York. I am pleased to support Mr. Crowley's timely and important amendment on Northern Ireland. His proposal goes to the very heart of the peace process and its very integrity. It is worthy of our support in lifting the ban on the participation of Sinn Fein ministers in the North-South Ministerial Counsil.

The unionist's First Minister's arbitrary and unlawful exclusion of Sinn Fein, the second largest Catholic nationalist party in Northern Ireland, from the North-South governing bodies representing the all Ireland dimension of the Good Friday settlement is wrong. There is serious damage to the peace process in Ireland. It is corrosive. The high court of justice in Belfast recently found this arbitrary exclusion of Sinn Fein totally unlawful, saying that the exclusion, I quote, "will at least inhibit, if not frustrate another objective, effective North-South Counsil meetings."

The exclusion is both illegal and bad policy, since it is frustrating an already difficult situation. One would have to be totally ignorant of the Good Friday accord to endorse or support that exclusion position. The nationalists community, which has long sought a united Ireland, accepted the accord's shared governance, including those North-South ministerial bodies as a compromise. Now, they are being arbitrarily excluded from the very institutions that are a key part of the accord and settlement. It ought not to stand.

The unionists forever use the old arms issue Canard as a straw man to block progress on many agreed upon fronts, in order to hold on to the majority status quo, which, today, is still theirs. The IRA can and will verifiably put arms beyond use; in other words, it will cement them over, for example. They have already had the international observers look at their arms dumps and verify that they are still intact. Unionists know these limits on the surrender of IRA arms and the two governments in the region know it equally well.

So let's get on with the implementation of all of the terms of Good Friday accord, not solely linking arms with those North-South bodies, and using the arms surrender question to illegally exclude Sinn Fein is certainly bad policy and very disruptive of the entire process. It is all disingenuous and has been ruled illegal by the courts in Northern Ireland.

Accordingly, I urge my colleagues to support the Crowley amendment. I thank the gentleman for yielding.

Mr. CROWLEY. Thank you, Mr. Chairman.

Chairman HYDE. Is there further discussion?

[No response.]

Chairman HYDE. If not, the question occurs on the Crowley amendment. All those in favor, say "aye."

[Ayes.]

Chairman HYDE. Oppose, "nay."

[No response.]

Chairman HYDE. The ayes have it and the amendment is agreed to. Are there further amendments to title VII? Mr. Engel?

Mr. ENGEL. Mr. Chairman, I call up my amendment number 027.

Chairman HYDE. Excuse me for a second. All right. The clerk will designate title VIII.

Ms. BLOOMER. Title VIII, security assistance.

Chairman HYDE. Now, Mr. Engel has been recognized for purposes of an amendment under title VIII. The clerk will designate the amendment.

Ms. BLOOMER. Amendment offered by Mr. Engel, at the end of title VIII, relating to miscellaneous provisions, insert the following.

Chairman HYDE. Without objection, further reading of the amendment is dispensed with. Mr. Engel is recognized for 5 minutes in support of his amendment.

Mr. ENGEL. Thank you, Mr. Chairman. This Committee has long taken an interest in the United States policy toward Cyprus. During my previous tenure on this Committee, the Committee passed two measures I authored: one directing the State Department to investigate missing Americans on Cyprus; and another urging the demilitarization of the island. We also considered and passed other important legislation on the issue.

Turkey invaded the island almost 27 years ago, yet, still the occupation continues. The U.S. has played a significant role in the efforts to negotiate a resolution to the longstanding Cyprus conflict over the years. Yet, our efforts, to date, have not produced lasting results.

All involved with the process recognize that one party to a seemingly endless negotiations has been stonewalling the talks, and that party is the Turkish Cypriots led by Rauf Denktash. Several years ago, Congress passed legislation directing the President to report to Congress on efforts to achieve a Cyprus statement. According to the law, and I quote,

> "Because progress toward a Cyprus settlement is a high priority of the U.S., the President and the Congress shall continually review that progress and shall determine U.S. policy in the region accordingly. To facilitate such a review, the President shall transmit to Congress every 2 months a report on progress made toward the conclusion of a negotiated solution of the Cyprus problem."

These reports were intended to be a serious effort by Congress to engage the executive branch on U.S. policy toward Cyprus. Unfortunately, if one reads the reports, as written during the Clinton Administration and now under the Bush Administration, it would seem that they have become almost totally separated from the reality of the Cyprus negotiations. The reports do not discuss the lack of progress in the negotiations, nor do they name Mr. Denktash as the main stumbling block to progress.

In his last report, President Clinton merely talked about a series of meetings he and other U.S. officials held with regional leaders, mentioned continued support for U.N. sponsored proximity talks, and even claimed that there has been a qualitative step forward. I ask unanimous consent that the text of the transmittal letter be placed in the record.

Chairman HYDE. Without objection.

[The attachment to Mr. Engel's statement follows:]

PREPARED STATEMENT OF THE HONORABLE ELIOT L. ENGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

IN SUPPORT OF THE MANAGER'S EN BLOC AMENDMENT

Mr. Chairman, I rise in support of the Manager's en bloc amendment. I would like to extend my thanks to you and to our ranking member, Mr. Lantos, for incorporating my three amendments into the en bloc amendment. Having just returned to the Committee, it is a pleasure to be working with you on these important foreign policy issues and to have done so in such a cooperative manner.

The first of my amendments relates to elections in Kosova. As you are aware, Kosova-wide elections are expected later this year. These elections are a critical element in restoring stability to the region. As long as we are going to ask the Kosovars to take responsibility for their lives and for some of the problems in their community, we must give them the authority to do so. This amendment offers strong support for holding elections *this year* and for transferring *real authority* so that the people can *govern themselves*, as envisioned under Security Council Resolution 1244. Because it appears likely that the minority Serb community may not participate in the elections, the amendment also makes a special appeal for all citizens of Kosova, regardless of ethnicity, to take part. Only through the democratic process will stability return to the Balkans.

My second amendment also affects the Balkan region. This amendment expresses the sense of the Congress that Radio Free Europe should begin local programming in the Macedonian language in Macedonia. Due to the threat to regional security

posed by the current crisis in Macedonia, I believe that the United States government should do all it can to help all citizens of Macedonia have access to unbiased local, regional, and domestic news service. RFE recently expanded its programming in the Albanian language in several areas of Macedonia, including Skopje and Tetovo. It should do so as well in the Macedonian language.

While on the subject of Macedonia, I am pleased that President Bush is meeting today with Macedonian President Boris Trajkovski. I have strongly opposed the militant violence in Macedonia and condemn the recent killing of eight Macedonian security personnel. I am equally outraged by the attacks on Albanian shops and cafes yesterday in Skopje. However, the best way to undercut the militants, boost the legitimate elected Albanian politicians, and restore stability to the region is to address the very serious concerns raised by the Albanians of Macedonia.

Finally, my third amendment reaffirms the United States' commitment to pressing the International Red Cross Movement to recognize the Magen David Adom Society, the Israeli counterpart to the American Red Cross, and grant it full membership. Prior to the recent Palestinian uprising, it appeared that this issue was proceeding toward resolution. Yet, even though former Israeli Prime Minister Barak went the extra mile at Camp David in his peace proposal, the renewed Intifada has now halted all progress. We must no longer allow Yasir Arafat to hold MDA hostage to the violence of his regime.

It is long past the time to rectify this injustice imposed upon the Magen David Adom Society. My amendment calls upon the ICRC to recognize the MDA and grant it full membership immediately. If the International Red Cross Movement does not recognize and grant the MDA full membership soon, I believe that Congress should consider additional action, including looking to the United States' contributions to the International Red Cross Movement as a potential means of leverage.

Finally, I would like to thank my Subcommittee Chairs and Ranking Members for their help on this legislation. In particular, I extend my appreciation to Mr. Gallegly and Mr. Hastings on the Europe Subcommittee and Mr. Gilman and Mr. Ackerman on the Middle East and South Asia Subcommittee.

I urge my colleagues to support the Manager's en bloc amendment.

Mr. ENGEL. With all due respect, this report did not discuss the reality of the Cyprus situation, not only that the talks stuck, just as they have been for almost 27 years, but the report does not single out the source of the problem, the Turkish Cypriot leader.

As weak as the previous Administration's reports were, President Bush's most recent report is even worse. I will now read the letter submitted accompanying the report.

> "Dear Mr. Speaker, in accordance with public law, I submit to you this report on progress toward a negotiated settlement of the Cyprus question, covering the period February 1 through March 31, 2001. The previous submission covered events during December 2000 and January 2001. The U.N. continued in its efforts to sustain the proximity talks that started in December 1999. The United States remains committed to a U.N. effort to find a just and lasting settlement of the Cyprus problem. Sincerely, George W. Bush."

No mention is made in the transmittal letter of the need to achieve a solution, based on a bizonal, bicommunal federation, as is consistently been executive branch practice. The report the Administration has just submitted is not useful, as it substantially sidesteps Congress's intent, in trying to help create a United American stance in policymaking toward Cyprus.

Because I happen to take this reporting requirement quite seriously, I have written an amendment, which would clarify what the President should be placing in his report to Congress. While I will withdraw this amendment with unanimous consent, I would like to read the addition it would make to the reporting requirement. I hope if the State Department receives this message, that restora-

tion of the territorial integrity of the Republic of Cyprus, in a bizonal, bicommunal federation, with a single sovereignty, as specified by the Security Council, is of the highest importance to Congress and that our reporting requirements must be followed in both letter and spirit.

My amendment would add to the reporting requirement, "a description of the willingness of the parties to the dispute, to engage in a negotiating process. If there has been a lack of progress in negotiations, a detailed description of the reasons therefore and the United States' plan for encouraging any recalcitrant party to the dispute, to engage more cooperatively in the negotiations."

In the future, it is my hope that subsequent presidential reports on Cyprus will offer a real appraisal of the Cyprus talks, an explanation, if there has been a lack of progress, and a proposal as to how to encourage more cooperation at the bargaining table. Mr. Chairman, I ask you unanimous consent to withdraw my amendment.

Chairman HYDE. Without objection, so ordered.

The Chair recognizes Mr. Flake, to strike the last word.

Mr. FLAKE. Mr. Chairman, I want to commend you for the work that you have done on strengthening the munitions licensing process. I want to move a bit further in this regard. I have introduced a free-standing bill to do this and I would just like to introduce a statement for the record, in that regard, without objection.

Chairman HYDE. Without objection, the gentleman's statement will appear at the record, at this point.

[The attachment to Mr. Flake's statement follows:]

PREPARED STATEMENT OF THE HONORABLE JEFF FLAKE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Experts from both ends of the political spectrum agree that our nation's export control regime is obsolete and ineffective. Despite its supposed objective of protecting America's national security and technological advantage, it usually only makes the lives of those attempting to engage in international commerce difficult and perplexing. President Bush has stated that repairing the nation's export control licensing system is a top priority, and I congratulate Chairman Hyde and the members of his staff for including language in the Foreign Relations Authorization Act improving the Congressional notification thresholds for allied countries. These dollar amounts have not been updated since 1981, and it is only logical that they be modified to reflect the pace of inflation. Raising the monetary thresholds on transactions requiring Congressional notification will streamline and ease the export process on many transactions by U.S. companies doing business internationally.

While this improvement to the export control regime is laudable, I am about to introduce legislation that will move the debate forward even further. It is my hope that the introduction of this legislation will set a benchmark for our export control licensing system, and will encourage my colleagues on the International Relations Committee to work with me on this issue that is of vital importance to our nation's economy. My bill, the International Commerce Enhancement Act, includes three major modifications to the Arms Export Control Act.

The first section of the bill increases dollar amounts for transactions that require Congressional notification. The Arms Export Control Act requires the President to notify Congress of all proposed exports of major defense equipment valued at more than $14 million and exports of defense articles and services exceeding $50 million. These amounts have not been adjusted since 1981, in spite of inflation and the fact that, as weapon systems have become more complex, their unit costs have risen. An increase in threshold amounts is a logical change to current law. My bill goes a step further than the Foreign Relations Authorization Act, as it raises the thresholds not only for "NATO-plus" countries, but for all of the United States' trading partners.

The second section of the bill eliminates formal Congressional notification for "NATO-plus" countries in order to facilitate transfers to countries that are close al-

lies of the United States. The State Department and Pentagon will still need to grant approval for an export license, and an informal Congressional notification will still be referred to the House International Relations Committee and Senate Foreign Relations Committee. Formal notification is a step that can be removed without adversely impacting the oversight of the relevant Congressional committees.

The third and final section of my bill removes the required existence of signed contracts for commercial sales in order to achieve Congressional notification. Current law requires a contract for commercial sales before Congressional notification of a defense export. Many countries object to going through a contract negotiation without a guarantee that an export license will be approved. The bill gives the State Department the flexibility to permit exporters and their customers to submit approval for licenses at an advanced stage of negotiations, but not necessarily when a signed contract is in hand. If there are significant alterations to the sale after the original notification, approval would have to be resubmitted to Congress. This option is not for contractors to "test the waters" on the likelihood of license approval. Due to the lengthy and sometimes-arduous process involved in obtaining Congressional approval, the parties involved are not likely to request Congressional notification unless they are at an advanced stage of negotiations.

In order to permit U.S. companies and technology to survive in today's global economy, our export control system must effectively protect our nation's national security, but not to the point of weakening the industry upon which U.S. military-technological supremacy depends. I look forward to collaborating with the members of the Committee as we work toward much-needed reforms of the export control system.

Chairman HYDE. And the Chair now recognizes the gentleman from California, Mr. Berman. The clerk will designate a new title.

Ms. BLOOMER. Amendment offered by Mr. Berman, page 118, add the following——

Ms. ROS-LEHTINEN. Mr. Chairman?

Chairman HYDE. Have you designated a new title?

Ms. BLOOMER. I have not, sir. Title IX, additional provisions.

Chairman HYDE. Are there any amendments——

Ms. ROS-LEHTINEN. Mr. Chairman, I reserve a point of order on the amendment.

Chairman HYDE. Yes, ma'am, just a moment. Are there any amendments? Mr. Berman?

Mr. BERMAN. Yes. Is there a point of order on the title?

Chairman HYDE. Not yet.

Mr. BERMAN. I have an amendment.

Chairman HYDE. Your certificate of election is under scrutiny, but——

Ms. ROS-LEHTINEN. Just anything after your name.

Chairman HYDE. All right. Let us, please——

Mr. BERMAN. Not anything.

Ms. ROS-LEHTINEN. Not everything; not everything.

Chairman HYDE [continuing]. We are trembling on the brink of finishing this bill, so——

Mr. BERMAN. You are putting a lot of pressure on me, Mr. Chairman, but I have an amendment at the desk.

Chairman HYDE. Very well, to title IX. And you have designated title IX?

Ms. BLOOMER. Yes, sir.

Chairman HYDE. Very well. The gentleman—the clerk will report the amendment.

Ms. ROS-LEHTINEN. Point of order, Mr. Chairman.

Chairman HYDE. The gentlelady reserves her point of order.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman.

Ms. BLOOMER. Amendment offered by Mr. Berman, page 118, add the following after line——

Chairman HYDE. Without objection, further reading is dispensed with. Mr. Berman is recognized for 5 minutes in support of his amendment.

Mr. BERMAN. Thank you, very much, Mr. Chairman. I do have some comments I want to make on this and I may seek your indulgence to add one or two additional minutes to my time.

My amendment would end existing travel restrictions on American citizens that have been imposed under the Trading with the Enemy Act. Those restrictions—in a law, which is no longer operational, except for the countries that are grandfathered in, that would mean that this would end travel restrictions that now exist in two countries: Cuba and North Korea; only those countries, in the amendment, in this form.

I believe that these travel restrictions are totally inconsistent with one of the primary goals of U.S. foreign policy, which is the goal of spreading democracy, regard for human rights, and the rule of law. I also believe they are an infringement of our fundamental constitutional rights.

Even during the darkest days of the cold war, we never sought to prevent U.S. citizens from traveling to the Soviet Union. That is because we recognized the power of American ideas, to bring about political, social, and economic change. We saw the impact with the fall of the Berlin wall and the dramatic collapse of communism.

We talk a lot in this Committee about the importance of spreading the gospel of democracy and human rights in authoritarian countries around the world. We promote that in this bill, through international broadcasting, cultural exchanges, and other public diplomacy programs. I believe these official programs are very important and I strongly support them; but, they are no substitute for private, informal people-to-people interactions. The American people, not the government, are the best advocates for American values.

I know that some of my colleagues are concerned that allowing Americans to travel to Cuba would put money in the hands of Fidel Castro. I know there is this debate out there, some people, even in the House, have a view of Castro that I think is romanticized, to some extent. He is trying to bring progress and good education and health care for the people and the revolution has accomplished certain things. I am in the category of people, who think that Castro is a totalitarian dictator, who has killed political prisoners, who has repressed political rights, who has fought against free elections and free press, and deserves our strongest condemnation for his repression of the Cuban people. I supported the gentlelady from Florida's resolution, on the deplorable human rights situation in Cuba.

Having said that, I believe that our interest in depriving Castro regime of financial resources, to the extent that this amendment, I believe, in a relatively modest fashion, would loosen that restriction, is far outweighed by our interest in accelerating the spread of democratic ideas and information, supporting the development of a healthy civil society.

What is more, all sorts of important activities we seek to promote can take place under the guise of ordinary travel, even tourism. The more American travelers there are, the harder it is for repressive governments like Castro's, to keep track of and prevent those activities.

It is important to note that our laws do not restrict Americans from travel to countries that pose some of the world's most repugnant regimes, including Sudan, Afghanistan, Burma, and Iran. Travel restrictions are not only contrary to our foreign policy interest, they are also a disturbing infringement on the fundamental constitutionally guaranteed rights of freedom of speech and association.

Mr. ROHRABACHER. Will the gentleman yield for a question?

Mr. BERMAN. Could I finish and then I——

Mr. ROHRABACHER. Yes.

Mr. BERMAN [continuing]. Would be happy to? I really would. I encourage the debate.

The law is sort of riddled with a number of my amendments in this area already. But, the Supreme Court, I think most eloquently recognized, that the right to travel is protected under the fifth amendment, as a liberty that cannot be deprived without due process of law. In *Kent* v. *Dallas*, the court held that freedom of movement is basic in our scheme of values. Even when the court has upheld these currency restrictions, they have done so reluctantly, based on weightiest considerations of national security. I, frankly, don't think that test can be met in the present situation and under the present circumstances in the post-cold war world.

To my friends on the other side of the aisle, I guess my appeal to you is that I know the politics of this and I understand and share the feelings regarding Castro and Cuba; but, isn't the essence of big brother, the notion that some office of foreign assets control in the Department of Treasury will now review your reason and your motivation for deciding to go down to Cuba, to see if it fits within what terms? This is a level of regulatory activity on individual choice and individual decisions that I think really has no place in the American government and I——

Chairman HYDE. The gentleman's time has expired.

Mr. BERMAN. I would ask unanimous consent for three additional minutes, Mr. Chairman.

Chairman HYDE. Without objection, so ordered.

Mr. BERMAN. By the way, an amendment was passed in 1994 and is now the law and it prohibits any future economic embargo from us ever providing this kind of currency restriction. As I mentioned, we embargoed Iran, but there is no effort to restrict American's right to travel there. The same thing applies in Sudan and with a lot of the sanctions in Afghanistan and in Burma. We recognized in law that this should no longer be the power of the government.

We have grandfathered in a couple of situations, at that time, and I suggest it is time to revisit that grandfather, both on the grounds of American liberties and on the grounds of our interests of ultimately destablizing the current regime and the current leader. If there is one thing we know, is that current policy toward Cuba has been in place for 40 years. And I think the guy, who it

was designed to overthrow, is still there and I don't think there is any other country in the world that has a leader, who has been on top for that long. It hasn't worked.

So, this bill doesn't touch the embargo. It just deals with the incidental right to travel. And I think I will close my comments at this particular point and yield, if the gentleman wishes, the gentleman from California, my friend, Mr. Rohrabacher.

Mr. ROHRABACHER. Shouldn't we require of Castro, before we commit this act and give him this gift of what he would like? I mean, he will think this is some positive step. Shouldn't he be required to have a positive step? You know, maybe shave his beard or release all his political prisoners or something like that?

Mr. BERMAN. If I were doing this to provide a gift to Castro, then I would think it would be nice to get a little gift in return. My motivation is twofold. One, it is based on this restriction on the American citizens ability to travel where he wants; and, secondly, because I really believe that this will destablize and undermine Castro's regime. So, I don't think of this as a gift.

Chairman HYDE. The gentleman's time——

Mr. BERMAN. If it is a gift, it is a gift of thorns.

Chairman HYDE. The gentleman's time has long since expired. Now, technically, we should go to Ileana Ros-Lehtinen to ask her if she still persists in her point of order. But, Mr. Smith, who I am happy to welcome to the Committee, wants to be heard on this. And so, extraordinary as it may be, the gentleman is recognized for a reasonably brief time.

Mr. SMITH OF MICHIGAN. Mr. Chairman, I have a substitute. I have a substitute for the Berman amendment.

Chairman HYDE. You are not offering that, are you?

Mr. SMITH OF MICHIGAN. I am not offering that substitute, but I would——

Chairman HYDE. Because you are not recognized for that.

Mr. SMITH OF MICHIGAN. I am not offering that substitute, but I would like the opportunity to comment on my substitute motion because I think it is an area that we need to address.

Chairman HYDE. Proceed.

Mr. SMITH OF MICHIGAN. The substitute motion would have opened travel for the scientific community. We have already started to do that to some extent, but in our efforts to move ahead with more travel, we should start maybe with one step at a time rather than all at once.

I see travel being denied both ways. I see the United States denying visas for certain scientists attending scientific meetings and conferences in the United States, and also the United States is refusing licensing to certain scientists in a couple of the scientific fields, refusing licensing for those scientists to go into Cuba.

One of the affected fields is biotechnology. Cuba probably ranks in the top 10 nations in the world as far as their progress in biotechnology areas, so some of our old regulations I think do not apply.

When we consider what can be achieved in terms of scientific evolution that can improve human health not only in the United States and Cuba, but throughout the world, I think that door needs to eventually be opened a little more than it currently is.

Let me just conclude by saying that I visited Cuba a couple weeks ago looking at new proposals for allowing food sales to that country. I think the potential is there to move ahead. It depends where we go in this Administration in terms of the licensing provisions, but they have a great need for food in that country, while we have an interest in not allowing the rest of the world to take advantage by supplying Cuba with their particular food needs.

In effect, food, like money, is somewhat fungible, so we export to Europe and Canada, and then they export those commodities that might even be grown in their country into Cuba. It is something that needs serious consideration.

With that, I yield back the balance of my time.

Chairman HYDE. The Chair recognizes the gentlelady from Florida. Does she persist in her point of order?

Ms. ROS-LEHTINEN. Yes, Mr. Chairman. I apologize for my premature reservation. It is a common dysfunction suffered by many Cuban-Americans. Maybe I will team up with Bob Dole, and we can do TV ads together.

Chairman HYDE. Okay.

Ms. ROS-LEHTINEN. I believe that the amendment is not germane. It deals with authorities not contained in the bill.

Chairman HYDE. Does anybody else wish to be heard on the point of order?

Mr. BERMAN. Yes, Mr. Chairman.

Chairman HYDE. Mr. Berman?

Mr. BERMAN. Yes. I would like to see if I can persuade you to rule the dysfunctional point of order out.

Chairman HYDE. What are you offering?

Mr. BERMAN. In this Committee on five separate occasions I have introduced a free trade and ideas bill, which as its primary purpose removed the currency restrictions authority contained in TWEA and IEEPA and other legislative efforts, TWEA being the Trading with the Enemy Act and IEEPA being the International Economic Emergency Powers Act.

Each time that bill was assigned to the Committee and only to this Committee, notwithstanding the fact that the Secretary of Treasury, as delegated by the President, has authority to enforce these currency restrictions. The parliamentarian and the leader each time referred that bill to this Committee and only this Committee.

The bill we are legislating on, the State Department authorization bill, has at least 15 separate statutes that it seeks to amend. I believe that restricting me from seeking to amend a law clearly in the jurisdiction of this Committee in this bill, while we are already amending 15 others, is a selective form of discrimination here, and I would ask you to let this issue pass or fail on its merits.

This bill already has provisions that affect the Secretary of the Treasury's authorities, sections 337 and 844. In other words, in the bill we are now marking up the Treasury Secretary's authorities are already impacted, and it makes no sense to establish a bright line on foreign policy issues between the authorities of the State and Treasury Departments. They share responsibilities in a number of critical foreign policy areas; counter narcotics, counter proliferation.

In the context of travel restrictions, the Secretary of State has statutory authority for imposing travel restrictions under the Passport Act, while the Secretary of Treasury has been delegated by the President, not by statute, with the authority to enforce the restrictions on travel related transactions.

For all these reasons I believe this amendment is germane, and I hope you rule it in order.

Thank you, Mr. Chairman.

Mr. DELAHUNT. Mr. Chairman?

Chairman HYDE. Who seeks?

Mr. DELAHUNT. Mr. Delahunt.

Chairman HYDE. Mr. Delahunt?

Mr. DELAHUNT. Yes. May I inquire of the proponent of the amendment? Does the amendment remove the licensing requirements promulgated, administered by the Department of Treasury?

Mr. BERMAN. The amendment in its current form, yes. The amendment seeks to amend the Trading with the Enemy Act, which is within the jurisdiction of this Committee, which gives the President the power to impose currency restrictions on U.S. dollars spent in certain countries, which power the President has delegated to the Secretary of the Treasury. It eliminates that power.

Mr. DELAHUNT. I would suggest that if that is the gravamen of the gentleman's amendment, then the point of order should not lie, and I particularly want to support the gentleman's amendment because for the reasons that he has articulated I think it makes eminently good sense, and it protects American constitutional rights in terms of foreign travel.

I respectfully suggest that the point of order should not lie.

Chairman HYDE. Does anyone else wish to be heard on the point of order?

The Chair is prepared to rule. The gentlelady makes a point of order that the amendment is not germane to the bill. Parenthetically, the Chair would like to say because a subject matter is within the jurisdiction of this Committee it does not mean it is germane to this particular bill. I heard from many Members in support of the amendment that such and such an act is within the jurisdiction of this Committee. That is certainly true, but we are talking about germaneness to this particular bill.

The fundamental purpose of the bill is to provide authorization for the activities of the Department of State and its employees, including, but not limited to, the Secretary of State. The amendment has several fundamental purposes with the common thread being the President's authority to restrict travel and the amendments to the laws under which he exercises that authority.

The laws contained in the amendment are not addressed in the underlying bill. Since in the opinion of the Chair these activities do not relate to the authorities contained in the bill, the amendment is not germane, and the point of order is sustained.

The Chair recognizes Mr. Bereuter to strike the last word.

Mr. BEREUTER. Thank you, Mr. Chairman. That was my motion.

I regret that my responsibilities over at Financial Services kept me from being an active participant in this markup, but I do have two issues that I would like to raise as concerns of mine, perhaps

in light of the possibility I may need to take these up on the Floor. I did want to serve notice that I have concerns in two areas.

With respect to en bloc amendment item No. 16, inserting a new section in title 7 sent to Congress related to broadcasting the Macedonian language by Radio Free Europe/Radio Liberty, I know the Administration has split views on this issue. I am not quite sure what the implications are on that issue, and I wanted to voice my concerns about that at this point.

Before I do anything I will consult, obviously, with the Chairman, the Ranking Member, and Mr. Engel, who I think has a particular interest in this, but I did want to raise this as an undetermined concern. In light of the visit today with President Bush of the President of Macedonia I think it is a particularly sensitive issue.

Second and finally, with respect to section 108, Migration and Refugee Assistance, it strikes me that the authorization level of $817 million is a dramatic increase over the existing request of the Administration and over the existing funding level. In light of reduced demand, or I will say, at least as a result of reduced refugee flows the last few years, it seems to me exceedingly high. I offer it as a concern so as not to surprise any Members on this issue.

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

Mr. LANTOS. Mr. Chairman?

Chairman HYDE. The gentleman from California strikes the last word.

Mr. LANTOS. Mr. Chairman, as we are about to conclude our work, may I express on our behalf on this side of the aisle our tremendously sincere appreciation for the manner in which you have conducted the first markup of the Committee under your leadership.

You have done it with your customary wit and wisdom and warmth for which we are most grateful, and I ask all of my colleagues to join me in giving the Chairman a hand.

[Applause.]

Chairman HYDE. The Chair is prepared to yield to the gentleman such time as he wishes. I sense he was just warming up. [Laughter.]

The gentlelady from Nevada, Ms. Burton?

Ms. BERKLEY. I move to strike the last word.

Chairman HYDE. The gentlelady is recognized for 5 minutes.

Ms. BERKLEY. Thank you. It will not take quite that long.

Included in the managers' amendment is the return of portraits painted by Dina Babbit at Auschwitz. I am very grateful that the Chairman and the Ranking Member agreed to include this very important and non-controversial provision relating to this amazing woman.

I would request that I make my statement a part of the record and expand it.

[The prepared statement of Ms. Berkley follows:]

PREPARED STATEMENT OF THE HONORABLE SHELLEY BERKLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

I would like to express my support for this manager's amendment, and thank the Chairman and Ranking Member for agreeing to include a very important, non-con-

troversial provision relating to an amazing woman, Dina Babbitt. I know that the honorable Ranking Member and his wife have heard first hand Dina's story, and I can't thank him enough for his leadership on the issue.

At the age of 20, Ms. Babbitt was interned at the Auschwitz death camp for a year and a half. Even as a young woman, Dina Babbitt had a remarkable talent as a portrait artist. She was forced to paint the portraits of other prisoners at Auschwitz by the infamous war criminal Josef Mengele, who selected her subjects. When she completed the painting, Mengele would kill the prisoner. It was solely her artistic ability that saved both herand her mother from certain death in the gas chambers. When she was liberated from Auschwitz she fled, obviously without her portraits. For the last 30 years, Dina Babbitt has desired only one thing. She wants her paintings back. She has worked through official channels for more than 20 years to retrieve the seven original water colors bearing her signature. These are the paintings that saved her life and her mother's life. They represent a legacy of survival for her family, a family which would not exist but for her artistic ability.

The resolution included in the manager's amendment simply recognizes the moral right of Dina Babbitt as the owner of her own artwork, recognizes her true courage in the face of unspeakable evil, and calls on the President, the Secretary of State, the Government of Poland, and the Auschwitz-Birkenau State Museum to facilitate the transfer of these works of art to their rightful owner.

Dina has been denied what is rightfully and morally hers for too long, and it is time to help heal the pain and suffering she endured during her Auschwitz internment by returning her portraits to her.

Dina Babbitt has exhausted all avenues to gain justice. She has been told "no" at every turn. Now, facing advancing years and health problems, I am elated that Congress is helping her win justice.

Chairman HYDE. Without objection. So ordered.

Ms. BERKLEY. Thank you very much.

Chairman HYDE. The question occurs on the motion to report the bill, H.R. 1646, favorably as amended.

All in favor say aye.

[Chorus of ayes.]

Chairman HYDE. Opposed, no.

[No response.]

Chairman HYDE. The ayes have it, and the motion reports favorably and is adopted without objection. The Chairman is authorized to move to go to conference pursuant to House Rule 20.

Without objection, the staff is directed to make any technical and conforming changes, and without objection the bill will be reported favorably to the House in the form of a single amendment in the nature of a substitute incorporating the amendments adopted here today.

The Chair recognizes Mr. Smith.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Chairman. Mr. Chairman, pursuant to the rule I request the normal time in which to file additional views to report on the bill just completed.

Chairman HYDE. Without objection, so ordered.

The Chairman thanks the Committee and says you are every bit as good as the Judiciary Committee.

We stand adjourned.

[Whereupon, at 5:14 p.m. the Committee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE DONALD M. PAYNE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

AMENDMENT TO H.R. 1646, OFFERED BY MR. MENENDEZ, MS. LEE, MR. HASTINGS OF FLORIDA, AND MR. FALEOMAEVAGA

Mr. Chairman, I would like to submit a written statement for the record. I rise in support for the Menendez, Hastings, Lee, Faleomavega Sense of the Congress Amendment on climate change to the Foreign Relations authorization bill. This amendment will send an important message to this Administration and the rest of the world that the United States Congress is concerned about global warming, and wants to remain engaged in the international process to deal with that problem.

There is no question that global warming is real, and is a serious threat to our economy, health, and environment. The Intergovernmental Panel on Climate Change, (IPCC), a body of leading climate scientists from around the world has concluded that temperatures have already increased and will continue to increase this century. Projected climate change will be accompanied by an increase in heat waves, often exacerbated by increased humidity an urban air pollution, which will cause an increase in heat-related deaths and illness episodes.

With all of these effects occurring, it is vital that the United States remain engaged in the international negotiations with the goal of completing the rules and guidelines of the Kyoto Protocol. I, along with my colleagues, am very disappointed in the Bush Administration's opposition to the treaty, in spite of the overwhelming data, and the support from the American public and around the world. As a country responsible for most greenhouse gas concentrations in the atmosphere, we should be a leader in reducing emissions.

The evidence is clear: unchecked global warming will cause a significant increase in human mortality due to extreme weather and infectious diseases, as well as ecological damage in the forms of droughts, fires, hurricanes and floods. No country, even industrialized nations like the United States, will escape these impacts. We cannot sit idly by as these ecological trends become the norm. It's time for the U.S. to firm our resolve and work to leave a healthy environment for future generations of Americans.

PREPARED STATEMENT OF THE HONORABLE DARRELL E. ISSA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Thank you, Mr. Chairman. I appreciate this opportunity to closely examine legislation, which will authorize much-needed funding to reform and revitalize the State Department.

I am pleased to see that the FY2002 budget significantly increases the Department's resources, which is a good first step toward modernizing one of our most important global investments. Funding the State Department, its personnel, and systems represents a good down payment on our future relations around the globe as we continue to engage an increasingly complex world.

We can no longer ignore the crucial role our diplomatic arm plays on the global stage, especially as countries become more and more interconnected through improvements in technology, trade, telecommunications, and the Internet. In the past, Congress misjudged the importance of the Department, which led us to under-funded facilities, outdated systems, inadequate security provisions, and major staffing shortages.

I know I am not alone when I say that I am confident that under the leadership of Secretary of State Colin Powell, who recently addressed this Committee, our resources will be well-spent and well-directed.

Again, I thank the Chairman, and I look forward to moving this legislation through the Committee.

PREPARED STATEMENT OF THE HONORABLE CYNTHIA A. MCKINNEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Thank You Mr. Chairman:

I would like to raise one other matter of grave importance to this committee. It concerns the as yet unsolved mystery surrounding the 1994 assassination of two African Presidents.

On April 6 1994, the Rwandan Presidential aircraft carrying Rwanda President Juvenal Habyarimana and Burundi President Cyprien Ntaryamira was shot out of the sky by unknown assailants as it approached the Kigali Airport. Both Presidents were killed along with all the other passengers and crew. The importance of this terrorist act cannot be underestimated because this singular event unleashed a torrent of violence in Rwanda which claimed the lives of an estimated one million men, women and children in just 100 days. And immediately following this genocide in Rwanda a bloody regional war initiated by Rwanda and Uganda erupted in the Great Lakes taking a further two to three million lives.

Both Belgium and France have taken strong introspective looks at what went wrong in their policies that allowed the slaughter of over one million innocent people in Rwanda and over two million people in eastern Democratic Republic of Congo. Secretary of State Madeline Albright, then U.S. Ambassador to the United Nations in New York, is quoted as saying that she begged Washington to act and stop the genocide in Rwanda. But neither United Nations nor United States records reflect that Albright did anything to intervene or to persuade others to intervene to stop the killing. I have asked the State Department to supply me with the cables indicating such requests. To date I have received nothing. In contrast, the record does reflect that she championed for promotions those who were responsible for the colossal failures and the ensuing coverup: Albright successfully ushered the Director of the Office of UN Peacekeeping, Kofi Annan, to a promotion to Secretary General of the United Nations; Louise Arbor, Chief Prosecutor for the International Criminal Tribunal for Rwanda, who unilaterally shut down the United Nations investigation into the plane crash, was ushered onto the Canadian Supreme Court; Ambassador Albright, herself, received a promotion to United States Secretary of State, and her young protege at the National Security Council, Susan Rice, became Assistant Secretary of State for African Affairs.

During Albright's tenure as Secretary of State she did absolutely nothing to help stop the suffering of the people of Africa's Great Lakes region. In fact, she left Africa in far worse shape than she found it. I tried to have a hearing on Rwanda to receive State Department input on what went wrong. While we had witnesses to travel from as far away as Pakistan and Belgium, principals in Washington, DC, involved intimately in the decision making on Rwanda, refused to travel across town to testify at the hearing. No one with decision making authority in the Clinton Administration at the time has ever had to account publicly for US inaction in the face of a genocide; no one has even stated publicly what went right, wrong, or even the lessons learned from this great tragedy. However, I have been contacted by a number of courageous State Department personnel who have gone on the public record refuting the official US position that the US didn't know a genocide was occurring and refuting that the US did all it could to stop the catastrophe. On the contrary, they suggest that the State Department actually chose to ignore the genocide and allow nearly one million people to perish.

On April 6, 2001 I convened a hearing to discuss what has since become known about US activity in Africa since the downing of the plane carrying the two African presidents. Included with this statement are the testimonies of the participants. Attached (also available @ www.house.gov/mckinney) are supporting documents distributed at the hearing. I appreciate being able to make this submission on behalf of truth, justice, democracy, and transparency.

Thank You.

PREPARED STATEMENT OF THE HONORABLE ERIC CANTOR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Thank you Mr. Chairman for your support in securing $15 million for the Middle East Radio Network. I also want to thank my colleagues Mr. Wexler and Sherman for their support making this a bipartisan effort.

Currently, Voice of America Arabic only reaches about 2% of the populations in the region, far behind BBC and other major international networks. The Middle East Radio Network initiative will serve to broadcast American traditions of individual choice and freedom to a region where anti democratic rhetoric is strong. Some in the Middle East are opposed to American policies but are drawn to the American ideals of free speech and free press.

This measure will provide the resources for Middle East Radio Network programming that will be a combination of news, music, talk, and interaction with listeners. Featuring reliable news and discussion of issues relevant to the audience, MRN will appeal to young adults and to news-seekers of all ages. Constant program themes will be individual choice and respect for others.

The Middle East Radio Network is a worthwhile program to spread American ideals and democratic principles. Thank you again Mr. Chairman for your continued leadership and support on this issue and in the Middle East.

PREPARED STATEMENT OF THE HONORABLE BARBARA LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

STATE DEPARTMENT AUTHORIZATION BILL—MENENDEZ, LEE, HASTINGS AMENDMENT ON GLOBAL CLIMATE CHANGE

Thank you, Chairman Hyde. I rise in strong support of this amendment.

Unabated greenhouse gas emissions, particularly carbon dioxide, represent a profound threat to American national security, to the U.S. economy, and to our relationships with our allies. The act or even the appearance that the United States is abandoning efforts to reduce greenhouse gas emissions endangers longstanding relationships and threatens environmental health and sustainability.

The average American consumes twice as much energy as the average European, and per capita greenhouse gas emissions are twice as high in the US as in Europe. The disparities grow even wider when comparing American energy consumption with that of the developing world.

We have been hearing a lot about burden sharing recently. I agree that burden sharing is important, and the United States must bear its share of this burden in dealing with global warming.

British Deputy Prime Minister John Prescott recently declared that the United States "cannot pollute the world while free-riding on action by everyone else." Romano Prodi, the president of the European Union Commission, stated, "If one wants to be a world leader, one must know how to look after the entire earth and not only American industry."

Global climate change is underway. Deserts are spreading, islands and coastline are disappearing, and the atmosphere itself is being transformed. In 1998, the CEOs of the largest one thousand corporations in the world declared that global climate change was the most critical problem facing humanity. Since then the problem has gotten worse, not better. And this country has yet to act despite our obligations to do so, on a voluntary basis, according to the 1992 United Nations Framework Convention on Climate Change (UNFCC). According to this treaty, which was the predecessor of the Kyoto Protocol the U.S. and other industrialized countries of the world would voluntarily reduce emissions of greenhouse gasses to 1990 levels by 2000. But it failed. Not one country lived up to its voluntary commitments, and the U.S. failure was particularly glaring. That is why in 1997, 165 countries negotiated and signed the Kyoto Protocol, which would commit us to binding emissions reductions.

Voluntary controls on emissions have not stopped global warming. Our emissions have increased 13% above 1990 levels, and continue to increase despite the UNFCC.

The Kyoto Protocol is the best instrument we have at hand to curb global climate change. It sets targets for reductions from industrialized counties that are responsible for historical accumulations of greenhouse gasses in the atmosphere. Much like the Montreal Protocol, the treaty envisions that, once the industrialized world begins to take action, the developing world would as well.

It is important that the United States continue to take the lead in technological development and, as the largest producer of greenhouse gases in the world, that we live up to our responsibilities as global citizens. This is a matter of national interest

and international obligation. Failure to do so will poison both our planet and our relationship with our allies.

PREPARED STATEMENT OF THE HONORABLE EARL BLUMENAUER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

The State Department authorization is perhaps our Committee's single most important piece of legislation that we will consider over the course of the year. The programs and budget contained within the State Department impact the lives of thousands of federal employees, millions of American citizens both at home and abroad, and the diplomatic relations between the United States and the rest of the world. Few other federal agencies that Congress works with have such an impact on our nation's economy, security, and livability.

Mr. Chairman, I have a great interest in bringing about common-sense practices in the planning and management of our overseas buildings infrastructure. I am impressed with the business-like approach being taken by General Chuck Williams (US Army Corp of Engineers, Ret.), Chief Operating Officer for the State Department's Office of Foreign Building Operations and I look forward to working with him on some needed reforms.

The Office of Foreign Building Operations manages buildings in 260 locations in some 130 countries around the globe. Gen. Williams is instigating a long-range planning process akin to that practiced by the Department of Defense in its 5-year Future Years Defense Plan. This kind of planning ahead makes sense, and should achieve cost savings, and more important, greater value for our investment of resources.

There are some statutory changes that may need to be made in order to best assure that our 260 diplomatic missions have appropriate facilities to achieve our foreign policy objectives. We need to provide all 20,000 employees at our missions with safe, secure, and functional facilities. I want to begin a dialogue on this topic to prepare to make needed changes.

In addition, I would like to thank my colleagues Representatives Menendez, Lee, and Hastings for providing an important amendment encouraging the United States to participate in the implementation of the Kyoto Protocol. I commend them for their leadership on this key issue.

The science is in; global warming is a significant problem for our planet. Congress has the responsibility to ensure that the federal government take steps to both prevent and mitigate the effects of climate change. I am one of those people who believes that global warming is actually a problem for our planet, and I think that the federal government should take steps to both prevent and mitigate the effects of climate change. Our planet has warmed by more than a degree in the past 100 years and sea level has risen between four and eight inches. But the problems are predicted to get much worse.

Today, more than 50% of our nation's population lives within 30 miles of the coast. By 2025, that number is predicted to be more than 75% of our population. At the same time, the threat of more dangerous and more frequent coastal storms threatens our beaches. On the California coast alone, 5000 homes will be lost to erosion in the next 60 years.

For these reasons, the federal government should take a leadership role—not only in its participation in the Kyoto Protocol, but also in preparation for and mitigation of impending natural disasters.

There are many ways that Congress can help. We can support programs like FEMA's Project Impact, which invest small amounts of federal money to develop the emergency management partnerships and planning in advance of a disaster. We can

AIDS which cripple development efforts in third world nations. Without these funds, millions of women's lives are put in jeopardy and democracy is stagnated through profound public health threats and U.S.-imposed limits on freedom of speech.

President Bush's first official act was to eliminate US aid for international family planning services. Non-governmental agencies in 52 developing nations will be forced to lose or severely reduce their efforts to reduce unwanted pregnancies and sexually-transmitted diseases. I commend the work of Congresswoman Lee to overturn the President's "Global Gag" order.

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107TH CONGRESS
1ST SESSION

H. R. 1646

To authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2001

Mr. HYDE (for himself and Mr. LANTOS) introduced the following bill; which was referred to the Committee on International Relations

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A BILL

To authorize appropriations for the Department of State for fiscal years 2002 and 2003, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Relations Authorization Act, Fiscal Years 2002 and 2003''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Definitions.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

Sec. 101. Administration of foreign affairs.
Sec. 102. International commissions.
Sec. 103. United States educational and cultural programs.
Sec. 104. Contributions to international organizations.
Sec. 105. Contributions for international peacekeeping activities.
Sec. 106. Grants to the Asia Foundation.
Sec. 107. Voluntary contributions to international organizations.
Sec. 108. Migration and refugee assistance.

Subtitle B—United States International Broadcasting Operations

Sec. 121. Authorizations of appropriations.

TITLE II—AUTHORITIES AND ACTIVITIES OF THE DEPARTMENT OF STATE

Subtitle A—Basic Authorities and Activities

Sec. 201. Continuation of reporting requirements.
Sec. 202. Continuation of other reports.
Sec. 203. Report concerning elimination of Colombian opium.
Sec. 204. Repeal of provision regarding housing for foreign agricultural attache.
Sec. 205. Human rights monitoring.
Sec. 206. Correction of Fishermen's Protective Act of 1967.
Sec. 207. International litigation fund.
Sec. 208. Emergency evacuation services.
Sec. 209. Withholding of funding until submission of report on Cuban emigration policies.
Sec. 210. Implementation of the Intercountry Adoption Act of 2000.
Sec. 211. Report concerning the effect of Plan Colombia on Ecuador.

Subtitle B—Consular Authorities

Sec. 231. Machine readable visas.
Sec. 232. Establishment of a consular branch office in Lhasa, Tibet.
Sec. 233. Establishment of a diplomatic or consular post in Equatorial Guinea.
Sec. 234. Processing of visa applications.
Sec. 235. United States policy with respect to Jerusalem as the capital of Israel.

Subtitle C—Migration and Refugees

Sec. 251. United States policy regarding the involuntary return of refugees.
Sec. 252. Report on overseas refugee processing.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organizational Matters

Sec. 301. Report on workforce plan.
Sec. 302. "Rightsizing" overseas posts.
Sec. 303. Qualifications of certain officers of the Department of State.
Sec. 304. United States Special Coordinator for Tibetan Issues.

Subtitle B—Personnel Matters

Sec. 331. Report concerning retired members of the foreign service and civil service who are registered agents of a government of a foreign country.
Sec. 332. Tibetan language training.
Sec. 333. Dependents on family visitation travel.
Sec. 334. Thomas Jefferson Star.
Sec. 335. Health education and disease prevention programs.
Sec. 336. Training authorities.
Sec. 337. Foreign national retirement plans.
Sec. 338. Presidential rank awards.
Sec. 339. Emergency medical advance payments.
Sec. 340. Unaccompanied air baggage.
Sec. 341. Special agent authorities.
Sec. 342. Report concerning minority employment.

TITLE IV—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS OF THE DEPARTMENT OF STATE

Sec. 401. Extension of requirement for scholarships for Tibetans and Burmese.
Sec. 402. Nonprofit entities for cultural programming.
Sec. 403. Fulbright-Hays authorities.
Sec. 404. Ethical issues in international health research.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

Sec. 501. Eliminating staff positions for the Advisory Board for Cuba Broadcasting.
Sec. 502. Reports on broadcasting personnel.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

Sec. 601. United Nations arrears payments and reform.
Sec. 602. Travel by advisory committee members to Great Lakes Fishery Commission annual meeting.
Sec. 603. United States policy on composition of the United Nations Human Rights Commission.
Sec. 604. United States membership in the International Organization for Migration.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—General Provisions

Sec. 701. Amendments to the Iran Nonproliferation Act of 2000.
Sec. 702. Amendments to the North Korea Threat Reduction Act of 1999.
Sec. 703. Amendments to the International Religious Freedom Act of 1998.
Sec. 704. Continuation of United States Advisory Commission on Public Diplomacy.
Sec. 705. Participation of South Asia countries in international law enforcement academies.

Subtitle B—Sense of Congress Provisions

Sec. 731. Sense of congress relating to HIV/AIDS and United Nations peacekeeping operations.
Sec. 732. Sense of congress relating to HIV/AIDS task force.

Sec. 733. Sense of congress condemning the destruction of pre-islamic statues in Afghanistan by the Taliban regime.
Sec. 734. Sense of congress relating to resolution of the Taiwan Strait issue.
Sec. 735. Sense of congress relating to arsenic contamination in drinking water in Bangladesh.
Sec. 736. Sense of congress relating to display of the American flag at the American Institute in Taiwan.
Sec. 737. Sense of congress regarding human rights violations in West Papua and Acheh, including the murder of Jafar Siddiq Hamzah, and escalating violence in Maluku and Central Kalimantan.

TITLE VIII—SECURITY ASSISTANCE

Sec. 801. Short title.

Subtitle A—Military and Related Assistance

Chapter 1—Foreign Military Sales and Financing Authorities

Sec. 811. Official reception and representation expenses.
Sec. 812. Quarterly report on price and availability estimates.

Chapter 2—Excess Defense Article and Drawdown Authorities

Sec. 821. Excess defense articles for certain European and other countries.
Sec. 822. Annual report on projected availability of excess defense articles.
Sec. 823. Expanded drawdown authority.
Sec. 824. Leases of defense articles for foreign countries and international organizations.

Chapter 3—Nonproliferation And Export Control Assistance

Sec. 831. International counterproliferation education and training.
Sec. 832. Annual report on the proliferation of missiles and essential components of nuclear, biological, and chemical weapons.
Sec. 833. Five-year international arms control and nonproliferation strategy.

Subtitle B—Strengthening the Munitions Licensing Process

Sec. 841. License officer staffing.
Sec. 842. Funding for database automation.
Sec. 843. Information management priorities.
Sec. 844. Improvements to the Automated Export System.
Sec. 845. Congressional notification of removal of items from the Munitions List.
Sec. 846. Congressional notification thresholds for allied countries.

Subtitle C—Authority to Transfer Naval Vessels

Sec. 851. Authority to transfer naval vessels to certain foreign countries.

Subtitle D—Miscellaneous Provisions

Sec. 861. Annual foreign military training reports.
Sec. 862. Report relating to International Arms Sales Code of Conduct.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) DEPARTMENT.—The term ''Department'' means the Department of State.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under ''Administration of Foreign Affairs'' to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law, including public diplomacy activities and the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Diplomatic and Consular Programs'' of the Department of State,

$3,705,140,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(B) LIMITATIONS.—

(i) WORLDWIDE SECURITY UPGRADES.—Of the amounts authorized to be appropriated by subparagraph (A), $487,735,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003 are authorized to be appropriated only for worldwide security upgrades.

(ii) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated by subparagraph (A), $16,000,000 for the fiscal year 2002 and $20,000,000 for the fiscal year 2003 are authorized to be appropriated only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.

(iii) RECRUITMENT OF MINORITY GROUPS.—Of the amounts authorized to be appropriated by subparagraph (A), $2,000,000 for the fiscal year 2002 and

$2,000,000 for the fiscal year 2003 are authorized to be appropriated only for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(iv) MOBILE LIBRARY FOR UNITED STATES INTERESTS SECTION IN CUBA.—Of the amounts authorized to be appropriated by subparagraph (A), $70,000 for the fiscal year 2002 and $70,000 for the fiscal year 2003 are authorized to be appropriated only for the establishment and operation of a mobile library at the United States Interests Section in Cuba primarily for use by dissidents and democracy activists in Cuba.

(2) CAPITAL INVESTMENT FUND.—For ''Capital Investment Fund'' of the Department of State, $210,000,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—In addition to amounts otherwise authorized to be appropriated for ''Embassy Security, Construction and Maintenance'' by section 604 of the Admiral James W. Nance and Meg Donovan

Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 604 of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–470), there are authorized to be appropriated for ''Embassy Security, Construction and Maintenance'', $475,046,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(4) REPRESENTATION ALLOWANCES.—For ''Representation Allowances'', $9,000,000 for the fiscal year 2002 and $9,000,000 for the fiscal year 2003.

(5) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For ''Emergencies in the Diplomatic and Consular Service'', $15,500,000 for the fiscal year 2002 and $15,500,000 for the fiscal year 2003.

(6) OFFICE OF THE INSPECTOR GENERAL.—For ''Office of the Inspector General'', $29,264,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(7) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For ''Payment to the American Institute in Taiwan'', $17,044,000 for the fiscal year 2002

and such sums as may be necessary for the fiscal year 2003.

(8) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—

(A) AMOUNTS AUTHORIZED TO BE APPROPRIATED.—For ''Protection of Foreign Missions and Officials'', $10,000,000 for the fiscal year 2002 and $10,000,000 for the fiscal year 2003.

(B) AVAILABILITY OF FUNDS.—Each amount appropriated pursuant to this paragraph is authorized to remain available through September 30 of the fiscal year following the fiscal year for which the amount was appropriated.

(9) REPATRIATION LOANS.—For ''Repatriation Loans'', $1,219,000 for the fiscal year 2002 and $1,219,000 for the fiscal year 2003, for administrative expenses.

SEC. 102. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under ''International Commissions'' for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For ''International Boundary and Water Commission, United States and Mexico''—

(A) for ''Salaries and Expenses'', $7,452,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003; and

(B) for ''Construction'', $25,654,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For ''International Boundary Commission, United States and Canada'', $989,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(3) INTERNATIONAL JOINT COMMISSION.—For ''International Joint Commission'', $7,282,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For ''International Fisheries Commissions'', $19,780,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

SEC. 103. UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS.

The following amounts are authorized to be appropriated for the Department of State to carry out international activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the Center for Cultural and Technical Interchange Between East and West Act of 1960, the Dante B. Fascell North-South Center Act of 1991, and the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—

(i) IN GENERAL.—For the ''Fulbright Academic Exchange Programs'' (other than programs described in subparagraph (B)), $125,000,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(ii) NEW CENTURY SCHOLARS INITIATIVE—HIV/AIDS.—Of the amounts authorized to be appropriated under clause (i), up

to $1,000,000 for the fiscal year 2002 and up to $1,000,000 for the fiscal year 2003 are authorized to be available only for HIV/AIDS research and mitigation strategies under the Health Issues in a Border-Less World academic program of the New Century Scholars Initiative.

(B) OTHER EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(i) IN GENERAL.—For other educational and cultural exchange programs authorized by law, $117,000,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(ii) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $750,000 for the fiscal year 2002 and $750,000 for the fiscal year 2003 are authorized to be available for ''South Pacific Exchanges''.

(iii) EAST TIMORESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2002 and $500,000 for the fiscal year 2003 are authorized to be

available for ''East Timorese Scholarships''.

(iv) TIBETAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2002 and $500,000 for the fiscal year 2003 are authorized to be available for ''Ngawang Choephel Exchange Programs'' (formerly known as educational and cultural exchanges with Tibet) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319).

(v) AFRICAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2002 and $500,000 for the fiscal year 2003 are authorized to be available only for ''Educational and Cultural Exchanges with Sub-Saharan Africa''.

(vi) ISRAEL-ARAB PEACE PARTNERS PROGRAM.—Of the amounts authorized to be appropriated under clause (i), $750,000 for the fiscal year 2002 and $750,000 for the fiscal year 2003 are authorized to be

available only for people-to-people activities (with a focus on young people) to support the Middle East peace process involving participants from Israel, the Palestinian Authority, Arab countries, and the United States, to be known as the ''Israel-Arab Peace Partners Program''.

(vii) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 2002 and $500,000 for the fiscal year 2003 are authorized to be available only for scholarships for students from southern Sudan for secondary or postsecondary education in the United States, to be known as ''Sudanese Scholarships''.

(2) NATIONAL ENDOWMENT FOR DEMOCRACY.—For the ''National Endowment for Democracy'', $36,000,000 for the fiscal year 2002 and $40,000,000 for the fiscal year 2003.

(3) REAGAN-FASCELL DEMOCRACY FELLOWS.—For a fellowship program, to be known as the ''Reagan-Fascell Democracy Fellows'', for democracy activists and scholars from around the world at the International Forum for Democratic Studies in

Washington, D.C., to study, write, and exchange views with other activists and scholars and with Americans, $1,000,000 for the fiscal year 2002 and $1,000,000 for the fiscal year 2003.

(4) DANTE B. FASCELL NORTH-SOUTH CENTER.—For ''Dante B. Fascell North-South Center'' $4,000,000 for the fiscal year 2002 and $4,000,000 for the fiscal year 2003.

(5) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For the ''Center for Cultural and Technical Interchange between East and West'', $13,500,000 for the fiscal year 2002 and $13,500,000 for the fiscal year 2003.

SEC. 104. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated under the heading ''Contributions to International Organizations'' $878,767,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international or-

ganizations and to carry out other authorities in law consistent with such purposes.

(2) AVAILABILITY OF FUNDS FOR CIVIL BUDGET OF NATO.—Of the amounts authorized to be appropriated under the heading ''Contributions to International Organizations'' for fiscal year 2002 and for each fiscal year thereafter such sums as may be necessary are authorized for the United States assessment for the civil budget of the North Atlantic Treaty Organization.

(b) PROHIBITION ON FUNDING OTHER FRAMEWORK TREATY-BASED ORGANIZATIONS.—None of the funds made available for the 2002–2003 biennium budget under subsection (a) for United States contributions to the regular budget of the United Nations shall be available for the United States proportionate share of any other framework treaty-based organization, including the Framework Convention on Global Climate Change, the International Seabed Authority, and the International Criminal Court.

(c) FOREIGN CURRENCY EXCHANGE RATES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated by subsection (a), there are authorized to be appropriated such sums as may be necessary for each of

fiscal years 2002 and 2003 to offset adverse fluctuations in foreign currency exchange rates.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

(d) REFUND OF EXCESS CONTRIBUTIONS.—The United States shall continue to insist that the United Nations and its specialized and affiliated agencies shall credit or refund to each member of the agency concerned its proportionate share of the amount by which the total contributions to the agency exceed the expenditures of the regular assessed budgets of these agencies.

SEC. 105. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

There are authorized to be appropriated under the heading ''Contributions for International Peacekeeping Activities'' $844,139,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to inter-

national peacekeeping activities and to carry out other authorities in law consistent with such purposes.

SEC. 106. GRANTS TO THE ASIA FOUNDATION.

Section 404 of The Asia Foundation Act (title IV of Public Law 98–164; 22 U.S.C. 4403) is amended to read as follows:

''SEC. 404. There are authorized to be appropriated to the Secretary of State $15,000,000 for the fiscal year 2002 and $15,000,000 for the fiscal year 2003 for grants to The Asia Foundation pursuant to this title.''.

SEC. 107. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of State for ''Voluntary Contributions to International Organizations'', $186,000,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(b) LIMITATIONS ON AUTHORIZATIONS OF APPROPRIATIONS.—

(1) WORLD FOOD PROGRAM.—Of the amounts authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 2002 and $5,000,000 for the fiscal year 2003 are authorized to be appropriated only for a United States contribution to the World Food Program.

(2) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amounts authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 2002 and $5,000,000 for the fiscal year 2003 are authorized to be appropriated only for a United States contribution to the United Nations Voluntary Fund for Victims of Torture.

(3) ORGANIZATION OF AMERICAN STATES.—Of the amounts authorized to be appropriated under subsection (a), $240,000 for the fiscal year 2002 and $240,000 for the fiscal year 2003 are authorized to be appropriated only for a United States contribution to the Organization of American States for the Office of the Special Rapporteur for Freedom of Expression in the Western Hemisphere, solely for the purpose of conducting investigations, including field visits, to establish a network of nongovernmental organizations, and to hold hemispheric conferences, of which $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Cuba, $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of ex-

pression by the Government of Peru, $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Colombia, and $6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Haiti.

(c) RESTRICTIONS ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.—

(1) LIMITATION.—Of the amounts made available under subsection (a) for each of the fiscal years 2002 and 2003 for United States voluntary contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification by the Secretary of State that all programs and activities of

the United Nations Development Program (including United Nations Development Program—Administered Funds) in Burma—

(A) are focused on eliminating human suffering and addressing the needs of the poor;

(B) are undertaken only through international or private voluntary organizations that have been deemed independent of the State Peace and Development Council (SPDC) (formerly known as the State Law and Order Restoration Council (SLORC)), after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma;

(C) provide no financial, political, or military benefit to the SPDC; and

(D) are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma.

(d) UNICEF.—There is authorized to be appropriated $120,000,000 for the fiscal year 2002 for a United States voluntary contribution to UNICEF.

(e) ORGANIZATIONS AND PROGRAMS THAT SUPPORT COERCIVE ABORTION OR INVOLUNTARY STERILIZA-

TION.—None of the funds authorized to be appropriated by this Act may be made available to any organization or program which, as determined by the President of the United States, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization.

(f) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

SEC. 108. MIGRATION AND REFUGEE ASSISTANCE.

(a) MIGRATION AND REFUGEE ASSISTANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of State for ''Migration and Refugee Assistance'' for authorized activities, $817,000,000 for the fiscal year 2002 and $817,000,000 for the fiscal year 2003.

(2) LIMITATIONS.—

(A) TIBETAN REFUGEES IN INDIA AND NEPAL.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2002 and $2,000,000 for the fiscal year 2003 are authorized to be available for humanitarian assistance, including food, medicine, clothing, and medical and vocational training,

to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

(B) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated in paragraph (1), $60,000,000 for the fiscal year 2002 and $60,000,000 for the fiscal year 2003 are authorized to be available only for assistance for refugees resettling in Israel from other countries.

(C) HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.—Of the amounts authorized to be appropriated in paragraph (1), $2,000,000 for the fiscal year 2002 and $2,000,000 for the fiscal year 2003 are authorized to be available for humanitarian assistance (including food, medicine, clothing, and medical and vocational training) to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to this section are authorized to remain available until expended.

Subtitle B—United States International Broadcasting Activities

SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated to carry out the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL BROADCASTING OPERATIONS.—

(A) IN GENERAL.—For ''International Broadcasting Operations'', $428,234,000 for the fiscal year 2002, and such sums as may be necessary for the fiscal year 2003.

(B) LIMITATIONS.—

(i) TRANSMISSION FACILITIES IN BELIZE.—Of the amounts authorized to be appropriated under subparagraph (A), $750,000 for the fiscal year 2002 is authorized to be appropriated only for enhancements of the transmission facilities in Belize.

(ii) BROADCASTING TO CUBA.—Of the amounts authorized to be appropriated

under subparagraph (A), $25,000,000 for the fiscal year 2002 and $25,000,000 for the fiscal year 2003 are authorized to be appropriated only for ''Broadcasting to Cuba''.

(iii) RADIO FREE ASIA.—Of the amounts authorized to be appropriated under subparagraph (A), $30,000,000 for the fiscal year 2002 and $30,000,000 for the fiscal year 2003 are authorized to be appropriated only for ''Radio Free Asia''.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For ''Broadcasting Capital Improvements'', $16,900,000 for the fiscal year 2002 and such sums as may be necessary for the fiscal year 2003.

(b) CONTINUATION OF ADDITIONAL AUTHORIZATION FOR BROADCASTING TO THE PEOPLE'S REPUBLIC OF CHINA AND NEIGHBORING COUNTRIES.—Section 701 of Public Law 106–286 (22 U.S.C. 7001) is amended—

(1) in subsection (a) by striking ''2001'' and inserting ''2002''; and

(2) in subsection (b)(1) by striking ''2001 and 2002'' and inserting ''2001, 2002, and 2003''.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR MIDDLE EAST RADIO NETWORK OF VOICE OF AMERICA.—In addition to such amounts as are made available for the Middle East Radio Network of Voice of America pursuant to the authorization of appropriations under subsection (a), there is authorized to be appropriated $15,000,000 for the fiscal year 2002 for the Middle East Radio Network of Voice of America.

TITLE II—AUTHORITIES AND ACTIVITIES OF THE DEPARTMENT OF STATE

Subtitle A—Basic Authorities and Activities

SEC. 201. CONTINUATION OF REPORTING REQUIREMENTS.

(a) REPORTS ON CLAIMS BY UNITED STATES FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA.—Section 2801(b)(1) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking ''seventh'' and inserting ''eleventh''.

(b) REPORTS ON DETERMINATIONS UNDER TITLE IV OF THE LIBERTAD ACT.—Section 2802(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and

Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking ''September 30, 2001,'' and inserting ''September 30, 2003,''.

(c) RELATIONS WITH VIETNAM.—Section 2805 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking ''September 30, 2001,'' and inserting ''September 30, 2003,''.

(d) REPORTS ON BALLISTIC MISSILE COOPERATION WITH RUSSIA.—Section 2705(d) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking ''and January 1, 2001,'' and inserting ''January 1, 2001, January 1, 2002, and January 1, 2003''.

SEC. 202. CONTINUATION OF OTHER REPORTS.

(a) SEMIANNUAL REPORTS ON UNITED STATES SUPPORT FOR MEMBERSHIP OR PARTICIPATION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS.—Section 704(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 704(a) of division A of H.R. 3427, as enacted into law by section

1000(a)(7) of Public Law 106–113, appendix G; 113 Stat. 1501A–460) is amended by striking ''and 2001,'' and inserting ''2001, 2002, and 2003,''.

(b) REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CITIZENS WERE KILLED AND RELATED MATTERS.—Section 805(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 805(a) of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–470) is amended by striking ''October 1, 2001,'' and inserting ''October 1, 2003,''.

SEC. 203. REPORT CONCERNING ELIMINATION OF COLOMBIAN OPIUM.

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

(1) There is a growing heroin crisis in the United States resulting from increasingly cheap, pure, and deadly heroin flooding into this country, much of it from Colombia.

(2) Interdicting heroin entering the United States is difficult, in part because it can be trafficked in such small quantities.

(3) Destruction of opium, from which heroin is derived, at its source in Colombia is traditionally one of the best strategies to combat the heroin crisis according to Federal law enforcement officials.

(b) REPORT TO CONGRESS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, through the Bureau of International Narcotics and Law Enforcement, shall submit to the Congress a report which outlines a comprehensive strategy to address the crisis of heroin in the United States due to opium originating from Colombia including destruction of opium at its source.

SEC. 204. REPEAL OF PROVISION REGARDING HOUSING FOR FOREIGN AGRICULTURAL ATTACHE.

Section 738 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–387; 114 Stat. 1549A–34) is repealed.

SEC. 205. HUMAN RIGHTS MONITORING.

Funds authorized to be appropriated for the Bureau of Democracy, Human Rights, and Labor pursuant to section 101(1)(B)(ii) are authorized to be available to fund positions at United States posts abroad that are primarily responsible for following human rights developments in foreign countries and that are assigned at the rec-

ommendation of such bureau in conjunction with the relevant regional bureau.

SEC. 206. CORRECTION OF FISHERMEN'S PROTECTIVE ACT OF 1967.

Section 7(a)(3) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(A)(3)) is amended by striking ''Secretary of Commerce'' and inserting ''Secretary of State''.

SEC. 207. INTERNATIONAL LITIGATION FUND.

Section 38 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710) is amended by adding at the end the following new subsection:

''(e) RETENTION OF FUNDS..—

''(1) IN GENERAL.—To reimburse the expenses of the United States Government in preparing or prosecuting a claim against a foreign government or other foreign entity, the Secretary of State shall retain 1.5 percent of any amount between $100,000 and $5,000,000, and one percent of any amount over $5,000,000, received per claim under chapter 34 of the Act of February 27, 1896 (22 U.S.C. 2668a; 29 Stat. 32).

''(2) TREATMENT.—Amounts retained under the authority of paragraph (1) shall be deposited into the fund under subsection (d).''.

SEC. 208. EMERGENCY EVACUATION SERVICES.

Section 4(b)(2)(A) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671(b)(2)(A)) is amended to read as follows:

"(A) the evacuation when their lives are endangered by war, civil unrest, or natural disaster of (i) United States Government employees and their dependents, and (ii) private United States citizens or third-country nationals, on a reimbursable basis to the extent feasible, with such reimbursements to be credited to the applicable Department of State appropriation and to remain available until expended. No reimbursement shall be required which is greater than the amount the person evacuated would have been charged for a commercial air fare at the lowest rate available immediately prior to the onset of the war, civil unrest, or natural disaster giving rise to the evacuation.".

SEC. 209. WITHHOLDING OF FUNDING UNTIL SUBMISSION OF REPORT ON CUBAN EMIGRATION POLICIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act are authorized to be made available for the operation of the United States Interests Section in Cuba and the Office of Cuban Affairs of the Depart-

ment of State until the Department of State is in compliance with section 2245 of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 (division G of Public Law 105–277).

(b) EFFECTIVE DATE.—Subsection (a) shall take effect 60 days after the date of the enactment of this Act.

SEC. 210. IMPLEMENTATION OF THE INTERCOUNTRY ADOPTION ACT OF 2000.

The Secretary of State, acting through the Assistant Secretary of State for Consular Affairs, shall consult with the appropriate congressional committees on a regular basis on the implementation of the Intercountry Adoption Act of 2000 (Public Law 106–279; 42 U.S.C. 14901 et seq.).

SEC. 211. REPORT CONCERNING THE EFFECT OF PLAN COLOMBIA ON ECUADOR.

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

(1) There is a growing alarm concerning the spillover effect of Plan Colombia on Ecuador, a frontline state. The northern region of Ecuador, including the Sucumbios province, is an area of particular concern. It faces the Colombian Putumayo zone, where there is no presence of military or law enforcement personnel.

(2) Activities relating to the implementation of Plan Colombia have resulted in incursions on Ecuadorian territory by drug traffickers and guerrilla and paramilitary groups from Colombia and a concomitant increase in the levels of violence and delinquency. Recent kidnappings of American and other foreign nationals, as well as discoveries of clandestine cocaine laboratories, are especially troublesome.

(3) Ecuador is receiving an influx of Colombian refugees and its own indigenous communities have been displaced from their ancestral villages.

(4) Ecuador has demonstrated its moral and political commitment in the fight against drugs. The agreement signed in November 1999 with the United States to establish a forward operating location in Manta is a clear sign of this active stance.

(5) Ecuador is implementing a comprehensive program aimed at reinforcing its security mechanisms in the northern border, as well as converting the area into a buffer zone of peace and development.

(b) REPORT TO CONGRESS.— Not later than 60 days after the date of enactment of this Act, the Secretary of State, through the Bureau of International Narcotics and Law Enforcement, shall submit to Congress a report

which outlines a comprehensive strategy to address the spillover effect of Plan Colombia on Ecuador.

Subtitle B—Consular Authorities

SEC. 231. MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351 note) is amended in the first sentence of paragraph (3)—

(1) by striking "2001, and 2002," and inserting "2001, 2002, and 2003,"; and

(2) by striking "and $316,715,000 for fiscal year 2002" and inserting "$414,000,000 for fiscal year 2002, and $422,000,000 for fiscal year 2003,".

SEC. 232. ESTABLISHMENT OF A CONSULAR BRANCH OFFICE IN LHASA, TIBET.

The Secretary of State shall make best efforts to establish a branch office in Lhasa, Tibet, of the United States Consulate General in Chengdu, People's Republic of China, to monitor political, economic, and cultural developments in Tibet.

SEC. 233. ESTABLISHMENT OF A DIPLOMATIC OR CONSULAR POST IN EQUATORIAL GUINEA.

The Secretary of State shall establish a diplomatic or consular post in Equatorial Guinea.

SEC. 234. PROCESSING OF VISA APPLICATIONS.

It shall be the policy of the Department of State to process immigrant visa applications of immediate relatives of United States citizens and nonimmigrant K–1 visa applications of fiances of United States citizens within 30 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service. In the case of an immigrant visa application where the sponsor of such applicant is a relative other than an immediate relative, it should be the policy of the Department of State to process such an application within 60 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service.

SEC. 235. UNITED STATES POLICY WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) CONGRESSIONAL STATEMENT OF POLICY.—The Congress maintains its commitment to relocating the United States Embassy in Israel to Jerusalem and urges the President, pursuant to the Jerusalem Embassy Act of 1995 (Public Law 104–45; 109 Stat. 398), to immediately begin the process of relocating the United States Embassy in Israel to Jerusalem.

(b) LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.—None of the funds authorized to be appropriated by this Act may be expended for the operation of a United States consulate or diplomatic facility in Jeru-

salem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(c) LIMITATION ON USE OF FUNDS FOR PUBLICATIONS.—None of the funds authorized to be appropriated by this Act may be available for the publication of any official government document which lists countries and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

(d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR PASSPORT PURPOSES.—For purposes of the registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon the request of the citizen or the citizen's legal guardian, record the place of birth as Israel.

Subtitle C—Migration and Refugees

SEC. 251. UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES.

(a) IN GENERAL.—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return by the United States of any person to a country in which the person has a well-founded fear of persecution on account of race, reli-

gion, nationality, membership in a particular social group, or political opinion, except on grounds recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967, subject to the reservations contained in the United States Senate Resolution of Ratification.

(b) MIGRATION AND REFUGEE ASSISTANCE.—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return of any person to any country unless the Secretary of State first notifies the appropriate congressional committees, except that in the case of an emergency involving a threat to human life the Secretary of State shall notify the appropriate congressional committees as soon as practicable.

(c) INVOLUNTARY RETURN DEFINED.—As used in this section, the term ''to effect the involuntary return'' means to require, by means of physical force or circumstances amounting to a threat thereof, a person to return to a country against the person's will, regardless of whether the person is physically present in the United States and regardless of whether the United States acts directly or through an agent.

SEC. 252. REPORT ON OVERSEAS REFUGEE PROCESSING.

(a) REPORT ON OVERSEAS REFUGE PROCESSING.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall provide to the appropriate congressional committees a report on overseas processing of refugees for admission to the United States.

(b) CONTENTS.—The report shall include the following detailed information:

(1) United States procedures for the identification of refugees who are particularly vulnerable or whose individual circumstances otherwise suggest an urgent need for resettlement, including the extent to which the Department now insists on referral by the United Nations High Commissioner for Refugees as a prerequisite to consideration of such refugees for resettlement in the United States, together with a plan for the expanded use of alternatives to such referral, including the use of field-based nongovernmental organizations to identify refugees in urgent need of resettlement.

(2) The extent to which the Department makes use in overseas refugee processing of the designation of groups of refugees who are of special concern to the United States, together with the reasons for any decline in such use over the last 10 years and a plan

for making more generous use of such categories in the future.

(3) The extent to which the United States currently provides opportunities for resettlement in the United States of individuals who are close family members of citizens or lawful residents of the United States, together with the reasons for any decline in the extent of such provision over the last 10 years and a plan for expansion of such opportunities in the future.

(4) The extent to which opportunities for resettlement in the United States are currently provided to ''urban refugees'' and others who do not currently reside in refugee camps, together with a plan for increasing such opportunities, particularly for refugees who are in urgent need of resettlement, who are members of refugee groups of special interest to the United States, or who are close family members of United States citizens or lawful residents.

(5) The Department's assessment of the feasibility and desirability of modifying the Department's current list of refugee priorities to create an additional category for refugees whose need for resettlement is based on a long period of residence in a refugee camp with no immediate prospect of safe and

voluntary repatriation to their country of origin or last permanent residence.

(6) The extent to which the Department uses private voluntary agencies to assist in the identification of refugees for admission to the United States, including the Department's assessment of the advantages and disadvantages of private voluntary agencies, the reasons for any decline in the Department's use of voluntary agencies over the last 10 years, and a plan for the expanded use of such agencies.

(7) The extent to which the per capita reception and placement grant to voluntary agencies assisting in resettlement of refugees has kept up over the last 10 years with the cost to such agencies of providing such services.

(8) An estimate of the cost of each change in current practice or procedure discussed in the report, together with an estimate of any increase in the annual refugee admissions ceiling that would be necessary to implement each change.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organizational Matters

SEC. 301. COMPREHENSIVE WORKFORCE PLAN.

(a) WORKFORCE PLAN.— Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a comprehensive workforce plan for the Department of State for the fiscal years 2002 through 2006. The plan shall consider personnel needs in both the civil service and the Foreign Service and expected domestic and overseas personnel allocations. The workforce plan should set forth the detailed mission of the Department, the definition of work to be done and cyclical personnel needs based on expected retirements and the time required to hire, train, and deploy new personnel.

(b) DOMESTIC STAFFING MODEL.— Not later than one year after the date of the enactment of this Act, the Secretary of State shall compile and submit to the appropriate congressional committees a domestic staffing model for the Department of State.

SEC. 302. "RIGHTSIZING" OVERSEAS POSTS.

(a) "RIGHTSIZING" AT THE DEPARTMENT OF STATE.—

(1) The Secretary of State shall establish a task force within the Department of State on the issue of ''rightsizing'' overseas posts.

(2) PRELIMINARY REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report which outlines the status, plans, and activities of the task force. In addition to such other information as the Secretary considers appropriate, the report shall include the following:

(A) The objectives of the task force.

(B) Measures for achieving the objectives under subparagraph (A).

(C) The official of the Department with primary responsibility for the issue of ''rightsizing''.

(D) The plans of the Department for the reallocation of staff and resources based on changing needs at overseas posts and in the metropolitan Washington, D.C. area.

(3) PERIODIC REPORTS.—Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter during the fiscal years 2002 and 2003, the Secretary of State shall

submit to the appropriate congressional committees a report reviewing the activities and progress of the task force established under paragraph (1).

(b) INTERAGENCY WORKING GROUP.—

(1) ESTABLISHMENT.—The Secretary of State shall establish an interagency working group on the issue of ''rightsizing'' the overseas presence of the United States Government.

(2) PRELIMINARY REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report which outlines the status, plans, and activities of the interagency working group. In addition to such other information as the Secretary considers appropriate, the report shall include the following:

(A) The objectives of the working group.

(B) Measures for achieving the objectives under subparagraph (A).

(C) The official of each agency with primary responsibility for the issue of ''rightsizing''.

(3) PERIODIC REPORTS.—Not later than 6 months after the date of the enactment of this Act, and every 6 months thereafter during the fiscal

years 2002 and 2003, the Secretary of State shall submit to the appropriate congressional committees a report reviewing the activities and progress of the working group established under paragraph (1).

SEC. 303. QUALIFICATIONS OF CERTAIN OFFICERS OF THE DEPARTMENT OF STATE.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) by striking subsections (f) and (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) QUALIFICATIONS OF CERTAIN OFFICERS OF THE DEPARTMENT OF STATE.—

''(1) OFFICER HAVING PRIMARY RESPONSIBILITY FOR PERSONNEL MANAGEMENT.—The officer of the Department of State with primary responsibility for assisting the Secretary of State with respect to matters relating to personnel in the Department of State, or that officer's principal deputy, shall have substantial professional qualifications in the field of human resource policy and management.

''(2) OFFICER HAVING PRIMARY RESPONSIBILITY FOR DIPLOMATIC SECURITY.—The officer of the Department of State with primary responsibility for assisting the Secretary of State with respect to

diplomatic security, or that officer's principal deputy, shall have substantial professional qualifications in the fields of (A) management, and (B) Federal law enforcement, intelligence, or security.

"(3) OFFICER HAVING PRIMARY RESPONSIBILITY FOR INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT.—The officer of the Department of State with primary responsibility for assisting the Secretary of State with respect to international narcotics and law enforcement, or that officer's principal deputy, shall have substantial professional qualifications in the fields of management and Federal law enforcement.".

SEC. 304. UNITED STATES SPECIAL COORDINATOR FOR TIBETAN ISSUES.

(a) UNITED STATES SPECIAL COORDINATOR FOR TIBETAN ISSUES.—There shall be within the Department of State a United States Special Coordinator for Tibetan Issues.

(b) CONSULTATION.—The Secretary of State shall consult with the chairman and ranking minority member of the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives prior to the designation of the special coordinator.

(c) CENTRAL OBJECTIVE.—The central objective of the special coordinator is to promote substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives.

(d) DUTIES AND RESPONSIBILITIES.—The special coordinator shall—

(1) coordinate United States Government policies, programs, and projects concerning Tibet;

(2) vigorously promote the policy of seeking to protect the distinct religious, cultural, linguistic, and national identity of Tibet, and pressing for improved respect for human rights;

(3) maintain close contact with religious, cultural, and political leaders of the Tibetan people, including regular travel to Tibetan areas of the People's Republic of China, and to Tibetan refugee settlements in India and Nepal;

(4) consult with Congress on policies relevant to Tibet and the future and welfare of the Tibetan people;

(5) make efforts to establish contacts in the foreign ministries of other countries to pursue a negotiated solution for Tibet; and

(6) take all appropriate steps to ensure adequate resources, staff, and bureaucratic support to

fulfill the duties and responsibilities of the special coordinator.

Subtitle B—Personnel Matters

SEC. 331. REPORT CONCERNING RETIRED MEMBERS OF THE FOREIGN SERVICE AND CIVIL SERVICE WHO ARE REGISTERED AGENTS OF A GOVERNMENT OF A FOREIGN COUNTRY.

The Secretary of State shall submit, annually, a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Affairs of the Senate which lists members of the Foreign Service and the civil service who have retired, have been issued an identification which authorizes access to facilities of the Department of State, and are registered under the Foreign Agents Registration Act of 1938 as an agent of a government of a foreign country. The report shall specify each individual and the governments represented by that individual.

SEC. 332. TIBETAN LANGUAGE TRAINING.

The Secretary of State shall ensure that Tibetan language training is available to Foreign Service officers, and that every effort is made to ensure that a Tibetan-speaking Foreign Service officer is assigned to the consulate in China responsible for tracking developments in Tibet.

SEC. 333. DEPENDENTS ON FAMILY VISITATION TRAVEL.

(a) IN GENERAL.—Section 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(8)) is amended by striking ''Service'' and inserting ''Service, and members of his or her family,''.

(b) PROMULGATION OF GUIDANCE.—The Secretary shall promulgate guidance for the implementation of the amendment made by subsection (a) to ensure its implementation in a manner which does not substantially increase the total amount of travel expenses paid or reimbursed by the Department for travel under section 901 of the Foreign Service Act of 1980.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on xUon F reim-

SEC. 335. HEALTH EDUCATION AND DISEASE PREVENTION PROGRAMS.

Section 904(b) of the Foreign Service Act of 1980 (22 U.S.C. 4084(b)) is amended by striking ''families, and (3)'' and inserting ''families, (3) health education and disease prevention programs for all employees, and (4)''.

SEC. 336. TRAINING AUTHORITIES.

Section 2205(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of Public Law 105–277) is amended by striking subparagraph (3).

SEC. 337. FOREIGN NATIONAL RETIREMENT PLANS.

Section 408(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3968(a)(1)) is amended in the third sentence by striking ''(C)'' and all that follows through ''covered employees.'' and inserting ''(C) payments by the Government and employees to (i) a trust or other fund in a financial institution in order to finance future benefits for employees, including provision for retention in the fund of accumulated interest and dividends for the benefit of covered employees; or (ii) a Foreign Service National Savings Fund established in the Treasury of the United States, which (I) shall be administered by the Secretary of State, at whose direction the Secretary of the Treasury shall invest amounts not required for the current needs of the fund; and (II) shall be public monies, which are authorized

to be appropriated and remain available without fiscal year limitation to pay benefits, to be invested in public debt obligations bearing interest at rates determined by the Secretary of the Treasury taking into consideration current average market yields on outstanding marketable obligations of the United States of comparable maturity, and to pay administrative expenses.''.

SEC. 338. PRESIDENTIAL RANK AWARDS.

(a) COMPARABLE TO PAYMENTS TO MERITORIOUS EXECUTIVES AND DISTINGUISHED EXECUTIVES.—Section 405(b)(3) of the Foreign Service Act of 1980 (22 U.S.C. 3965(b)(3)) is amended by striking the second sentence and inserting ''Payments under this paragraph to a member of the Senior Foreign Service may not exceed, in any fiscal year, the percentage of base pay established under section 4507(e)(1) of title 5, United States Code, for a Meritorious Executive, except that payments of the percentage of the base pay established under section 4507(e)(2) of title 5, United States, Code, for Distinguished Executives may be made in any fiscal year to up to 1 percent of the members of the Senior Foreign Service.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2001.

SEC. 339. EMERGENCY MEDICAL ADVANCE PAYMENTS.

Section 5927(a)(3) of title 5, United States Code, is amended to read as follows:

"(3) to an employee compensated pursuant to section 408 of the Foreign Service Act of 1980, who—

"(A) pursuant to government authorization is located outside the country of employment; and

"(B) requires medical treatment outside the country of employment in circumstances specified by the President in regulations.".

SEC. 340. UNACCOMPANIED AIR BAGGAGE.

Section 5924(4)(B) of title 5, United States Code, is amended by inserting after the first sentence the following: "At the option of the employee, in lieu of the transportation of the baggage of a dependent child from the dependent's school, the costs incurred to store the baggage at or in the vicinity of the school during the dependent's annual trip between the school and the employee's duty station may be paid or reimbursed to the employee. The amount of the payment or reimbursement may not exceed the cost that the government would incur to transport the baggage.".

SEC. 341. SPECIAL AGENT AUTHORITIES.

Section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)) is amended in paragraph (3)(F) by inserting ''or President-elect'' after ''President''.

SEC. 342. REPORT CONCERNING MINORITY EMPLOYMENT.

During each of the years 2002 and 2003, the Secretary of State shall submit a comprehensive report to the Congress concerning the status of employment of members of minority groups at the Department of State, including the Civil Service, the Foreign Service, and State Department employees serving abroad. The report shall include the following data (reported in terms of real numbers and percentages and not as ratios):

(1) For the last preceding Foreign Service examination and promotion cycles for which such information is available—

(A) the numbers and percentages of members of all minority groups taking the written Foreign Service examination;

(B) the numbers and percentages of members of all minority groups successfully completing and passing the written Foreign Service examination;

(C) the numbers and percentages of members of all minority groups successfully com-

pleting and passing the oral Foreign Service examination;

(D) the numbers and percentages of members of all minority groups entering the junior officers class of the Foreign Service;

(E) the numbers and percentages of members of all minority groups who are Foreign Service officers at each grade; and

(F) the numbers of and percentages of members of all minority groups promoted at each grade of the Foreign Service Officer Corps.

(2) For the last preceding year for Civil Service employment at the Department of State for which such information is available—

(A) numbers and percentages of members of all minority groups entering the Civil Service;

(B) the number and percentages of members of all minority groups who are civil service employees at each grade of the Civil Service; and

(C) the number of and percentages of members of all minority groups promoted at each grade of the Civil Service.

TITLE IV—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS OF THE DEPARTMENT OF STATE

SEC. 401. EXTENSION OF REQUIREMENT FOR SCHOLARSHIPS FOR TIBETANS AND BURMESE.

Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note) is amended by striking ''for the fiscal year 2000'' and inserting ''for each of the fiscal years 2002 and 2003''.

SEC. 402. NONPROFIT ENTITIES FOR CULTURAL PROGRAMMING.

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

(1) It is in the national interest of the United States to promote mutual understanding between the people of the United States and other nations.

(2) Among the means to be used in achieving this objective are a wide range of international educational and cultural exchange programs, including the J. William Fulbright Educational Exchange Program and the International Visitors Program.

(3) Cultural diplomacy, especially the presentation abroad of the finest of America's creative, vis-

ual and performing arts, is an especially effective means of advancing the United States national interest.

(4) The financial support available for international cultural and scholarly exchanges has declined by approximately 10 per cent in recent years.

(5) Funds appropriated for the purpose of ensuring that the excellence, diversity, and vitality of the arts in the United States are presented to foreign audiences by, and in cooperation with, our diplomatic and consular representatives have declined dramatically.

(6) One of the ways to deepen and expand cultural and educational exchange programs is through the establishment of nonprofit entities to encourage the participation and financial support of corporations and other private sector contributors.

(7) The United States private sector should be encouraged to cooperate closely with the Secretary of State and representatives of the Department to expand and spread appreciation of United States cultural and artistic accomplishments.

(b) AUTHORITY TO ESTABLISH NONPROFIT ENTITIES.—Section 105 of the Mutual Educational and Cul-

tural Exchange Act of 1961 (22 U.S.C. 2255) is amended by striking subsection (g) and inserting the following:

"(g) NONPROFIT ENTITIES FOR CULTURAL PROGRAMMING.—

"(1) The Secretary of State is authorized to provide for the establishment of private nonprofit entities to assist in carrying out the purposes of this subsection. Any such entity shall not be considered an agency or instrumentality of the United States Government and employees of such an entity shall not be considered employees of the United States Government for any purpose.

"(2) An entity established pursuant to the authority of paragraph (1) may carry out the following:

"(A) Encourage participation and support by United States corporations and other elements of the private sector for cultural, arts, and educational exchange programs which will enhance international appreciation of America's cultural and artistic accomplishments.

"(B) Solicit and receive contributions from the private sector to support cultural, arts, and educational exchange programs.

"(C) Provide grants and other assistance for such programs.

"(3) The Secretary of State is authorized to make such arrangements as are necessary to carry out the purposes of any entity established pursuant to paragraph (1) including the following:

"(A) The solicitation and receipt of funds for an entity.

"(B) Designation of a program in recognition of such contributions.

"(C) Appointment of members of the board of directors or other body established to administer an entity, including the appointment of employees of the United States Government as ex officio nonvoting members of such a board or other administrative body.

"(D) Making recommendations with respect to specific artistic and cultural programs to be carried out by the entity.

"(4) For fiscal years 2002 and 2003, not to exceed $500,000 of funds available to the Department of State are authorized to be made available for each fiscal year for administrative and other costs for the establishment of entities pursuant to paragraph (1). An entity established pursuant to paragraph (1) is

authorized to invest amounts made available to the entity by the Department of State, and such amounts, as well as interest or earnings on such amounts, may be used by the entity to carry out its purposes.

''(5) Each entity established pursuant to paragraph (1) shall submit an annual report on the sources and amount of funds and other resources received and the programs funded by the entity to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

''(6) The financial transactions of each entity established under paragraph (1) for each fiscal year shall be the subject of an independent audit. A report of each such audit shall be made available to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.''.

SEC. 403. FULBRIGHT-HAYS AUTHORITIES.

Section 112(d) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460(d) is amended by striking ''operating under the authority of this Act and consistent with'' and inserting ''which operate under the authority of this Act or promote''.

SEC. 404. ETHICAL ISSUES IN INTERNATIONAL HEALTH RESEARCH.

(a) IN GENERAL.—The Secretary shall make available funds for public diplomacy and international exchanges, including, as appropriate, funds for international visitor programs and scholarships available under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961 and other similar statutes, to provide opportunities to researchers in developing countries to obtain scholarships and otherwise participate in activities related to ethical issues in human subject research, as described in subsection (b).

(b) ETHICAL ISSUES IN HUMAN SUBJECT RESEARCH.—For purposes of subsection (a), ''activities related to ethical issues in human subject research'' include courses of study, conferences, and fora on development of and compliance with international ethical standards for clinical trials involving human subjects, particularly with respect to responsibilities of researchers to individuals and local communities participating in such trials, and on management and monitoring of such trials based on such international ethical standards.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

SEC. 501. ELIMINATING STAFF POSITIONS FOR THE ADVISORY BOARD FOR CUBA BROADCASTING.

(a) ELIMINATING POSITION OF STAFF DIRECTOR.—

(1) Section 245 of the Television Broadcasting to Cuba Act (22 U.S.C. 1465c note) is amended by striking subsection (d).

(2) Any funds made available through the elimination of the position under the amendment made by paragraph (1) shall be made available for broadcasting to Cuba.

(b) PROHIBITING PAID STAFF POSITIONS.—The Advisory Board for Cuba Broadcasting is not authorized to employ administrative or support staff who are compensated by the Advisory Board.

SEC. 502. REPORTS ON BROADCASTING PERSONNEL.

Not later than 3 months after the date of the enactment of this Act and every 6 months thereafter during the fiscal years 2002 and 2003, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report regarding high-level personnel of the Broadcasting Board of Governors and efforts to diversify the workforce. Each report shall include the following in-

formation, reported separately, for the International Broadcasting Bureau, Radio Free Europe/Radio Liberty, and Radio Free Asia:

(1) A list of all personnel positions at and above the GS–13 pay level.

(2) The number and percentage of women and members of minority groups in positions under paragraph (1).

(3) The increase or decrease in the representation of women and members of minority groups in positions under paragraph (1) from previous years.

(4) The recruitment budget for each broadcasting entity and the aggregate budget.

(5) Information concerning the recruitment efforts of the Broadcasting Board of Governors relating to women and members of minority groups, including the percentage of the recruitment budget utilized for such efforts.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

SEC 601. UNITED NATIONS ARREARS PAYMENTS AND REFORM.

(a) ADDITIONAL RESTRICTIONS ON RELEASE OF ARREARAGE PAYMENTS RELATING TO UNITED STATES SOV-

EREIGNTY.—In addition to the satisfaction of all other preconditions applicable to the obligation and expenditure of funds authorized to be appropriated by section 911(a)(2) of the United Nations Reform Act of 1999, such funds may not be obligated or expended until the Secretary of State certifies to the appropriate congressional committees that the following conditions are satisfied:

(1) SUPREMACY OF THE UNITED STATES CONSTITUTION.—No action has been taken by the United Nations or any of its specialized or affiliated agencies that requires the United States to violate the United States Constitution or any law of the United States.

(2) NO UNITED NATIONS SOVEREIGNTY.—Neither the United Nations nor any of its specialized or affiliated agencies—

(A) has exercised sovereignty over the United States; or

(B) has taken any steps that require the United States to cede sovereignty.

(3) NO UNITED NATIONS TAXATION.—

(A) NO LEGAL AUTHORITY.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has the authority under United

States law to impose taxes or fees on United States nationals.

(B) NO TAXES OR FEES.—Except as provided in subparagraph (D), a tax or fee has not been imposed on any United States national by the United Nations or any of its specialized or affiliated agencies.

(C) NO TAXATION PROPOSALS.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has, on or after October 1, 1996, officially approved any formal effort to develop, advocate, or promote any proposal concerning the imposition of a tax or fee on any United States national in order to raise revenue for the United Nations or any such agency.

(D) EXCEPTION.—This paragraph does not apply to—

(i) fees for publications or other kinds of fees that are not tantamount to a tax on United States citizens;

(ii) the World Intellectual Property Organization; or

(iii) the staff assessment costs of the United Nations and its specialized or affiliated agencies.

(4) NO STANDING ARMY.—The United Nations has not, on or after October 1, 1996, budgeted any funds for, nor taken any official steps to develop, create, or establish any special agreement under Article 43 of the United Nations Charter to make available to the United Nations, on its call, the armed forces of any member of the United Nations.

(5) NO INTEREST FEES.—The United Nations has not, on or after October 1, 1996, levied interest penalties against the United States or any interest on arrearages on the annual assessment of the United States, and neither the United Nations nor its specialized agencies have, on or after October 1, 1996, amended their financial regulations or taken any other action that would permit interest penalties to be levied against the United States or otherwise charge the United States any interest on arrearages on its annual assessment.

(6) UNITED STATES REAL PROPERTY RIGHTS.—Neither the United Nations nor any of its specialized or affiliated agencies has exercised authority or control over any United States national

park, wildlife preserve, monument, or real property, nor has the United Nations nor any of its specialized or affiliated agencies implemented plans, regulations, programs, or agreements that exercise control or authority over the private real property of United States citizens located in the United States without the approval of the property owner.

(7) TERMINATION OF BORROWING AUTHORITY.—

(A) PROHIBITION ON AUTHORIZATION OF EXTERNAL BORROWING.—On or after the date of enactment of this Act, neither the United Nations nor any specialized agency of the United Nations has amended its financial regulations to permit external borrowing.

(B) PROHIBITION OF UNITED STATES PAYMENT OF INTEREST COSTS.—The United States has not, on or after October 1, 1984, paid its share of any interest costs made known to or identified by the United States Government for loans incurred, on or after October 1, 1984, by the United Nations or any specialized agency of the United Nations through external borrowing.

(b) AMENDMENTS TO THE UNITED NATIONS REFORM ACT OF 1999.—The United Nations Reform Act of

1999 (title IX of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–475) is amended as follows:

(1) Section 912(c) is amended by striking ''section 911'' and inserting ''section 911(a)(3)''.

(2) Section 931(b) is amended by—

(A) striking paragraph (2); and

(B) redesignating paragraph (3) as paragraph (2).

(3) Section 941(a)(2) is amended—

(A) by striking ''also'';

(B) by striking ''in subsection (b)(4)'' both places it appears; and

(C) by striking ''satisfied, if the other conditions in subsection (b) are satisfied'' and inserting ''satisfied''.

(4) Section 941(b)(3) is amended—

(A) in the paragraph heading by striking ''NEW BUDGET PROCEDURES'' and inserting ''BUDGET PRACTICES'';

(B) by striking ''has established and'';

(C) by striking ''procedures'' and inserting ''practices''; and

(D) in subparagraphs (A) and (B) by striking ''require'' both places it appears and inserting in both places ''result in''.

(5) Section 941(b)(9) is amended—

(A) in the paragraph heading by striking ''NEW BUDGET PROCEDURES'' and inserting ''BUDGET PRACTICES'';

(B) by striking ''Each designated specialized agency has established procedures to—'' and inserting ''The practices of each designated specialized agency—''; and

(C) in subparagraphs (A), (B), and (C) by striking ''require'' each of the 3 places it appears such subparagraphs and inserting in the 3 places ''result in''.

(c) AMENDMENT TO UNITED NATIONS PARTICIPATION ACT.—Section 6 of the United Nations Participation Act of 1945 (22 U.S.C. 287d) is amended to read as follows:

''SEC. 6. AGREEMENTS WITH SECURITY COUNCIL.

''(a) Any agreement described in subsection (b) that is concluded by the President with the Security Council shall not be effective unless approved by the Congress by appropriate Act or joint resolution.

"(b) An agreement referred to in subsection (a) is an agreement providing for the numbers and types of United States Armed Forces, their degree of readiness and general locations, or the nature of facilities and assistance, including rights of passage, to be made available to the Security Council for the purpose of maintaining international peace and security in accordance with Article 43 of the Charter of the United Nations.

"(c) Except as provided in section 7, nothing in this section may be construed as an authorization to the President by the Congress to make available United States Armed Forces, facilities, or assistance to the Security Council.".

(d) AMENDMENT TO PUBLIC LAW 103–236.—Section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e note) is amended—

(1) by striking "for any fiscal year after fiscal year 1995" and inserting "for —

"(A) fiscal years 1996 through 2001, and any fiscal year after fiscal year 2003"; and

(2) by striking "operation." and inserting "operation; and

"(B) fiscal years 2002 and 2003 shall not be available for the payment of the United

States assessed contribution for a United Nations peacekeeping operation in an amount which is greater than 28.15 percent of the total of all assessed contributions for that operation.''.

(e) CONFORMING AMENDMENT TO PUBLIC LAW 92–544.—The last sentence of the paragraph headed ''Contributions to International Organizations'' in Public Law 92–544 (22 U.S.C. 287e note), is amended—

(1) by striking ''Appropriations are authorized'' and inserting ''Subject to section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236, 22 U.S.C. 287e note), as amended, appropriations are authorized''; and

(2) by striking ''(other than United Nations peacekeeping operations) conducted'' and inserting ''conducted by or under the auspices of the United Nations or''.

(f) CONFORMING AMENDMENT TO PUBLIC LAW 105–277.—The undesignated paragraph under the heading ''ARREARAGE PAYMENTS'' in title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as enacted into law by section 101(b) of division A of the Omnibus Con-

solidated and Emergency Supplemental Appropriations Act, 1999; 112 Stat. 2681–96) is amended by striking ''member, and the share of the budget for each assessed United Nations peacekeeping operation does not exceed 25 percent for any single United Nations member.'' and inserting ''member.''.

(g) CONFORMING AMENDMENT TO PUBLIC LAW 106–113.—The undesignated paragraph under the heading ''ARREARAGE PAYMENTS'' in title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(1) of division B of Public Law 106–113; appendix A; 113 Stat. 1501A–42) is amended—

(1) in the first proviso, by striking ''the share of the total of all assessed contributions for any designated specialized agency of the United Nations does not exceed 22 percent for any single member of the agency, and''; and

(2) by inserting immediately after the first proviso ''*Provided further,* That, none of the funds appropriated or otherwise made available under this heading for payment of arrearages may be obligated or expended with respect to a designated specialized agency of the United Nations until such time as the share of the total of all assessed contributions for

that designated specialized agency does not exceed 22 percent for any member of the agency:''.

(h) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 602. TRAVEL BY ADVISORY COMMITTEE MEMBERS TO GREAT LAKES FISHERY COMMISSION ANNUAL MEETING.

Section 4(c) of the Great Lakes Fishery Act of 1956 (70 Stat. 242; 16 U.S.C. 933(c)) is amended in the second sentence—

(1) by striking ''five'' and inserting ''ten''; and

(2) by striking ''each'' and inserting ''the annual''.

SEC. 603. UNITED STATES POLICY ON COMPOSITION OF THE UNITED NATIONS HUMAN RIGHTS COMMISSION.

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

(1) The United Nations Human Rights Commission is an important organ of the United Nations that plays a significant role in monitoring international human rights developments and can make an important contribution to advancing human rights around the world.

(2) The membership of the Commission, however, continues to include countries that are themselves human rights violators.

(3) Countries that are on the Commission have a special duty to ensure that they are prepared to allow human rights monitors into their own country to investigate allegations of human rights violations.

(b) UNITED STATES POLICY ON MEMBERSHIP OF THE COMMISSION.—The President, acting through the Secretary of State, the United States Permanent Representative to the United Nations, and other appropriate United States Government officials, shall use the voice and vote of the United States at the United Nations to oppose membership on the United Nations Commission on Human Rights for any country that does not provide a standing invitation to allow the following persons to monitor human rights in the territory of such country:

(1) Designated United Nations human rights investigators and rapporteurs.

(2) Representatives from nongovernmental organizations that focus on human rights.

SEC. 604. UNITED STATES MEMBERSHIP IN THE INTERNATIONAL ORGANIZATION FOR MIGRATION.

(a) CONTINUATION OF MEMBERSHIP.—The President is authorized to continue membership for the United

States in the International Organization for Migration in accordance with the constitution of such organization approved in Venice, Italy, on October 19, 1953, as amended in Geneva, Switzerland, on November 24, 1998, upon entry into force of such amendments.

(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of assisting in the movement of refugees and migrants, there are authorized to be appropriated such amounts as may be necessary from time to time for payment by the United States of its contributions to the International Organization for Migration and all necessary salaries and expenses incidental to United States participation in such organization.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—General Provisions

SEC. 701. AMENDMENTS TO THE IRAN NONPROLIFERATION ACT OF 2000.

(a) REPORTS ON PROLIFERATION TO IRAN.—Section 2 of the Iran Nonproliferation Act of 2000 (Public Law 106–178; 114 Stat. 39; 50 U.S.C. 1701 note) is amended by inserting after subsection (d) the following new subsection:

"(e) CONTENT OF REPORTS.—Each report under subsection (a) shall contain, with respect to each foreign

person identified in such report, a brief description of the type and quantity of the goods, services, or technology transferred by that person to Iran, the circumstances surrounding the transfer, the usefulness of the transfer to Iranian weapons programs, and the probable awareness or lack thereof of the transfer on the part of the government with primary jurisdiction over the person.''.

(b) DETERMINATION EXEMPTING FOREIGN PERSONS FROM CERTAIN MEASURES UNDER THE ACT.—Section 5(a)(2) of such Act is amended by striking ''systems'' and inserting ''systems, or conventional weapons''.

SEC. 702. AMENDMENTS TO THE NORTH KOREA THREAT REDUCTION ACT OF 1999.

Section 822(a) of the North Korea Threat Reduction Act of 1999 (subtitle B of title VIII of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–472) is amended by striking ''such agreement,'' both places it appears and inserting in both places ''such agreement (or that are controlled under the Export Trigger List of the Nuclear Suppliers Group),''.

SEC. 703. AMENDMENTS TO THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998.

(a) REPEAL OF TERMINATION OF COMMISSION.—The International Religious Freedom Act of 1998 (22 U.S.C. 6401 et seq.) is amended by striking section 209.

(b) AUTHORIZATIONS OF APPROPRIATIONS.—Section 207(a) of such Act (22 U.S.C. 6435(a)) is amended by inserting ''for each of the fiscal years 2002 and 2003'' after ''$3,000,000''.

(c) ELECTION OF CHAIR OF COMMISSION.—Section 201(d) of such Act (22 U.S.C. 6431(d)) is amended by striking ''in each calendar'' and inserting ''after May 30 of each''.

(d) PROCUREMENT OF NONGOVERNMENTAL SERVICES.—Section 208(c)(1) of such Act (22 U.S.C. 6435a(c)(1)) is amended by striking ''authority other than that allowed under this title'' and inserting ''authority, in excess of $75,000 annually, except as otherwise provided in this title''.

(e) DONATION OF SERVICES.—Section 208(d)(1) of such Act (22 U.S.C. 6435a(d)(1)) is amended by striking ''services or'' both places it appears.

(f) ESTABLISHMENT OF STAGGERED TERMS OF MEMBERS OF COMMISSION.—Section 201(c) of such Act (22 U.S.C. 6431(c)) is amended by adding after paragraph (1) the following new paragraph:

"(2) ESTABLISHMENT OF STAGGERED TERMS.—Notwithstanding paragraph (1), members of the Commission appointed to serve on the Commission during the period May 15, 2003, through May 14, 2005, shall be appointed to terms in accordance with the provisions of this paragraph. Of the 3 members of the Commission appointed by the President under subsection (b)(1)(B)(i), 2 shall be appointed to a one-year term and 1 shall be appointed to a two-year term. Of the 3 members of the Commission appointed by the President pro tempore of the Senate under subsection (b)(1)(B)(ii), 1 of the appointments made upon the recommendation of the leader in the Senate of the political party that is not the political party of the President shall be appointed to a one-year term, and the other 2 appointments under such clause shall be two-year terms. Of the 3 members of the Commission appointed by the Speaker of the House of Representatives under subsection (b)(1)(B)(iii), 1 of the appointments made upon the recommendation of the leader in the House of the political party that is not the political party of the President shall be to a one-year term, and the other 2 appointments under such clause shall be two-year terms. The term of each

member of the Commission appointed to a one-year term shall be considered to have begun on May 15, 2003, and shall end on May 14, 2004, regardless of the date of the appointment to the Commission. Each vacancy which occurs upon the expiration of the term of a member appointed to a one-year term shall be filled by the appointment of a successor to a two-year term.''.

(g) VACANCIES.—Section 201(g) of such Act (22 U.S.C. 6431(g)) is amended by adding at the end the following: ''A member may serve after the expiration of that member's term until a successor has taken office. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. ''.

SEC. 704. CONTINUATION OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) AUTHORITY TO CONTINUE COMMISSION.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999: Public Law 105–277) is amended by striking ''October 1, 2001'' and inserting ''October 1, 2005''.

(b) REPEAL.—Section 404(c) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 404(c) of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–446) is amended by striking paragraph (2).

SEC. 705. PARTICIPATION OF SOUTH ASIA COUNTRIES IN INTERNATIONAL LAW ENFORCMENT.

The Secretary of State shall ensure, where practicable, that appropriate government officials from countries in the South Asia region shall be eligible to attend courses at the International Law Enforcement Academy located in Bangkok, Thailand, and Budapest, Hungary, consistent with other provisions of law, with the goal of enhancing regional cooperation in the fight against transnational crime.

Subtitle B—Sense of Congress Provisions

SEC. 731. SENSE OF CONGRESS RELATING TO HIV/AIDS AND UNITED NATIONS PEACEKEEPING OPERATIONS.

It is the sense of the Congress that the President should direct the Secretary of State and the United States Representative to the United Nations to urge the United

Nations to adopt an HIV/AIDS mitigation strategy as a component of United Nations peacekeeping operations.

SEC. 732. SENSE OF CONGRESS RELATING TO HIV/AIDS TASK FORCE.

It is the sense of the Congress that the Secretary of State should establish an international HIV/AIDS intervention, mitigation, and coordination task force to coordinate activities on international HIV/AIDS programs administered by agencies of the Federal Government and to work with international public and private entities working to combat the HIV/AIDS pandemic.

SEC. 733. SENSE OF CONGRESS CONDEMNING THE DESTRUCTION OF PRE-ISLAMIC STATUES IN AFGHANISTAN BY THE TALIBAN REGIME.

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

(1) Many of the oldest and most significant Buddhist statues in the world are in Afghanistan, which, at the time that many of the statues were carved, was one of the most cosmopolitan regions in the world and hosted merchants, travelers, and artists from China, India, central Asia, and the Roman Empire.

(2) Such statues are part of the common heritage of mankind, which must be preserved for future generations.

(3) On February 26, 2001, the leader of the Taliban regime, Mullah Mohammad Omar, ordered the destruction of all pre-Islamic statues in Afghanistan, among them a pair of 1,600-year-old, 100-foot-tall statues of Buddha that are carved out of a mountainside.

(4) The religion of Islam and Buddhist statues have coexisted in Afghanistan as part of the unique historical and cultural heritage of that nation for more than 1,100 years.

(5) The destruction of the pre-Islamic statues contradicts the basic tenet of the Islamic religion that other religions should be tolerated.

(6) People of all faiths and nationalities have condemned the destruction of the statues in Afghanistan, including Muslim communities around the world.

(7) The destruction of the statues violates the United Nations Convention Concerning the Protection of the World Cultural and Natural Heritage, which was ratified by Afghanistan on March 20, 1979.

(b) SENSE OF CONGRESS.—The Congress—

(1) joins with people and governments around the world in condemning the destruction of pre-Islamic statues in Afghanistan by the Taliban regime;

(2) urges the Taliban regime to stop destroying such statues; and

(3) calls upon the Taliban regime to grant international organizations immediate access to Afghanistan to survey the damage and facilitate international efforts to preserve and safeguard the remaining statues.

SEC. 734. SENSE OF CONGRESS RELATING TO RESOLUTION OF THE TAIWAN STRAIT ISSUE.

It is the sense of the Congress that Taiwan is a mature democracy and it is the policy of the United States that any resolution of the Taiwan Strait issue must be peaceful and include the assent of the people of Taiwan.

SEC. 735. SENSE OF CONGRESS RELATING TO ARSENIC CONTAMINATION IN DRINKING WATER IN BANGLADESH.

(a) FINDINGS.—In the early 1970s, the United Nations Children's Fund (UNICEF) and the Bangladeshi Department of Public Health Engineering, in an attempt to bring clean drinking water to the people of Bangladesh, installed tube wells to access shallow aquifers. This was

done to provide an alternative to contaminated surface water sources. However, at the time the wells were installed, arsenic was not recognized as a problem in water supplies and standard water testing procedures did not include arsenic tests. Naturally occurring inorganic arsenic contamination of water in those tube-wells was confirmed in 1993 in the Nawabganj district in Bangladesh. The health effects of ingesting arsenic-contaminated drinking water appear slowly. This makes preventative measures, including drawing arsenic out of the existing tube well and finding alternate sources of water, critical to preventing future contamination in large numbers of the Bangladeshi population. Health effects of exposure to arsenic in both adults and children include skin lesions, skin cancer, and mortality from internal cancers.

(b) SENSE OF CONGRESS.—The Secretary of State should work with appropriate United States Government agencies, national laboratories, universities in the United States, the Government of Bangladesh, international financial institutions and organizations, and international donors to identify a long term solution to the arsenic-contaminated drinking water problem.

(c) REPORT TO CONGRESS.—The Secretary of State should report to the Congress on proposals to bring about arsenic-free drinking water to Bangladeshis and to facili-

tate treatment for those who have already been affected by arsenic-contaminated drinking water in Bangladesh.

SEC. 736. SENSE OF CONGRESS RELATING TO DISPLAY OF THE AMERICAN FLAG AT THE AMERICAN INSTITUTE IN TAIWAN.

It is the sense of the Congress that the chancery of the American Institute in Taiwan and the residence of the director of the American Institute in Taiwan should publicly display the flag of the United States in the same manner as United States embassies, consulates, and official residences throughout the world.

SEC. 737. SENSE OF CONGRESS REGARDING HUMAN RIGHTS VIOLATIONS IN WEST PAPUA AND ACEH, INCLUDING THE MURDER OF JAFAR SIDDIQ HAMZAH, AND ESCALATING VIOLENCE IN MALUKU AND CENTRAL KALIMANTAN.

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

(1) Human rights violations by elements of the Indonesian Government continue to worsen in West Papua (Irian Jaya) and Aceh, while other areas including the Moluccas (Maluku) and Central Kalimantan have experienced outbreaks of violence by militia forces and other organized groups.

(2) Seven West Papuans were shot dead by Indonesian security forces following a flag-raising ceremony in the town of Merauke on December 2, 2000, and in a separate incident four others were reportedly killed by Indonesian security forces after a West Papuan flag was raised in Tiom on December 18, 2000.

(3) Indonesian police have attacked peaceful West Papuan civilians, including students in their dormitories at Cenderawasih University on December 6, 2000. This attack resulted in the beating and arrests of some 100 students as well as the deaths of three students, including one in police custody in the capital city of Jayapura.

(4) To escape Indonesian security forces, hundreds of peaceful West Papuans have sought safety in refugee camps across the border in the neighboring state of Papua New Guinea (PNG).

(5) The Indonesian armed forces have announced that they are initiating ''limited military operations'' in Aceh, where the Exxon-Mobil gas company has suspended operations due to security concerns.

(6) On September 7, 2000, the body of Acehnese human rights lawyer Jafar Siddiq

Hamzah, who had been missing for a month, was identified along with four other badly decomposed bodies, whose faces were bashed in and whose hands and feet were bound with barbed wire, in a forested area outside of Medan, in North Sumatra.

(7) Hamzah, a permanent resident of the United States who resided in Queens, New York, was last seen alive on August 5, 2000, in Medan, after which he failed to keep an appointment and his family lost all contact with him.

(8) As the founder and director of the International Forum on Aceh, which works for peace and human rights in Aceh, Hamzah was an important voice of moderation and an internationally known representative of his people who made irreplaceable contributions to peace and respect for human rights in his homeland.

(9) The Indonesian government has failed to release the results of Jafar Siddiq Hamzah's autopsy report, and the inaccessibility of the report has delayed the investigation which could lead to bringing the murderers to justice.

(10) There is supporting documentation from the United States Department of State and other reliable sources that Indonesian military and police

forces have committed widespread acts of torture, rape, disappearance and extra-judicial executions against West Papuan and Acehnese civilians.

(11) In Maluku, where Muslim and Christian peoples lived in peace and respected with each other for decades, thousands have been killed and tens of thousands displaced during outbreaks of violence over the past three years.

(12) Militia forces known as the Laskar Jihad have arrived from Java and other islands outside Maluku to inflame hatred and perpetrate violence against Christians, and to create religious intolerance among the people of Maluku, and the Laskar Jihad has been openly encouraged by some Indonesian leaders including Amien Rais, Chair of the People's Consultative Assembly.

(13) Muslim and Christian leaders alike have called for the arrest of militia leaders in Maluku and asking for international assistance in ending this devastating conflict.

(14) The most recent instance of widespread violence in Indonesia has broken out on the island of Kalimantan (Borneo), in the province of Central Kalimantan, where indigenous Dayaks brutally at-

tacked migrant Madurese, killing hundreds and causing thousands of others to flee.

(15) The people of the island of Madura who were resettled in Kalimantan under the auspices of the Soeharto government's transmigration program, which served to strengthen the political control of the regime, have become scapegoats for official government policy, while the Dayaks have suffered from this policy and from official exploitation of the natural resources of their homeland.

(b) SENSE OF CONGRESS.—The Congress—

(1) expresses its deep concern over ongoing human rights violations committed by Indonesian military and police forces against civilians in West Papua and Aceh, as well as over violence by militias and others in Maluku, Central Kalimantan, and elsewhere in Indonesia;

(2) calls upon the United States Department of State to publicly protest the reemergence of political imprisonment in Indonesia and to take necessary steps to release, immediately and unconditionally, all political prisoners, including Rev. Obed Komba, Rev. Yudas Meage, Yafet Yelemaken, Murjono Murib and Amelia Yigibalom of West Papua, and Muhammad Nazar of Aceh, all adopted by Amnesty International

as Prisoners of Conscience, and student demonstrators Matius Rumbrapuk, Laon Wenda, Jenderal Achmad Yani, Joseph Wenda and Hans Gobay of West Papua.

(3) calls upon the Department of State to support and encourage the Government of Indonesia to engage in peaceful dialogue with respected West Papuan community leaders and other members of West Papuan civil society, as prescribed by the 1999 Terms of Reference for the National Dialogue on Irian Jaya, and to urge the Governor of West Papua to create an environment conducive to the peaceful repatriation of West Papuan refugees and ''illegal border crossers'' who now reside in Papua New Guinea.

(4) calls upon the United States Government to press the Government of Indonesia to permit access to West Papua and Aceh, including the project areas of the United States-owned Freeport mine and Exxon-Mobil facilities, by independent human rights and environmental monitors, including the United Nations special rapporteurs on torture and extra-judicial execution, as well as by humanitarian non-governmental organizations;

(5) calls upon the United States Government to press for the withdrawal of nonorganic troops from West Papua and Aceh, and an overall reduction of force numbers in those areas, particularly along the PNG border;

(6) calls upon the Government of Indonesia to release the autopsy report of Jafar Siddiq Hamzah immediately, to conduct a thorough, open, and transparent investigation of the murder of Hamzah and the four others with whom he was found, to offer full access and support to independent investigators and forensics experts brought in to examine these cases, and to ensure that the perpetrators of these atrocities are brought to justice through open and fair trials;

(7) condemns the recent atrocities in Central Kalimantan the failure of Indonesian police and other security forces to intervene to stop these atrocities, as well as the underlying social and economic conditions caused by systematic transmigration programs, imported labor, and inequitable and destructive exploitation of local natural resources that have worsened the poverty and discrimination which were contributing factors in their commission;

(8) condemns comparable Indonesian Government policies in Maluku and the failure of Indonesian police and other security forces in and around Ambon to halt sectarian violence, including the operations of the Laskar Jihad militia;

(9) calls upon the Government of Indonesia to take decisive action to halt sectarian violence in Maluku and to arrest those guilty of violence, including Laskar Jihad militia leaders and armed forces officers guilty of complicity in their operations against civilians, and to make significant progress towards rehabilitation and reestablishment of local communities displaced by the violence and rebuild the physical infrastructure of the communities;

(10) calls upon the Department of State to support United Nations and other international delegations and monitoring efforts by international and nongovernmental agencies in West Papua, Aceh, Maluku, Central Kalimantan, West Timor, and other areas of Indonesia in order to deter further human rights violations, and to encourage and support international and nongovernmental agencies in efforts to help the people of Indonesia rebuild and rehabilitate communities torn by violence, particularly by assisting in the return of internally displaced peo-

ples and in efforts at reconciliation within and among communities;

(11) calls upon the Department of State to ensure that all appropriate information regarding current conditions in the West Papua, Aceh, Maluku, Kalimantan, and elsewhere in Indonesia is included in the Annual Country Reports on Human Rights Practices and the Annual Report on International Religious Freedom;

(12) calls upon the Government of Indonesia to devote official attention, in an atmosphere of openness and transparency and oversight, to investigations into the numerous cases of disappearances, extrajudicial killings, and other serious human rights violations in West Papua, Aceh, Maluku, Central Kalimantan, elsewhere in Indonesia, and occupied East Timor; and

(13) calls upon the United States Government to continue to insist upon vigorous investigation into all such violations, and upon trials according to international standards for military and police officers, militia leaders, and others accused of such violations.

TITLE VIII—SECURITY ASSISTANCE

SEC. 801. SHORT TITLE.

This title may be cited as the ''Security Assistance Act of 2001''.

Subtitle A—Military and Related Assistance

CHAPTER 1—FOREIGN MILITARY SALES AND FINANCING AUTHORITIES

SEC. 811. OFFICIAL RECEPTION AND REPRESENTATION EXPENSES.

Section 43(c) of the Arms Export Control Act (22 U.S.C. 2792(c)) is amended by striking ''$72,500'' and inserting ''$86,500''.

SEC. 812. QUARTERLY REPORT ON PRICE AND AVAILABILITY ESTIMATES.

Chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) is amended by adding at the end the following:

''SEC. 28. QUARTERLY REPORT ON PRICE AND AVAILABILITY ESTIMATES.

''(a) QUARTERLY REPORT.—Not later than 15 days after the end of each calendar quarter, the President shall transmit to the Committee on International Relations of the House of Representatives and the Committee on For-

eign Relations of the Senate a report that contains the information described in subsection (b).

"(b) INFORMATION.—The information described in this subsection is the following:

"(1)(A) Each price and availability estimate provided by the United States Government during such calendar quarter to a foreign country with respect to a possible sale under this Act of major defense articles having a cost of $7,000,000 or more, or of any other defense articles or services having a cost of $25,000,000 or more.

"(B) The name of each foreign country to which an estimate described in subparagraph (A) was provided, the defense articles or services involved, the quantity of the articles or services involved, and the price estimate.

"(2)(A) Each request received by the United States Government from a foreign country during such calendar quarter for the issuance of a letter of offer to sell defense articles or defense services if the proposed sale does not include a price and availability estimate (as described in paragraph (1)(A)).

"(B) The name of each foreign country that makes a request described in subparagraph (A), the date of the request, the defense articles or services

involved, the quantity of the articles or services involved, and the price and availability terms requested.''.

CHAPTER 2—EXCESS DEFENSE ARTICLE AND DRAWDOWN AUTHORITIES

SEC. 821. EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN AND OTHER COUNTRIES.

(a) CENTRAL AND SOUTHERN EUROPEAN COUNTRIES.—Section 105 of Public Law 104–164 (110 Stat. 1427) is amended by striking ''2000 and 2001'' and inserting ''2001, 2002, and 2003''.

(b) CERTAIN OTHER COUNTRIES.—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e), during each of the fiscal years 2002 and 2003, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Bulgaria, Croatia, Estonia, the Former Yugoslavia Republic of Macedonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Slovakia, Turkmenistan, Ukraine, and Uzbekistan.

(c) CONTENT OF CONGRESSIONAL NOTIFICATION.—Each notification required to be submitted under section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C.

2321j(f)) with respect to a proposed transfer of a defense article described in subsection (b) shall include an estimate of the amount of funds to be expended under such subsection with respect to that transfer.

SEC. 822. ANNUAL REPORT ON PROJECTED AVAILABILITY OF EXCESS DEFENSE ARTICLES.

(a) REPORT.—Not later than 30 days prior to the commencement of each fiscal year, the Secretary of Defense shall transmit to the Secretary of State a report setting forth, to the maximum extent feasible, the availability of excess defense articles for the next fiscal year for the purpose of enabling the Department of State to factor such availability into annual security assistance plans.

(b) DEFINITION.—The term ''excess defense article'' has the meaning given the term in section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)).

SEC. 823. EXPANDED DRAWDOWN AUTHORITY.

Section 506(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(c)) is amended to read as follows:

''(c) For the purposes of any provision of law that authorizes the drawdown of defense or other articles or commodities, or defense or other services from an agency of the United States Government, such drawdown may include the supply of commercial transportation and related services and defense or other articles or commodities, or

defense or other services, that are acquired by contract for the purposes of the drawdown in question, if the cost to acquire such items or services is less than the cost to the United States Government of providing such items or services from existing agency assets.''.

SEC. 824. LEASES OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES AND INTERNATIONAL ORGANIZATIONS.

Section 61(b) of the Arms Export Control Act (22 U.S.C. 2796(b)) is amended—

(1) by striking ''(b) Each lease agreement'' and inserting ''(b)(1) Each lease agreement''; and

(2) by striking ''of not to exceed five years'' and inserting ''which may not exceed (A) five years, and (B) a specified period of time required to complete major refurbishment work of the leased articles to be performed prior to the delivery of the leased articles,''; and

(3) by adding at the end the following:

''(2) In this subsection, the term 'major refurbishment work' means work for which the period of performance is six months or more''.

CHAPTER 3—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE

SEC. 831. INTERNATIONAL COUNTERPROLIFERATION EDUCATION AND TRAINING.

Chapter 9 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349bb et seq.) is amended—

(1) by redesignating sections 584 and 585 as sections 585 and 586, respectively; and

(2) by inserting after section 583 the following:

"SEC. 584. INTERNATIONAL COUNTER-PROLIFERATION EDUCATION AND TRAINING.

''(a) GENERAL AUTHORITY.—The President is authorized to furnish, on such terms and conditions consistent with this chapter (but whenever feasible on a reimbursable basis), education and training to foreign governmental and military personnel for the purpose of enhancing the nonproliferation and export control capabilities of such personnel through their attendance in special courses of instruction in the United States.

''(b) ADMINISTRATION OF COURSES.—The Secretary of State shall have overall responsibility for the development and conduct of international nonproliferation education and training programs, but may rely upon any of the following agencies to recommend personnel for the

education and training, and to administer specific courses of instruction:

"(1) The Department of Defense (including national weapons laboratories under contract with the Department).

"(2) The Department of Energy (including national weapons laboratories under contract with the Department).

"(3) The Department of Commerce.

"(4) The intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

"(5) The United States Customs Service.

"(6) The Federal Bureau of Investigation.

"(c) PURPOSES.—Education and training activities conducted under this section shall be—

"(1) of a technical nature, emphasizing techniques for detecting, deterring, monitoring, interdicting, and countering proliferation;

"(2) designed to encourage effective and mutually beneficial relations and increased understanding between the United States and friendly countries; and

"(3) designed to improve the ability of friendly countries to utilize their resources, including defense

articles and defense services obtained by them from the United States, with maximum effectiveness, thereby contributing to greater self-reliance by such countries.''.

SEC. 832. ANNUAL REPORT ON THE PROLIFERATION OF MISSILES AND ESSENTIAL COMPONENTS OF NUCLEAR, BIOLOGICAL, AND CHEMICAL WEAPONS.

(a) REPORT.—

(1) IN GENERAL.—The President shall transmit to the appropriate congressional committees an annual report on the transfer by any country of weapons, technology, components, or materials that can be used to deliver, manufacture (including research and experimentation), or weaponize nuclear, biological, or chemical weapons (hereinafter in this section referred to as ''NBC weapons'') to any country other than a country referred to in subsection (c) that is seeking to possess or otherwise acquire such weapons, technology, or materials, or other system that the Secretary of State or Secretary of Defense has reason to believe could be used to develop, acquire, or deliver NBC weapons.

(2) DEADLINE FOR INITIAL REPORT.—The first such report shall be submitted not later than 90

days after the date of the enactment of this Act and on April 1 of each year thereafter.

(b) MATTERS TO BE INCLUDED.—Each such report shall include, but not be limited to—

(1) the transfer of all aircraft, cruise missiles, artillery weapons, unguided rockets and multiple rocket systems, and related bombs, shells, warheads and other weaponization technology and materials that the Secretary of State or the Secretary of Defense has reason to believe may be intended for the delivery of NBC weapons;

(2) international transfers of MTCR equipment or technology to any country that is seeking to acquire such equipment or any other system that the Secretary of State or the Secretary of Defense has reason to believe may be used to deliver NBC weapons; and

(3) the transfer of technology, test equipment, radioactive materials, feedstocks and cultures, and all other specialized materials that the Secretary of State or the Secretary of Defense has reason to believe could be used to manufacture NBC weapons.

(c) CONTENT OF REPORT.—Each such report shall include the following with respect to preceding calendar year:

(1) The status of missile, aircraft, and other NBC weapons delivery and weaponization programs in any such country, including efforts by such country or by any subnational group to acquire MTCR-controlled equipment, NBC-capable aircraft, or any other weapon or major weapon component which may be utilized in the delivery of NBC weapons, whose primary use is the delivery of NBC weapons, or that the Secretary of State of the Secretary of Defense has reason to believe could be used to deliver NBC weapons.

(2) The status of NBC weapons development, acquisition, manufacture, stockpiling, and deployment programs in any such country, including efforts by such country or by any subnational group to acquire essential test equipment, manufacturing equipment and technology, weaponization equipment and technology, and radioactive material, feedstocks or components of feedstocks, and biological cultures and toxins.

(3) A description of assistance provided by any person or government, after the date of the enactment of this Act, to any such country or subnational group in the acquisition or development of—

(A) NBC weapons;

(B) missile systems, as defined in the MTCR or that the Secretary of State or the Secretary of Defense has reason to believe may be used to deliver NBC weapons; and

(C) aircraft and other delivery systems and weapons that the Secretary of State or the Secretary of Defense has reason to believe could be used to deliver NBC weapons.

(4) A listing of those persons and countries which continue to provide such equipment or technology described in paragraph (3) to any country or subnational group as of the date of submission of the report, including the extent to which foreign persons and countries were found to have knowingly and materially assisted such programs.

(5) A description of the use of, or substantial preparations to use, the equipment of technology described in paragraph (3) by any foreign country or subnational group.

(6) A description of the diplomatic measures that the United States, and that other adherents to the MTCR and other arrangements affecting the acquisition and delivery of NBC weapons, have made with respect to activities and private persons and govern-

ments suspected of violating the MTCR and such other arrangements.

(7) An analysis of the effectiveness of the regulatory and enforcement regimes of the United States and other countries that adhere to the MTCR and other arrangements affecting the acquisition and delivery of NBC weapons in controlling the export of MTCR and other NBC weapons and delivery system equipment or technology.

(8) A summary of advisory opinions issued under section 11B(b)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(b)(4)) and under section 73(d) of the Arms Export Control Act (22 U.S.C. 2797b(d)).

(9) An explanation of United States policy regarding the transfer of MTCR equipment or technology to foreign missile programs, including programs involving launches of space vehicles.

(10) A description of each transfer by any person or government during the preceding 12-month period which is subject to sanctions under the Iran-Iraq Arms Non-Proliferation Act of 1992 (title XVI of Public Law 102–484).

(c) EXCLUSIONS.—The countries excluded under subsection (a) are Australia, Belgium, Canada, Denmark,

France, Germany, Greece, Iceland, Italy, Japan, Luxembourg, the Netherlands, Norway, Portugal, Spain, Turkey, the United Kingdom, and the United States.

(d) CLASSIFICATION OF REPORT.—The Secretary of State shall make every effort to submit all of the information required by this section in unclassified form. Whenever the Secretary submits any such information in classified form, the Secretary shall submit such classified information in an addendum and shall also submit concurrently a detailed summary, in unclassified form, of that classified information.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on International Relations of the House of Representatives; and

(B) the Committees on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

(2) MISSILE; MTCR; MTCR EQUIPMENT OR TECHNOLOGY.—The terms ''missile'', ''MTCR'', and ''MTCR equipment or technology'' have the mean-

ings given those terms in section 74 of the Arms Export Control Act (22 U.S.C. 2797c).

(3) PERSON.—The term ''person'' means any United States or foreign individual, partnership, corporation, or other form of association, or any of its successor entities, parents, or subsidiaries.

(4) WEAPONIZE; WEAPONIZATION.—The term ''weaponize'' or ''weaponization'' means to incorporate into, or the incorporation into, usable ordnance or other militarily useful means of delivery.

(f) REPEALS.—

(1) IN GENERAL.—The following provisions of law are repealed:

(A) Section 1097 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (22 U.S.C. 2751 note).

(B) Section 308 of the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (22 U.S.C. 5606).

(C) Section 1607(a) of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102–484).

(D) Paragraph (d) of section 585 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (as

contained in section 101(c) of title I of division A of Public Law 104–208).

(2) CONFORMING AMENDMENTS.—Section 585 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, is amended—

(A) in paragraph (b), by adding ''and'' at the end; and

(B) in paragraph (c), by striking ''; and'' and inserting a period.

SEC. 833. FIVE-YEAR INTERNATIONAL ARMS CONTROL AND NONPROLIFERATION STRATEGY.

(a) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the appropriate congressional committees a five-year international arms control and nonproliferation strategy. The strategy shall contain the following:

(1) A five-year plan for the reduction of existing nuclear, chemical, and biological weapons and ballistic missiles and for controlling the proliferation of these weapons.

(2) Identification of the goals and objectives of the United States with respect to arms control and

nonproliferation of weapons of mass destruction and their delivery systems.

(3) A description of the programs, projects, and activities of the Department of State intended to accomplish goals and objectives described in paragraph (2).

(b) DEFINITION.—In this section, the term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

Subtitle B—Strengthening the Munitions Licensing Process

SEC. 841. LICENSE OFFICER STAFFING.

(a) FUNDING.—Of the amounts authorized to be appropriated under the appropriations account entitled ''DIPLOMATIC AND CONSULAR PROGRAMS'' for fiscal years 2002 and 2003, not less than $10,000,000 shall be made available each such fiscal year for the Office of Defense Trade Controls of the Department of State for salaries and expenses.

(b) ASSIGNMENT OF LICENSE REVIEW OFFICERS.—Effective January 1, 2002, the Secretary of State shall assign to the Office of Defense Trade Controls of the Department of State a sufficient number of license review

officers to ensure that the average weekly caseload for each officer does not exceed 40.

(c) DETAILEES.—Given the priority placed on expedited license reviews in recent years by the Department of Defense, the Secretary of Defense should ensure that 10 military officers are continuously detailed to the Office of Defense Trade Controls of the Department of State on a nonreimbursable basis.

SEC. 842. FUNDING FOR DATABASE AUTOMATION.

Of the amounts authorized to be appropriated under the appropriations account entitled ''CAPITAL INVESTMENT FUND'' for fiscal years 2002 and 2003, not less than $4,000,000 shall be made available each such fiscal year for the Office of Defense Trade Controls of the Department of State for the modernization of information management systems.

SEC. 843. INFORMATION MANAGEMENT PRIORITIES.

(a) OBJECTIVE.—The Secretary of State shall establish a secure, Internet-based system for the filing and review of applications for export of Munitions List items.

(b) ESTABLISHMENT OF A MAINFRAME.—Of the amounts made available pursuant to section 842, not less than $3,000,000 each such fiscal year shall be made available to fully automate the Defense Trade Application System, and to ensure that the system—

(1) is an electronic system for the filing and review of Munitions List license applications;

(2) is secure, with modules available through the Internet; and

(3) is capable of exchanging data with—

(A) the Foreign Disclosure and Technology Information System and the USXPORTS systems of the Department of Defense;

(B) the Export Control System of the Central Intelligence Agency; and

(C) the Proliferation Information Network System of the Department of Energy.

(c) MUNITIONS LIST DEFINED.—In this section, the term ''Munitions List'' means the United States Munitions List of defense articles and defense services controlled under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

SEC. 844. IMPROVEMENTS TO THE AUTOMATED EXPORT SYSTEM.

(a) MANDATORY FILING.—The Secretary of Commerce, with the concurrence of the Secretary of State, shall publish regulations in the Federal Register to require, upon the effective date of those regulations, the mandatory filing through the Automated Export System for the remainder of exports requiring an export license

that were not covered by regulations issued pursuant to section 1252(b) of the Security Assistance Act of 1999 (113 Stat. 1501A–506), as enacted into law by section 1000(a)(7) of Public Law 106–113.

(b) PLANS FOR INCLUSION OF COMMODITY DOCUMENTATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretaries of State, Defense, Energy, and Treasury, and the Director of Central Intelligence, shall submit a report to the appropriate congressional committees discussing the economic impact, and national security implications, of requiring all exporters to file commodity documentation through the Automated Export System.

(2) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(c) REQUIREMENT FOR INFORMATION SHARING.—The Secretary of State shall conclude an information sharing arrangement with the heads of United States Customs Service and the Census Bureau—

(1) to allow the Department of State to access information on controlled exports made through the United States Postal Service; and

(2) to adjust the Automated Export System to parallel information currently collected by the Department of State.

SEC. 845. CONGRESSIONAL NOTIFICATION OF REMOVAL OF ITEMS FROM THE MUNITIONS LIST.

Section 38(f)(1) of the Arms Export Control Act (22 U.S.C. 2778(f)(1)) is amended in the third sentence to read as follows: ''The President may not remove any item from the Munitions List until 30 days after the date on which the President has provided notice of the proposed removal to the Committee on International Relations of the House of Representatives and to the Committee on Foreign Relations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961. Such notice shall describe the nature of any controls to be imposed on that item under any other provision of law.''.

SEC. 846. CONGRESSIONAL NOTIFICATION THRESHOLDS FOR ALLIED COUNTRIES.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in paragraphs (1) and (3)(A) of section 3(d), by adding after ''at $50,000,000 or more'' each place it appears the following: ''(or, in the case of a transfer to a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, any major defense equipment valued (in terms of its original acquisition cost) at $25,000,000 or more, or of defense articles or defense services valued (in terms of its original acquisition cost) at $100,000,000 or more)'';

(2) in section 36(b)(1), by adding after ''for $14,000,000 or more'' the following: ''(or, in the case of a letter of offer to sell to a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, any major defense equipment under this Act for $25,000,000 or more, any defense articles or services for $100,000,000 or more, or any design and construction services for $300,000,000 or more)'';

(3) in section 36(b)(5)(C), by adding after ''or $200,000,000 or more in the case of design or construction services'' the following: ''(or, in the case of a letter of offer to sell to a country which is a mem-

ber country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, any major defense equipment for $25,000,000 or more, any defense articles or services for $100,000,000 or more, or any design and construction services for $300,000,000 or more)'';

(4) in section 36(c)(1), by adding after ''$50,000,000 or more'' the following: ''(or, in the case of an application by a person (other than with regard to a sale under section 21 or section 22 of this Act) for a license for the export to a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, of any major defense equipment sold under a contract in the amount of $25,000,000 or more or of defense articles or defense services sold under a contract in the amount of $100,000,000 or more)''; and

(5) in section 63(a), by adding after ''$50,000,000 or more'' the following: ''(or, in the case of such an agreement with a country which is a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand, (i) major defense equipment valued (in terms of its replacement cost less any depreciation

in its value) at $25,000,000 or more, or (ii) defense articles valued (in terms of their replacement cost less any depreciation in their value) at $100,000,000 or more)''.

Subtitle C—Authority to Transfer Naval Vessels

SEC. 851. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) AUTHORITY TO TRANSFER.—

(1) BRAZIL.—The President is authorized to transfer to the Government of Brazil the ''Newport'' class tank landing ship Peoria (LST 1183). Such transfer shall be on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(2) POLAND.—The President is authorized to transfer to the Government of Poland the ''Oliver Hazard Perry'' class guided missile frigate Wadsworth (FFG 9). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(3) TAIWAN.—The President is authorized to transfer to the Taipai Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act) the ''Kidd''

class guided missile destroyers Kidd (DDG 993), Callaghan (DDG 994), Scott (DDG 995), and Chandler (DDG 996). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(4) TURKEY.—The President is authorized to transfer to the ''Oliver Hazard Perry'' class guided missile frigates Estocin (FFG 15) and Samuel Eliot Morrison (FFG 13). Each such transfer shall be on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761). The President is further authorized to transfer to the Government of Turkey the ''Knox'' class frigates Capadanno (FF 1093), Thomas C. Hart (FF 1092), Donald B. Beary (FF 1085), McCandless (FF 1084), Reasoner (FF 1063), and Bowen (FF 1079). The transfer of these 6 ''Knox'' class frigates shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) 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 subsections (a) and (b) shall not be counted for the purposes

of subsection (g) of that section in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

(c) COSTS OF TRANSFERS.—Notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1)), any expense incurred by the United States in connection with a transfer authorized to be made on a grant basis under subsection (a) or (b) shall be charged to the recipient.

(d) 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 United States Navy shipyard or other shipyard located in the United States.

(e) EXPIRATION OF AUTHORITY.—The authority provided under subsections (a) and (b) shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

Subtitle D—Miscellaneous Provisions

SEC. 861. ANNUAL FOREIGN MILITARY TRAINING REPORTS.

Section 656(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416) is amended—

(1) by striking ''Not later than January 31 of each year,'' and inserting ''Upon written request by the chairman or ranking member of the Committee on International Relations of the House of Representatives or the Committee on Foreign Relations of the Senate,''; and

(2) by inserting ''of a country specified in the request'' after ''personnel''.

SEC. 862. REPORT RELATING TO INTERNATIONAL ARMS SALES CODE OF CONDUCT.

Section 1262(c) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted by section 1000(a)(7) of Public Law 106–113; 113 Stat 1501A–508) is amended—

(1) in paragraph (1)—

(A) by striking ''commencement of the negotiations under subsection (a),'' and inserting ''date of the enactment of the Foreign Relations

Authorization Act, Fiscal Years 2002 and 2003,''; and

(B) by striking ''during these negotiations.'' and inserting ''to begin negotiations and any progress made to conclude an agreement during negotiations.''; and

(2) in paragraph (2), by striking ''subsection (a)'' and inserting ''subsection (b)''.

○

EN BLOC AMENDMENTS
to H.R. 1646

1. Makes a technical correction to section 103 Educational and Cultural Exchange programs

2. Makes a change to section 121(B)(i) regarding transmission facilities to Belize

3. This correction to section 121 makes Broadcasting to Cuba a separate authorization

4. Strikes sec. 209 - Withholding of Funding Until Submission of Report on Cuban Emigration Policies

5. Inserts a new section 212 regarding U.S. Assist Israel Develop better Diplomatic Relations with Other Countries

6. Inserts a new section 305 to Establishe a Special Envoy for Sudan Issues

7. Inserts a new section 503 to authorize the use of personal services contractors by the Broadcasting Board of Governors for a two year period

8. Inserts a new section in title V to authorize pay parity for two executives of Radio Free Europe/Radio Liberty

9. Inserts a new section in title V to repeal a ban on a U.S. transmitter in Kuwait

10. Inserts a new section in title VI to update a current report provided by the State Department to the Commission on Security and Cooperation in Europe

11. Inserts a new section in title VI to enhance reporting requirements on US contributions to international organizations and U.N. peacekeeping operations.

12. Inserts a new section in title VII to require the President to consult with: 1) representatives of the armed forces of Taiwan, at least once a year, concerning the nature and quantity of defense articles and services to be made available to Taiwan; and 2) with the Congress with respect to specific matters regarding the availability of defense articles and services for Taiwan.

13. Amends section 734 a Sense of Congress relating to Resolution of the Taiwan Strait by adding "that fully respects human rights".

14. Inserts a new section in title VII: Sense of Congress Supporting Properly Conducted Elections in Kosovo During 2001.

15. Inserts a new section in title VII: Sense of Congress Relating to Policy Review of Relations with the People's Republic of China

16. Inserts a new section in title VII: Sense of Congress Relating to Broadcasting in the Macedonian Language by Radio Free Europe/Radio Liberty

17. Inserts a new section in title VII: Sense of Congress Relating to Magen David Adom Society

18. Inserts a new section in title VII: Sense of Congress Urging the Return of Portraits painted by Dina Babbit During her Internment at Auschwitz

19. Inserts a new section in title VII: Sense of Congress Regarding Vietnamese Refugee Families

20. Requires Taiwan to be treated as the equivalent of a major non-NATO ally for purposes of the transfer or potential transfer of defense articles or defense services under the Arms Export Control Act.

21. Amends section 821 to delete Kazakhstan, Moldova, Turkmenistan and Ukraine as countries eligible for crating, packing, handling and transportation of excess defense articles under the authority of section 516 of the Foreign Assistance Act and adds the Philippines as an eligible country for such services.

22. Deletes section 822 which requires an annual report on projected availability of excess defense articles.

23. Deletes section 823 which provides expanded drawdown authority.

24. Amends section 516 of the Foreign Assistance Act to add the Philippines to a list of countries which receive priority with respect to transfer of excess defense articles.

25. Amends section 832 to add the Czech Republic, Hungary and Poland to which report does not cover.

26. Amends section 844 to make technical changes and to add penalties for failing to file export information.

27. Amends section 851 to make technical change.

28. Inserts a new section in title III to direct funds for the purposes of minority recruitment

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 13, strike lines 3 through 13.

Page 12, after line 7, insert the following:

1 (iii) TIBETAN EXCHANGES.—Of the
2 amounts authorized to be appropriated
3 under clause (i), $500,000 for the fiscal
4 year 2002 and $500,000 for the fiscal year
5 2003 are authorized to be available for
6 "Ngawang Choephel Exchange Programs"
7 (formerly known as educational and cul-
8 tural exchanges with Tibet) under section
9 103(a) of the Human Rights, Refugee, and
10 Other Foreign Relations Provisions Act of
11 1996 (Public Law 104–319).

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 24, line 22, strike "of the transmission" and insert "to and costs of transmission from the".

AMENDMENT TO H.R. 1646
OFFERED BY MR. HYDE

Page 24, strike line 24 and all that follows through line 5 on page 25.

Page 25, after line 16, insert the following:

1 (3) BROADCASTING TO CUBA.—For "Broad-
2 casting to Cuba", $25,000,000 for the fiscal year
3 2002 and $25,000,000 for the fiscal year 2003.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 31, strike line 19 and all that follows through line 6 on page 32.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 34, after line 2, insert the following new section:

1 **SEC. 212. REPORT CONCERNING EFFORTS TO PROMOTE**
2 **ISRAEL'S DIPLOMATIC RELATIONS WITH**
3 **OTHER COUNTRIES.**

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

6 (1) Israel is a friend and ally of the United
7 States whose security is vital to regional stability
8 and United States interests.

9 (2) Israel currently maintains diplomatic rela-
10 tions with 162 countries. Approximately 25 coun-
11 tries do not have any diplomatic relations with
12 Israel, and another 4 countries have only limited re-
13 lations.

14 (3) The government of Israel has been actively
15 seeking to establish formal relations with a number
16 of countries.

17 (4) The United States should assist its ally,
18 Israel, in its efforts to establish diplomatic relations.

1 (5) After 52 years of existence, Israel deserves
2 to be treated as an equal nation by its neighbors and
3 the world community.
4 (b) REPORT CONCERNING UNITED STATES EFFORTS
5 TO PROMOTE ISRAEL'S DIPLOMATIC RELATIONS WITH
6 OTHER COUNTRIES.—Not later than 60 days after the
7 date of the enactment of this Act, and annually thereafter,
8 the Secretary of State shall submit a report which includes
9 the following information (in classified or unclassified
10 form, as appropriate) to the Committee on Foreign Rela-
11 tions and the Committee on Appropriations of the Senate
12 and the Committee on International Relations and the
13 Committee on Appropriations of the House of Representa-
14 tives:
15 (1) Actions taken by representatives of the
16 United States to encourage other countries to estab-
17 lish full diplomatic relations with Israel.
18 (2) Specific responses solicited and received by
19 the Secretary of State from countries that do not
20 maintain full diplomatic relations with Israel with
21 respect to the status of negotiations to enter into
22 diplomatic relations with Israel.
23 (3) Other measures being undertaken, and
24 measures that will be undertaken, by the United

1 States to ensure and promote Israel's full participa-
2 tion in the world diplomatic community.

AMENDMENT TO H.R. 1646

OFFERED BY HYDE

Page 47, after line 2, insert the following new section:

1 **SEC. 305. UNITED STATES SPECIAL ENVOY FOR SUDAN**
2 **ISSUES.**

3 Section 1 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2651a) is amended by inserting
5 after subsection (f) (as added by section 303 of this Act)
6 the following new subsection (g):

7 "(g) UNITED STATES SPECIAL ENVOY FOR SUDAN
8 ISSUES.—

9 "(1) IN GENERAL.—There shall be within the
10 Department of State a United States Special Envoy
11 for Sudan Issues who shall be appointed by the
12 President, by and with the advice and consent of the
13 Senate.

14 "(2) DUTIES.—In addition to such duties as
15 the President and Secretary of State shall prescribe,
16 the envoy shall work for a peaceful resolution of the
17 conflict in Sudan and an end to abuses of human
18 rights, including religious freedom, in Sudan.".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 61, after line 18, insert the following:

1 **SEC. 503. PERSONAL SERVICES CONTRACTING PILOT PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—The Director of the International
4 Broadcasting Bureau is authorized to establish a pilot pro-
5 gram for the purpose of hiring United States citizens or
6 aliens as personal services contractors, without regard to
7 civil service and classification laws, for service in the
8 United States as broadcasters, producers, and writers in
9 the International Broadcasting Bureau to respond to new
10 or emerging broadcasting needs or to augment broadcast
11 services.

12 (b) LIMITATION ON AUTHORITY.—The Director is
13 authorized to use such pilot program authority subject to
14 the following limitations:

15 (1) The Director shall determine that existing
16 personnel resources are insufficient and the need is
17 of limited or unknown duration.

18 (2) The Director shall approve each contract
19 for a personal services contractor.

20 (3) The length of any personal services contract
21 may not exceed 2 years, unless the Director finds

1 that exceptional circumstances justify an extension
2 of not more than 1 additional year.
3 (4) Not more than 50 United States citizens or
4 aliens shall be employed at any time as personal
5 services contractors under the pilot program.
6 (c) TERMINATION OF AUTHORITY.—The authority to
7 award personal services contracts under the pilot program
8 authorized by this section shall terminate on December 31,
9 2005. A contract entered into prior to the termination
10 date under this subsection may remain in effect for a pe-
11 riod not to exceed 6 months after such termination date.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 61, after line 18, insert the following new section:

1 **SEC. 503. PAY PARITY FOR SENIOR EXECUTIVES OF RADIO**
2 **FREE EUROPE AND RADIO LIBERTY.**

3 Section 308(h)(1) of the United States International
4 Broadcasting Act of 1994 (22 U.S.C. 6207(h)(1)) is
5 amended—

6 (1) by inserting after subparagraph (B) the fol-
7 lowing new subparagraph:

8 "(C) Notwithstanding the limitations
9 under subparagraph (A), grant funds provided
10 under this section may be used by RFE/RL, In-
11 corporated to pay up to 2 employees employed
12 in Washington, D.C. salary or other compensa-
13 tion not to exceed the rate of pay payable for
14 level III of the Executive Schedule under sec-
15 tion 5314 of title 5, United States Code."; and

16 (2) in subparagraph (A) by striking "(B)," and
17 inserting "(B) or (C),".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 61, after line 18, insert the following:

1 **SEC. 503. REPEAL OF BAN ON UNITED STATES TRANS-**
2 **MITTER IN KUWAIT.**

3 The Foreign Relations Authorization Act, Fiscal
4 Years 1994 and 1995 (Public Law 103–236) is amended
5 by striking section 226.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 73, after line 13, insert the following:

1 **SEC. 605. REPORT RELATING TO COMMISSION ON SECU-**
2 **RITY AND COOPERATION IN EUROPE.**

3 Section 5 of An Act to establish a Commission on
4 Security and Cooperation in Europe (Public Law 94–304;
5 22 U.S.C. 3005) is amended to read as follows:

6 "SEC.5. In order to assist the Commission in carrying
7 out its duties, the Secretary of State shall submit to the
8 Commission an annual report discussing the overall
9 United States policy objectives that are advanced through
10 meetings of decision-making bodies of the Organization on
11 Security and Cooperation in Europe (OSCE), the OSCE
12 implementation review process, and other activities of the
13 OSCE. The report shall also include a summary of specific
14 United States policy objectives with respect to partici-
15 pating states where there is a particular concern relating
16 to the implementation of Organization on Security and
17 Cooperation in Europe commitments or where an OSCE
18 presence exists. Such summary shall address the role
19 played by Organization on Security and Cooperation in
20 Europe institutions, mechanisms, or field activities in
21 achieving United States policy objectives. Each annual re-

1 port shall cover the period January 1 through December
2 31, shall be submitted not more than 90 days after the
3 end of the reporting period, and shall be posted on the
4 website of the Department of State.".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 73, after line 13, insert the following new section:

1 **SEC. 605. REPORTS TO CONGRESS ON UNITED NATIONS AC-**

2 **TIVITIES.**

3 (a) AMENDMENTS TO UNITED NATIONS PARTICIPA-

[redacted]

5 Act (22 U.S.C. 287b) is amended—

6 (1) by striking subsections (b) and (c);

1 vided by the United States during the preceding
2 calendar year to the United Nations to support
3 peacekeeping operations. Each such report shall
4 describe the assistance provided for each such
5 operation, listed by category of assistance.";
6 and
7 (4) by redesignating subsections (d), (e), (f),
8 and (g) as subsections (c), (d), (e), and (f) respec-
9 tively.
10 (b) CONFORMING AMENDMENTS.—
11 (1) Section 2 of Public Law 81–806 is amended
12 by striking the last sentence.
13 (2) Section 409 of the Foreign Relations Au-
14 thorization Act, Fiscal Years 1994 and 1995 (22
15 U.S.C. 287e note) is amended by striking subsection
16 (d).

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 78, after line 16, insert the following:

1 **SEC. 706. UNITED STATES POLICY WITH REGARD TO TAI-**
2 **WAN.**

3 (a) CONSULTATION WITH CONGRESS.—Not later
4 than 30 days prior to consultations with Taiwan described
5 in subsection (b), the President shall consult, on a classi-
6 fied basis, with Congress regarding the following matters
7 with respect to the availability of defense articles and serv-
8 ices for Taiwan:

9 (1) The request by Taiwan to the United States
10 for the purchase of defense articles and defense serv-
11 ices.

12 (2) The President's assessment of the legiti-
13 mate defense needs of Taiwan taking into account
14 Taiwan's request described in paragraph (1).

15 (3) The decisionmaking process used by the
16 President to consider such request.

17 (b) CONSULTATION WITH TAIWAN.—At least once
18 every calendar year, the President, or the President's des-
19 ignee, shall consult with representatives of the armed
20 forces of Taiwan, at not less than the level of Vice Chief
21 of the General Staff, concerning the nature and quantity

1 of defense articles and services to be made available to
2 Taiwan in accordance with section 3(b) of the Taiwan Re-
3 lations Act (22 U.S.C. 3302(b)). Such consultations shall
4 take place in Washington, D.C.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 81, line 15, after "democracy" insert "that fully respects human rights".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 91, after line 23, insert the following:

1 **SEC. 738. SENSE OF CONGRESS SUPPORTING PROPERLY**
2 **CONDUCTED ELECTIONS IN KOSOVA DURING**
3 **2001.**

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

6 (1) Former Yugoslav President Slobodan
7 Milosevic perpetrated a brutal campaign of ethnic
8 cleansing against the ethnic Albanian population of
9 Kosova, resulting in thousands of deaths and rapes
10 and the displacement of nearly 1 million people.

11 (2) Prior to the disintegration of the former
12 Yugoslavia, Kosova was a separate political and legal
13 entity with a separate and distinct financial sector,
14 police force, government, education system, judici-
15 ary, and health care system.

16 (3) During that time, the people of Kosova suc-
17 cessfully administered the province.

18 (4) During the Milosevic era, Kosovar citizens
19 demonstrated again their ability to govern them-
20 selves by creating parallel governmental and social
21 institutions.

1 (5) Local elections held in Kosova in 2000 were
2 considered free and fair by international observers.
3 (6) United Nations Security Council Resolution
4 1244 authorizes the United Nations Mission in
5 Kosova to provide for transitional administration
6 while establishing and overseeing the development of
7 democratic and self-governing institutions, including
8 the holding of elections, to ensure conditions for a
9 peaceful and normal life for all inhabitants of
10 Kosova.
11 (7) The United Nations Mission in Kosova and
12 the Organization for Security and Cooperation in
13 Europe should ensure that the conditions for prop-
14 erly conducted elections in Kosova are in place prior
15 to the election.
16 (b) SENSE OF CONGRESS.—It is the sense of the
17 Congress that—
18 (1) the United Nations Mission in Kosova
19 should hold properly conducted elections throughout
20 Kosova during the year 2001;
21 (2) the only way to maintain a true and lasting
22 peace in the region is through the creation of demo-
23 cratic Kosovar institutions with real governing au-
24 thority and responsibility, and Kosova-wide jurisdic-
25 tion;

(3) all persons, regardless of ethnicity, are encouraged to participate in elections in throughout Kosova; and

(4) the United States should work with the United Nations Mission in Kosova and the Organization for Security and Cooperation in Europe to ensure that the transition to Kosovar self-government under the terms and conditions of United Nations Security Council Resolution 1244 proceeds peacefully, successfully, expeditiously, and in a spirit of ethnic inclusiveness.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 91, after line 23, insert the following:

1 **SEC. 738. SENSE OF CONGRESS RELATING TO POLICY RE-**
2 **VIEW OF RELATIONS WITH THE PEOPLE'S RE-**
3 **PUBLIC OF CHINA.**

4 It is the sense of Congress that—

5 (1) the President of the United States and his
6 advisors should be commended for their success and
7 the diplomatic skill with which they negotiated the
8 safe return of the 24 American crew members of the
9 United States Navy reconnaissance aircraft that
10 made an emergency landing on the Chinese island of
11 Hainan on April 1, 2001; and

12 (2) the United States Government should con-
13 duct a policy review of the nature of its relations
14 with the Government of the People's Republic of
15 China in light of recent events.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 91, after line 23, insert the following:

1 **SEC. 738. SENSE OF CONGRESS RELATING TO BROAD-**
2 **CASTING IN THE MACEDONIAN LANGUAGE BY**
3 **RADIO FREE EUROPE.**

4 It is the sense of the Congress that the Broadcasting
5 Board of Governors should initiate surrogate broadcasting
6 by Radio Free Europe in the Macedonian language to
7 Macedonian-speaking areas of the Former Yugoslav Re-
8 public of Macedonia.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 91, after line 23, insert the following:

1 **SEC. 738. SENSE OF CONGRESS RELATING TO BROAD-**
2 **CASTING IN THE MACEDONIAN LANGUAGE BY**
3 **RADIO FREE EUROPE.**

4 It is the sense of the Congress that the Broadcasting
5 Board of Governors should initiate surrogate broadcasting
6 by Radio Free Europe in the Macedonian language to
7 Macedonian-speaking areas of the Former Yugoslav Re-
8 public of Macedonia.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 91, after line 23, insert the following:

1 **SEC. 738. SENSE OF CONGRESS RELATING TO MAGEN**
2 **DAVID ADOM SOCIETY.**
3 (a) FINDINGS.—Congress finds the following:
4 (1) It is the mission of the International Red
5 Cross and Red Crescent Movement to prevent and
6 alleviate human suffering wherever it may be found,
7 without discrimination.
8 (2) The International Red Cross and Red Cres-
9 cent Movement is a worldwide institution in which
10 all National Red Cross and Red Crescent Societies
11 have equal status.
12 (3) The Magen David Adom Society is the na-
13 tional humanitarian society in the state of Israel.
14 (4) The Magen David Adom Society follows all
15 the principles of the International Red Cross and
16 Red Crescent Movement.
17 (5) Since the founding of the Magen David
18 Adom Society in 1930, the American Red Cross has
19 regarded it as a sister national society and close
20 working ties have been established between the two
21 societies.

1 (6) The Magen David Adom Society has used
2 the Red Shield of David as its humanitarian emblem
3 since its founding in 1930 for the same purposes
4 that other national red cross and red crescent soci-
5 eties use their respective emblems.
6 (7) Since 1949 Magen David Adom has been
7 refused admission into the International Red Cross
8 and Red Crescent Movement and has been relegated
9 to observer status without a vote because it has used
10 the Red Shield of David.
11 (8) Magen David Adom is the only humani-
12 tarian organization equivalent to a national Red
13 Cross or Red Crescent society in a sovereign nation
14 that is denied membership into the International
15 Red Cross and Red Crescent Movement.
16 (9) The American Red Cross has consistently
17 advocated recognition and membership of the Magen
18 David Adom Society in the International Red Cross
19 and Red Crescent Movement.
20 (10) The House of Representatives adopted H.
21 Res. 464 on May 3, 2000, and the Senate adopted
22 S. Res. 343 on October 18, 2000, expressing the
23 sense of the House of Representatives and the sense
24 of the Senate, respectively, that the International
25 Red Cross and Red Crescent Movement should rec-

1 ognize and admit to full membership Israel's Magen
2 David Adom Society with its emblem, the Red Shield
3 of David.
4 (11) The Secretary of State testified before the
5 Committee on the Budget of the Senate on March
6 14, 2001, and stated that admission of Magen David
7 Adom into the International Red Cross movement is
8 a priority.
9 (12) The United States provided $119,230,000
10 for the International Committee of the Red Cross in
11 fiscal year 2000.
12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—
14 (1) the International Committee of the Red
15 Cross should immediately recognize the Magen
16 David Adom Society;
17 (2) the Federation of Red Cross and Red Cres-
18 cent Societies should grant full membership to the
19 Magen David Adom Society immediately following

1 (3) the Red Shield of David should be accorded
2 the same protections under international law as the
3 Red Cross and the Red Crescent; and
4 (4) the United States should continue to press
5 for full membership for the Magen David Adom in
6 the International Red Cross Movement.

AMENDMENT TO H.R. 1646
OFFERED BY MR. HYDE

Page 91, after line 23, insert the following new section:

1 **SEC. 738. SENSE OF CONGRESS URGING THE RETURN OF**
2 **PORTRAITS PAINTED BY DINA BABBITT DUR-**
3 **ING HER INTERNMENT AT AUSCHWITZ THAT**
4 **ARE NOW IN THE POSSESSION OF THE**
5 **AUSCHWITZ-BIRKENAU STATE MUSEUM.**

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

8 (1) Dina Babbitt (formerly known as Dinah
9 Gottliebova), a United States citizen now in her late
10 70's, has requested the return of watercolor por-
11 traits she painted while suffering a year-and-a-half-
12 long internment at the Auschwitz death camp during
13 World War II.

14 (2) Dina Babbitt was ordered to paint the por-
15 traits by the infamous war criminal Dr. Josef
16 Mengele.

17 (3) Dina Babbitt's life, and her mother's life,
18 were spared only because she painted portraits of
19 doomed inmates of Auschwitz-Birkenau, under or-
20 ders from Dr. Josef Mengele.

1 (4) These paintings are currently in the posses-
2 sion of the Auschwitz-Birkenau State Museum.
3 (5) Dina Babbitt is unquestionably the rightful
4 owner of the artwork, since the paintings were pro-
5 duced by her own talented hands as she endured the
6 unspeakable conditions that existed at the Auschwitz
7 death camp.
8 (6) The artwork is not available for the public
9 to view at the Auschwitz-Birkenau State Museum
10 and therefore this unique and important body of
11 work is essentially lost to history.
12 (7) This continued injustice can be righted
13 through cooperation between agencies of the United
14 States and Poland.
15 (b) SENSE OF CONGRESS.—The Congress—
16 (1) recognizes the moral right of Dina Babbitt
17 to obtain the artwork she created, and recognizes
18 her courage in the face of the evils perpetrated by
19 the Nazi command of the Auschwitz-Birkenau death

1 half-long internment at the Auschwitz death camp,
2 and return them to her;
3 (3) urges the Secretary of State to make imme-
4 diate diplomatic efforts to facilitate the transfer of
5 the seven original watercolors painted by Dina Bab-
6 bitt from the Auschwitz-Birkenau State Museum to
7 Dina Babbitt, their rightful owner;
8 (4) urges the Government of Poland to imme-
9 diately facilitate the return to Dina Babbitt of the
10 artwork painted by her that is now in the possession
11 of the Auschwitz-Birkenau State Museum; and
12 (5) urges the officials of the Auschwitz-
13 Birkenau State Museum to transfer the seven origi-
14 nal paintings to Dina Babbitt as expeditiously as
15 possible.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 91, after line 23, insert the following new section:

1 **SEC. 738. SENSE OF CONGRESS REGARDING VIETNAMESE**
2 **REFUGEE FAMILIES.**

3 It is the sense of the Congress that Vietnamese refu-
4 gees who served substantial sentences in re-education
5 camps due to their wartime associations with the United
6 States and who, subsequently, were resettled in the United
7 States should be permitted to include their unmarried sons
8 and daughters as family members for purposes of such
9 resettlement.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 94, after line 3, insert the following:

1 **SEC. 813. TREATMENT OF TAIWAN RELATING TO TRANS-**
2 **FERS OF DEFENSE ARTICLES AND SERVICES.**
3 Notwithstanding any other provision of law, for pur-
4 poses of the transfer or potential transfer of defense arti-
5 cles or defense services under the Arms Export Control
6 Act, the Foreign Assistance Act of 1961, or any other pro-
7 vision of law, Taiwan shall be treated as the equivalent
8 of a major non-NATO ally.

AMENDMENT TO H.R. 1646
OFFERED BY MR. HYDE

Page 94, line 20, strike "Kazakhstan,".

Page 94, line 21, strike "Moldova,".

Page 94, line 21, after "Mongolia," insert "the Philippines,".

Page 94, line 21, strike "Turkmenistan,".

Page 94, line 22, strike "Ukraine,".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 95, strike line 5 and all that follows through line 16.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 95, strike line 17 and all that follows through line 5 on page 96.

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 96, after line 22, add the following:

1 **SEC. 825. PRIORITY WITH RESPECT TO TRANSFER OF EX-**
2 **CESS DEFENSE ARTICLES.**

3 Section 516(c)(2) of the Foreign Assistance Act of
4 1961 (22 U.S.C. 2321j(c)(2)) is amended by striking "and
5 to major non-NATO allies on such southern and south-
6 eastern flank" and inserting ", to major non-NATO allies
7 on such southern and southeastern flank, and to the Phil-
8 ippines".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 103, line 25, after "Canada," insert "the Czech Republic,".

Page 104, line 1, after "Greece," insert "Hungary,".

Page 104, line 2, after "Norway," insert "Poland,".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 109, line 21, after "Secretary of State" insert "and the Secretary of the Treasury".

Page 109, line 25, strike "requiring an export license".

Page 110, strike line 5 and all that follows through line 21.

Page 110, line 22, strike "(c)" and insert "(b)".

Page 110, beginning on line 25, strike "Census Bureau" and all that follows through "(2) to adjust" on line 4 of page 111 and insert "Census Bureau to adjust".

Page 111, after line 6, insert the following:

1 (c) SECRETARY OF TREASURY FUNCTIONS.—Section
2 303 of title 13, United States Code, is amended by strik-
3 ing ", other than by mail,".
4 (d) FILING EXPORT INFORMATION, DELAYED FIL-
5 INGS, PENALTIES FOR FAILURE TO FILE.—Section 304
6 of title 13, United States Code, is amended—
7 (1) in subsection (a)—

1 (A) in the first sentence, by striking "the
2 penal sum of $1,000" and inserting "a penal
3 sum of $10,000"; and
4 (B) in the third sentence, by striking "a
5 penalty not to exceed $100 for each day's delin-
6 quency beyond the prescribed period, but not
7 more than $1,000, shall be exacted" and insert-
8 ing "the Secretary of Commerce (and officers
9 and employees of the Department of Commerce
10 designated by the Secretary) may impose a civil
11 penalty not to exceed $1,000 for each day's de-
12 linquency beyond the prescribed period, but not
13 more than $10,000 per violation";
14 (2) by redesignating subsection (b) as sub-
15 section (c); and
16 (3) by inserting after subsection (a) the fol-
17 lowing:
18 "(b) Any person, other that a person described in
19 subsection (a), required to submit export information,
20 shall file such information in accordance with any rule,
21 regulation, or order issued pursuant to this chapter. In
22 the event any such information or reports are not filed
23 within such prescribed period, the Secretary of Commerce
24 (and officers and employees of the Department of Com-
25 merce designated by the Secretary) may impose a civil

1 penalty not to exceed $1,000 for each day's delinquency
2 beyond the prescribed period, but not more than $10,000
3 per violation.".
4 (e) ADDITIONAL PENALTIES.—
5 (1) IN GENERAL.—Section 305 of title 13,
6 United States Code, is amended to read as follows:
7 **"§ 305. Penalties for unlawful export information ac-**
8 **tivities**
9 "(a) CRIMINAL PENALTIES.—(1) Any person who
10 knowingly fails to file or knowingly submits false or mis-
11 leading export information through the Shippers Export
12 Declaration (SED) (or any successor document) or the
13 Automated Export System (AES) shall be subject to a fine
14 not to exceed $10,000 per violation or imprisonment for
15 not more than 5 years, or both.
16 "(2) Any person who knowingly reports any informa-
17 tion on or uses the SED or the AES to further any illegal
18 activity shall be subject to a fine not to exceed $10,000
19 per violation or imprisonment for not more than 5 years,
20 or both.
21 "(3) Any person who is convicted under this sub-
22 section shall, in addition to any other penalty, forfeit to
23 the United States—
24 "(A) any of that person's interest in, security
25 of, claim against, or property or contractual rights

1 of any kind in the goods or tangible items that were
2 the subject of the violation;
3 "(B) any of that person's interest in, security
4 of, claim against, or property or contractual rights
5 of any kind in tangible property that was used in the
6 export or attempt to export that was the subject of
7 the violation; and
8 "(C) any of that person's property constituting,
9 or derived from, any proceeds obtained directly or
10 indirectly as a result of the violation.
11 "(b) CIVIL PENALTIES.—The Secretary (and officers
12 and employees of the Department of Commerce specifi-
13 cally designated by the Secretary) may impose a civil pen-
14 alty not to exceed $10,000 per violation on any person
15 violating the provisions of this chapter or any rule, regula-
16 tion, or order issued thereunder, except as provided in sec-
17 tion 304. Such penalty may be in addition to any other
18 penalty imposed by law.
19 "(c) CIVIL PENALTY PROCEDURE.—(1) When a civil
20 penalty is sought for a violation of this section or of sec-
21 tion 304, the charged party is entitled to receive a formal
22 complaint specifying the charges and, at his or her re-
23 quest, to contest the charges in a hearing before an admin-
24 istrative law judge. Any such hearing shall be conducted

1 in accordance with sections 556 and 557 of title 5, United
2 States Code.
3 "(2) If any person fails to pay a civil penalty imposed
4 under this chapter, the Secretary may ask the Attorney
5 General to commence a civil action in an appropriate dis-
6 trict court of the United States to recover the amount im-
7 posed (plus interest at currently prevailing rates from the
8 date of the final order). No such action may be com-
9 menced more than 5 years after the order imposing the
10 civil penalty becomes final. In such action, the validity,
11 amount, and appropriateness of such penalty shall not be
12 subject to review.
13 "(3) The Secretary may remit or mitigate any pen-
14 alties imposed under paragraph (1) if, in his or her
15 opinion—
16 "(A) the penalties were incurred without willful
17 negligence or fraud; or
18 "(B) other circumstances exist that justify a re-
19 mission or mitigation.
20 "(4) If, pursuant to section 306, the Secretary dele-
21 gates functions under this section to another agency, the
22 provisions of law of that agency relating to penalty assess-
23 ment, remission or mitigation of such penalties, collection
24 of such penalties, and limitations of actions and com-
25 promise of claims, shall apply.

1 "(5) Any amount paid in satisfaction of a civil pen-
2 alty imposed under this section or section 304 shall be
3 deposited into the general fund of the Treasury and cred-
4 ited as miscellaneous receipts.

5 "(d) ENFORCEMENT.—(1) The Secretary of Com-
6 merce may designate officers or employees of the Office
7 of Export Enforcement to conduct investigations pursuant
8 to this chapter. In conducting such investigations, those
9 officers or employees may, to the extent necessary or ap-
10 propriate to the enforcement of this chapter, exercise such
11 authorities as are conferred upon them by other laws of
12 the United States, subject to policies and procedures ap-
13 proved by the Attorney General.

14 "(2) The Commissioner of Customs may designate of-
15 ficers or employees of the Customs Service to enforce the
16 provisions of this chapter, or to conduct investigations
17 pursuant to this chapter.

18 "(e) REGULATIONS.—The Secretary of Commerce
19 shall promulgate regulations for the implementation and
20 enforcement of this section.

21 "(f) EXEMPTION.—The criminal fines provided for in
22 this section are exempt from the provisions of section 3571
23 of title 18, United States Code.".

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 9 of title 13,

1 United States Code, is amended by striking the item
2 relating to section 305 and inserting the following:
"305. Penalties for unlawful export information activities.".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 115, beginning on line 24, strike "subsections (a) and (b)" and insert "subsection (a)".

Page 116, line 8, strike "or (b)".

Page 116, line 20, strike "subsections (a) and (b)" and insert "subsection (a)".

AMENDMENT TO H.R. 1646

OFFERED BY MR. HYDE

Page 53, after line 24, insert the following:

1 **SEC. 343. USE OF FUNDS AUTHORIZED FOR MINORITY RE-**
2 **CRUITMENT.**
3 (a) CONDUCT OF RECRUITMENT ACTIVITIES.—
4 (1) IN GENERAL.—Amounts authorized to be
5 appropriated for minority recruitment under section
6 101(1)(B)(iii) shall be used only for activities di-
7 rectly related to minority recruitment, such as re-
8 cruitment materials designed to target members of
9 minority groups and the travel expenses of recruit-
10 ment trips to colleges, universities, and other institu-
11 tions or locations.
12 (2) LIMITATION.—Amounts authorized to be
13 appropriated for minority recruitment under section
14 101(1)(B)(iii) may not be used to pay salaries of
15 employees of the Department of State.
16 (b) RECRUITMENT ACTIVITIES AT ACADEMIC INSTI-
17 TUTIONS.—The Secretary of State shall expand the re-
18 cruitment efforts of the Department of State to include
19 not less than 25 percent of the part B institutions (as
20 defined under section 322 of the Higher Education Act
21 of 1965) in the United States and not less than 25 percent

1 of the Hispanic-serving institutions (as defined in section
2 502(a)(5) of such Act) in the United States.
3 (c) EVALUATION OF RECRUITMENT EFFORTS.—The
4 Secretary of State shall establish a database relating to
5 efforts to recruit members of minority groups into the
6 Foreign Service and the Civil Service and shall report to
7 the appropriate congressional committees annually on the
8 evaluation of efforts to recruit such individuals, including
9 an analysis of the information collected in the database
10 created under this subsection. For each of the years 2002
11 and 2003, such a report may be part of the report re-
12 quired under section 342.

AMENDMENT TO H.R. 1646

OFFERED BY MS. LEE

Page 26, after line 8, insert the following:

1 **Subtitle C—Global Democracy**
2 **Promotion Act of 2001**

3 **SEC. 131. SHORT TITLE.**

4 This subtitle may be cited as the "Global Democracy
5 Promotion Act of 2001".

6 **SEC. 132. FINDINGS.**

7 The Congress finds the following:

8 (1) It is a fundamental principle of American
9 medical ethics and practice that health care pro-
10 viders should, at all times, deal honestly and openly
11 with patients. Any attempt to subvert the private
12 and sensitive physician-patient relationship would be
13 intolerable in the United States and is an unjustifi-
14 able intrusion into the practices of health care pro-
15 viders when attempted in other countries.

16 (2) Freedom of speech is a fundamental Amer-
17 ican value. The ability to exercise the right to free
18 speech, which includes the "right of the people
19 peaceably to assemble, and to petition the govern-
20 ment for a redress of grievances" is essential to a

1 thriving democracy and is protected under the
2 United States Constitution.
3 (3) The promotion of democracy is a principal
4 goal of United States foreign policy and critical to
5 achieving sustainable development. It is enhanced
6 through the encouragement of democratic institu-
7 tions and the promotion of an independent and po-
8 litically active civil society in developing countries.
9 (4) Limiting eligibility for United States devel-
10 opment and humanitarian assistance upon the will-
11 ingness of a foreign nongovernmental organization
12 to forgo its right to use its own funds to address,
13 within the democratic process, a particular issue af-
14 fecting the citizens of its own country directly under-
15 mines a key goal of United States foreign policy and
16 would violate the United States Constitution if ap-
17 plied to United States-based organizations.
18 (5) Similarly, limiting the eligibility for United
19 States assistance on a foreign nongovernmental or-
20 ganization's willingness to forgo its right to provide,
21 with its own funds, medical services that are legal in
22 its own country and would be legal if provided in the
23 United States constitutes unjustifiable interference
24 with the ability of independent organizations to serve
25 the critical health needs of their fellow citizens and

1 demonstrates a disregard and disrespect for the laws
2 of sovereign nations as well as for the laws of the
3 United States.

4 **SEC. 133. ASSISTANCE FOR FOREIGN NONGOVERNMENTAL**
5 **ORGANIZATIONS UNDER PART I OF THE FOR-**
6 **EIGN ASSISTANCE ACT OF 1961.**

7 Notwithstanding any other provision of law, regula-
8 tion, or policy, in determining eligibility for assistance au-
9 thorized under part I of the Foreign Assistance Act of
10 1961 (22 U.S.C. 2151 et seq.), foreign nongovernmental
11 organizations—

12 (1) shall not be ineligible for such assistance
13 solely on the basis of health or medical services in-
14 cluding counseling and referral services, provided by
15 such organizations with non-United States Govern-
16 ment funds if such services do not violate the laws
17 of the country in which they are being provided and
18 would not violate United States Federal law if pro-
19 vided in the United States; and

20 (2) shall not be subject to requirements relating
21 to the use of non-United States Government funds
22 for advocacy and lobbying activities other than those
23 that apply to United States nongovernmental organi-
24 zations receiving assistance under part I of such
25 Act.

AMENDMENT TO H.R. 1646

OFFERED BY MR. SMITH OF NEW JERSEY

Page 14, after line 16, insert the following:

1 "(viii) INTERNATIONAL SCHOLARSHIP
2 AND STUDIES PROGRAM.—Of the amounts
3 authorized to be appropriated under clause
4 (i), $1,500,000 for the fiscal year 2002
5 and $1,500,000 for the fiscal year 2003 is
6 authorized to be available only for an
7 international scholarship and studies pro-
8 grams in Judaic heritage, culture, ethics,
9 and law at Beth Medrash Govoha.

AMENDMENT TO H.R. 1646

OFFERED BY MR. FLAKE

Page 15, strike lines 5 through 13.

STRIKES NORTH-SOUTH
CENTER &

AMENDMENT TO H.R. 1646

OFFERED BY MR. FLAKE

Page 18, strike lines 3 through 10.

STRIKES ASIA
FOUNDATION

AMENDMENT TO H.R. 1646
OFFERED BY MR. LEACH

In section 104(a)(1) (relating to authorization of appropriations for contributions to international organizations) strike "$878,767,000" and insert "$944,067,000".

At the end of section 104(a) (relating to limitations on authorizations of appropriations for contributions to international organizations) insert the following new paragraph:

1 (3) UNESCO.—
2 (A) Of the amounts authorized to be
3 appropriated under subsection (a),
4 $59,800,000 for the fiscal year 2002 and
5 $59,800,000 for the fiscal year 2003 is au-
6 thorized to be appropriated only for pay-
7 ment of assessed contributions of the
8 United States to the United Nations Edu-
9 cational, Scientific and Cultural Organiza-
10 tion (UNESCO).
11 (B) Of the amounts authorized to be
12 appropriated under subsection (a) for the
13 fiscal year 2002, $5,500,000 is authorized
14 to be appropriated only for payments to
15 the UNESCO Working Capital Fund.

AMENDMENT TO THE COMMITTEE PRINT

OFFERED BY MR. LEACH

(State Department Authorization, Fiscal Years 2002 and 2003)

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

1 **SEC. 706. SENSE OF CONGRESS RELATING TO MEMBERSHIP**
2 **OF THE UNITED STATES IN UNESCO.**

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

5 (1) The United Nations Educational, Scientific,
6 and Cultural Organization (UNESCO) was created
7 in 1946 with the support of the United States as an
8 integral part of the United Nations systems, de-
9 signed to promote international cooperation and ex-
10 changes in the fields of education, science, culture,
11 and communication with the larger purpose of con-
12 structing the defense of peace against intolerance
13 and incitement to war.

14 (2) In 1984, the United States withdrew from
15 membership in UNESCO over serious questions of
16 internal management and political polarization.

17 (3) Since the United States withdrew from the
18 organization, UNESCO addressed such criticisms by
19 electing new leadership, tightening financial controls,

1 cutting budget and staff, restoring recognition of in-
2 tellectual property rights, and supporting the prin-
3 ciple of a free and independent international press.
4 (4) In 1993, the General Accounting Office,
5 after conducting an extensive review of UNESCO's
6 progress in implementing changes, concluded that
7 the organization's member states, the Director Gen-
8 eral of UNESCO, managers and employee associa-
9 [redacted]
10 reform through their actions.
11 (5) On September 28, 2000, former Secretary
12 of State George P. Schultz, who implemented the
13 withdrawal of the United States from UNESCO
14 with a letter to the organization's Director General
15 in 1984, indicated his support for the United States
16 renewal of membership in UNESCO.
17 (6) The participation of the United States in

1 United States in the United Nations Educational, Sci-
2 entific and Cultural Organization (UNESCO).

AMENDMENT TO H.R. 1646

OFFERED BY MR. SMITH OF NEW JERSEY

Page 28, after line 13, insert the following (and redesignate subsequent sections accordingly):

1 **SEC. 203. ROYAL ULSTER CONSTABULARY TRAINING.**

2 (a) REPORT ON PAST TRAINING PROGRAMS.—Sec-
3 tion 405(b) of the Admiral James W. Nance and Meg
4 Donovan Foreign Relations Authorization Act, Fiscal
5 Years 2000 and 2001 (as enacted into law by section
6 1000(a)(7) of Public Law 106–113; 113 Stat. 1501A–
7 447) is amended in the matter preceding paragraph (1)—

8 (1) by striking "The President" and inserting
9 "Not later than 60 days after the date of the enact-
10 ment of the Foreign Relations Authorization Act,
11 Fiscal Years 2002 and 2003, the President"; and

12 (2) by striking "during fiscal years 1994
13 through 1999" and inserting "during each of the fis-
14 cal years 1994 through 2000".

15 (b) REPORT ON RELATED MATTERS.—Section 405
16 of the Admiral James W. Nance and Meg Donovan For-
17 eign Relations Authorization Act, Fiscal Years 2000 and
18 2001, is amended—

19 (1) by redesignating subsection (c) as sub-
20 section (d); and

1 (2) by inserting after subsection (b) the fol-
2 lowing:
3 "(c) REPORT ON RELATED MATTERS.—Not later
4 than 60 days after the date of the enactment of the For-

6 2003, the President shall report on the following:
7 "(1) The extent to which the Government of the
8 United Kingdom has implemented the recommenda-

(1) in subsection (a)—

(A) by striking "the report required by subsection (b)" and inserting "the reports required by subsections (b) and (c)"; and

(B) by striking "subsection (c)(1)" and inserting "subsection (d)(1)"; and

(2) in subsection (d)(2) (as redesignated)—

(A) in the heading, by striking "2001" and inserting "2003"; and

(B) by striking "2001" and inserting "2003".

AMENDMENT TO H.R. 1646

OFFERED BY MR. DELAHUNT

Page 36, after line 15, insert the following new section:

1 **SEC. 236. DENIAL OF VISAS TO SUPPORTERS OF COLOM-**
2 **BIAN ILLEGAL ARMED GROUPS.**
3 (a) DENIAL OF VISAS TO PERSONS SUPPORTING CO-
4 LOMBIAN INSURGENT AND PARAMILITARY GROUPS.—
5 Subject to subsection (b), the Secretary of State shall not
6 issue a visa to any alien who the Secretary determines,
7 based on credible evidence—
8 (1) has willfully provided direct or indirect sup-
9 port to the Revolutionary Armed Forces of Colombia
10 (FARC), the National Liberation Army (ELN), or
11 the United Self-Defense Forces of Colombia (AUC);
12 or
13 (2) has willfully conspired to allow, facilitate, or
14 promote the illegal activities of any group listed in
15 paragraph (1).
16 (b) WAIVER.—Subsection (a) shall not apply if the
17 Secretary of State determines and certifies to the appro-
18 priate congressional committees, on a case-by-case basis,
19 that issuance of a visa to the alien is necessary to support
20 the peace process in Colombia, for urgent humanitarian

1 reasons, for significant public benefit, or to further the
2 national security interests of the United States.

AMENDMENT TO H.R. 1646

OFFERED BY MR. DELAHUNT

Page 34, after line 2, insert the following:

1 **SEC. 212. REPORTS ON ACTIVITIES IN THE REPUBLIC OF**
2 **COLOMBIA.**
3 (a) REPORT ON REFORM ACTIVITIES.—
4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, and
6 every 180 days thereafter, the Secretary of State
7 shall submit to the appropriate congressional com-
8 mittees a report on the status of activities funded or
9 authorized, in whole or in part, by the Department
10 of State in the Republic of Colombia to promote al-
11 ternative development, recovery and resettlement of
12 internally displaced persons, judicial reform, the
13 peace process, and human rights.
14 (2) CONTENTS.—Each such report shall contain
15 the following:
16 (A) A summary of activities described in
17 paragraph (1) during the previous 180-day pe-
18 riod.
19 (B) An estimated timetable for the conduct
20 of such activities in the subsequent 180-day pe-
21 riod.

1 (C) An explanation of any delays in meet-
2 ing timetables contained in previous reports
3 submitted in accordance with this subsection.
4 (D) An assessment of steps to be taken to
5 correct any delays in meeting such timetables.
6 (b) REPORT ON CERTAIN COUNTERNARCOTICS AC-
7 TIVITIES.—
8 (1) DECLARATION OF POLICY.—It is the policy
9 of the United States to encourage the transfer of
10 counternarcotics activities carried out in the Repub-
11 lic of Colombia by United States businesses that
12 have entered into agreements with the Department
13 of State to conduct such activities, to Colombian na-
14 tionals, in particular personnel of the Colombian
15 antinarcotics police, when properly qualified per-
16 sonnel are available.
17 (2) REPORT.—Not later than 90 days after the
18 date of the enactment of this Act, and not later than
19 March 1 of each year thereafter, the Secretary of
20 State shall submit to the appropriate congressional
21 committees a report on the activities of United
22 States businesses that have entered into agreements
23 with the Department of State to carry out counter-
24 narcotics activities in the Republic of Colombia.

1 (3) CONTENTS.—Each such report shall contain
2 the following:
3 (A) The name of each United States busi-
4 ness described in paragraph (2) and description
5 of the counternarcotics activities carried out by
6 the business in Colombia.
7 (B) The total value of all payments by the
8 Department of State to each such business for
9 such activities.
10 (C) A written statement justifying the de-
11 cision by the Department of State to enter into
12 an agreement with each such business for such
13 activities.
14 (D) An assessment of the risks to personal
15 safety and potential involvement in hostilities
16 incurred by employees of each such business as
17 a result of their activities in Colombia.
18 (E) A plan to provide for the transfer of
19 the counternarcotics activities carried out by
20 such United States businesses to Colombian na-
21 tionals, in particular personnel of the Colom-
22 bian antinarcotics police.
23 (3) DEFINITION.—In this subsection, the term
24 "United States business" means any corporation,
25 partnership, or other organization that employs 3 or

1 more individuals and is organized under the laws of
2 the United States.

AMENDMENT TO H.R. 1646

OFFERED BY MR. MENENDEZ, MS. LEE, MR. HASTINGS OF FLORIDA, AND MR. FALEOMAVAEGA

After section 737 insert the following new section:

1 **SEC. 738. SENSE OF CONGRESS RELATING TO GLOBAL**
2 **WARMING.**

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

5 (1) Global climate change poses a significant
6 threat to national security, the American economy,
7 public health and welfare, and the global environ-
8 ment.

9 (2) The Intergovernmental Panel on Climate
10 Change (IPCC) has found that most of the observed
11 warming over the last fifty years is attributable to
12 human activities, including fossil fuel-generated car-
13 bon dioxide emissions.

14 (3) The IPCC has stated that global average
15 surface temperatures have risen since 1861.

16 (4) The IPCC has stated that in the last forty
17 years, the global average sea level has risen, ocean
18 heat content has increased, and snow cover and ice
19 extent have decreased which threatens to inundate

1 low-lying Pacific island nations and coastal regions
2 throughout the world.
3 (5) The Environmental Protection Agency pre-
4 dicts that global warming will harm United States
5 citizens by altering crop yields, causing sea levels to
6 rise, and increasing the spread of tropical infectious
7 diseases.
8 (6) Industrial nations are the largest producers
9 today of fossil fuel-generated carbon dioxide emis-
10 sions.
11 (7) The United States has ratified the United
12 Nations Framework on Climate Change which
13 states, in part, "the Parties to the Convention are
14 to implement policies with the aim of returning...to
15 their 1990 levels anthropogenic emissions of carbon
16 dioxide and other greenhouse gases".
17 (8) The United Nations Framework Convention
18 on Climate Change further states that "developed
19 country Parties should take the lead in combating
20 climate change and the adverse effects thereof".
21 (9) Action by the United States to reduce emis-
22 sions, taken in concert with other industrialized na-
23 tions, will promote action by developing countries to
24 reduce their own emissions.

1 (10) A growing number of major American
2 businesses are expressing a need to know how gov-
3 ernments worldwide will respond to the threat of
4 global warming.
5 (11) More efficient technologies and renewable
6 energy sources will mitigate global warming and will
7 make the United States economy more productive
8 and create hundreds of thousands of jobs.
9 (b) SENSE OF CONGRESS.—It is the sense of the
10 Congress that the United States should demonstrate inter-
11 national leadership and responsibility in mitigating the
12 health, environmental, and economic threats posed by
13 global warming by—
14 (1) taking responsible action to ensure signifi-
15 cant and meaningful reductions in emissions of car-
16 bon dioxide and other greenhouse gases from all sec-
17 tors; and
18 (2) continuing to participate in international
19 negotiations with the objective of completing the
20 rules and guidelines for the Kyoto Protocol in a
21 manner that is consistent with the interests of the
22 United States and that ensures the environmental
23 integrity of the protocol.

AMENDMENT TO H.R. 1646
OFFERED BY MR. CROWLEY

After section 737 insert the following new section:

1 **SEC. 738. SENSE OF CONGRESS REGARDING THE BAN ON**
2 **SINN FEIN MINISTERS FROM THE NORTH-**
3 **SOUTH MINISTERIAL COUNCIL IN NORTHERN**
4 **IRELAND.**

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

7 (1) The Good Friday Agreement established the
8 North-South Ministerial Council to bring together
9 those with executive responsibilities in Northern Ire-
10 land and the Republic of Ireland to discuss matters
11 of mutual interest on a cross-border and all-island
12 basis.

13 (2) The Ulster Unionist Party, Social Demo-
14 cratic and Labour Party, Sinn Fein and the Demo-
15 cratic Unionist Party comprise the Northern Ireland
16 executive.

17 (3) First Minister David Trimble continues to
18 ban Sinn Fein Ministers Martin McGuiness and
19 Bairbre de Brun from attending North-South Min-
20 isterial Council meetings.

1 (4) On January 30, 2001, the Belfast High
2 Court ruled First Minister Trimble had acted ille-
3 gally in preventing the Sinn Fein Ministers from at-
4 tending the North-South Ministerial Council meet-
5 ings.

6 (b) SENSE OF CONGRESS.—The Congress calls upon
7 First Minister David Trimble to adhere to the terms of
8 the Good Friday Agreement and lift the ban on the par-

AMENDMENT TO H.R. 1646

OFFERED BY MR. ENGEL

Page 78, after line 16, insert the following:

1 **SEC. 706. REPORT ON EASTERN MEDITERRANEAN REGION.**

2 Section 620C(c) of the Foreign Assistance Act of
3 1961 (22 U.S.C. 2373(c)) is amended in the second sen-
4 tence by adding at the end before the period the following:
5 ", including a description of the willingness of the parties
6 to the dispute to engage in the negotiating process, if there
7 has been a lack of progress in negotiations, a detailed de-
8 scription of the reasons therefor, and the United States
9 plan for encouraging any recalcitrant party to the dispute
10 to engage more cooperatively in the negotiations".

AMENDMENT TO H.R. 1646

OFFERED BY MR. BERMAN

Page 118, add the following after line 8:

1 # TITLE IX—ADDITIONAL
2 # PROVISIONS

3 **SEC. 901. FREEDOM TO TRAVEL.**

4 (a) AMENDMENT TO FOREIGN RELATIONS AUTHOR-
5 IZATION ACT, FISCAL YEARS 1994 AND 1995.—Section
6 525(c) of the Foreign Relations Authorization Act, Fiscal
7 Years 1994 and 1995 is amended by adding at the end
8 the following new paragraph:

9 "(4) The authorities conferred upon the President by
10 section 5(b) of the Trading with the Enemy Act, which
11 were being exercised with respect to a country on July
12 1, 1977, as a result of a national emergency declared by
13 the President before such date, and are being exercised
14 on the date of the enactment of this Act, do not include
15 the authority to regulate or prohibit, directly or indirectly,
16 any of the transactions or activities, incident to travel by
17 individuals who are citizens or residents of the United
18 States, which may not be regulated or prohibited under
19 section 203(b)(4) of the International Emergency Eco-
20 nomic Powers Act.".

21 (b) FOREIGN ASSISTANCE ACT OF 1961.—Section
22 620(a)(1) of the Foreign Assistance Act of 1961 (22

1 U.S.C. 2370(a)(1)) is amended by striking the period at
2 the end of the second sentence and inserting the following:
3 ", except that any such embargo shall not apply to any
4 activity which may not be regulated or prohibited under
5 section 203(b)(4) of the International Emergency Eco-
6 nomic Powers Act.".

7 (c) APPLICABILITY.—The amendments made by sub-
8 sections (a) and (b) apply with respect to travel to and
9 from any country, and with respect to restrictions on trav-
10 el to or from any country under regulations issued before
11 the enactment of this Act pursuant to the authorities re-
12 ferred to in those subsections.

13 (d) PASSPORTS.—The first section of the Act entitled
14 "An Act to regulate the issue and validity of

1 "(2) Any transactions ordinarily incident to
2 travel or maintenance within that country, including
3 the payment of living expenses and the acquisition of
4 goods for personal consumption.
5 "(3) Any transactions ordinarily incident to the
6 arrangement, promotion, or facilitation of travel to,
7 from, or within a country.
8 The President may use the authorities he has under sec-
9 tion 5(b) of the Trading with the enemy Act (50 U.S.C.
10 App. 5(b)) to carry out the preceding sentence, and the
11 penalties provided in section 16 of that Act (50 U.S.C.
12 App. 16) shall apply to violations of regulations, orders,
13 or licenses issued under the preceding sentence to the
14 same extent as those penalties apply to violations under
15 that Act. A passport may not be denied issuance, revoked,
16 restricted, or otherwise limited because of any speech, ac-
17 tivity, belief, affiliation, or membership within or outside
18 the United States, which, if held or conducted within the
19 United States, would be protected by the first amendment
20 to the Constitution of the United States.".
21 (e) INAPPLICABILITY OF OTHER RESTRICTIONS.—
22 Section 102(h) of the Cuban Liberty and Democratic Soli-
23 darity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h))
24 shall not apply with respect to activities and transactions
25 that may not be regulated or prohibited under section

1 203(b)(4) of the International Emergency Economic Pow-
2 ers Act.

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