THE FOREIGN RELATIONS AUTHORIZATION ACT
FOR FISCAL YEARS 2004 AND 2005
(STATE DEPARTMENT AUTHORIZATION); AND
THE SENSE OF CONGRESS THAT THE U.N.
SHOULD REMOVE THE ECONOMIC SANCTIONS
AGAINST IRAQ COMPLETELY AND WITHOUT
CONDITION

MARKUP
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS
FIRST SESSION
ON
MAY 7 AND 8, 2003
Serial No. 108–31
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FOREIGN RELATIONS AUTHORIZATION ACT
FOR FISCAL YEARS 2004 AND 2005
(STATE DEPARTMENT AUTHORIZATION); AND
THE SENSE OF CONGRESS THAT THE
U.N. SHOULD REMOVE THE ECONOMIC
SANCTIONS AGAINST IRAQ
COMPLETELY AND WITHOUT CONDITION

WEDNESDAY, MAY 7, 2003

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

The Committee met, pursuant to call, at 10:45 a.m. in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order. Pursuant to notice, I now call up H.R. 1950, the Foreign Relations Act for fiscal years 2004 and 2005 for purposes of markup and move its favorable recommendation to the House.

[H.R. 1950 follows:]
To authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES
MAY 5, 2003

Mr. Hyde (for himself, Mr. Lantos, and Mr. Berman) introduced the following bill; which was referred to the Committee on International Relations

A BILL
To authorize appropriations for the Department of State for the fiscal years 2004 and 2005, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2004 and 2005, and for other purposes.

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 2004 and 2005”.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) Organization of Act Into Divisions.—This Act is organized into two divisions as follows:


(b) The table of contents for this Act is as follows:

See. 1. Short title.
See. 2. Organization of act into divisions; table of contents.
See. 3. Definitions.

DIVISION A—DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 2004 AND 2005

Sec. 101. Short title.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

See. 111. Administration of foreign affairs.
See. 112. United States educational and cultural programs.
See. 113. Contributions to international organizations.
See. 114. International commissions.
See. 115. Migration and refugee assistance.
See. 116. Voluntary contributions to international organizations.
See. 117. Voluntary contributions for international peacekeeping activities.
See. 118. Grants to the Asia Foundation.

Subtitle B—United States International Broadcasting Activities

Sec. 121. Authorizations of appropriations.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—United States Public Diplomacy

See. 201. Findings and purposes.
See. 203. Annual plan on public diplomacy strategy.
See. 204. Public diplomacy training.
See. 206. Library program.
Subtitle B—Basic Authorities and Activities

Sec. 219. United States policy with respect to Jerusalem as the capital of Israel.

Sec. 222. Continuation of reporting requirements.

Sec. 223. Report concerning efforts to promote Israel’s diplomatic relations with other countries.

Sec. 224. Reimbursement rate for airlift services provided to the Department of State.

Sec. 225. Sense of Congress regarding additional United States consular posts.

Sec. 226. Validity of United States passports for travel to countries receiving United States foreign assistance.

Sec. 227. Security capital cost sharing.

Sec. 228. Authority to issue administrative subpoenas.

Subtitle C—Educational and Cultural Authorities

Sec. 251. Establishment of initiatives for predominantly Muslim countries.

Sec. 252. Database of American and foreign participants in exchange programs.

Sec. 253. Report on inclusion of freedom and democracy advocates in educational and cultural exchange programs.

Sec. 254. Sense of the Congress concerning educational and cultural exchange program for foreign journalists.

Sec. 255. Sense of Congress regarding Korean Fulbright programs.

Subtitle D—Consular Authorities

Sec. 271. Machine readable visas.

Sec. 272. Processing of visa applications.

Sec. 273. Staffing at diplomatic missions.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Sec. 301. Fellowship of Hope Program.

Sec. 302. Claims for lost pay.

Sec. 303. Ombudsman for the Department of State.

Sec. 304. Repeal of recertification requirement for senior foreign service.

Sec. 305. Report concerning status of employees of State Department.

Sec. 306. Home leave.

Sec. 307. Increased limits applicable to post differentials and danger pay allowances.

Sec. 308. Regulations regarding retirement credit for government service performed abroad.

Sec. 309. Minority recruitment.

TITLE IV—INTERNATIONAL ORGANIZATIONS

Subtitle A—Basic Authorities and Activities

Sec. 401. Raising the cap on peacekeeping contributions.

Sec. 402. Regarding the reentry of the United States in UNESCO.

Sec. 403. UNESCO national commission.

Sec. 404. Organization of American States (OAS) emergency fund.

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Sec. 405. United States efforts regarding the status of Israel in the Western European and Others Group at the United Nations.

Subtitle B—United States International Leadership

Sec. 431. Short title.
Sec. 432. Findings.
Sec. 433. Establishment of a democracy caucus.
Sec. 434. Annual diplomatic missions on multilateral issues.
Sec. 435. Leadership and membership of international organizations.
Sec. 436. Increased training in multilateral diplomacy.
Sec. 437. Promoting assignments to international organizations.
Sec. 438. Implementation and establishment of office on multilateral negotiations.
Sec. 439. Synchronization of United States contributions to international organizations.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

Subtitle A—Basic Authorities and Activities

Sec. 501. Mideast Radio and Television Network, Inc.
Sec. 502. Improving signal delivery to Cuba.
Sec. 503. Report concerning efforts to counter jamming of broadcasts of Radio Marti and TV Marti.

Subtitle B—Global Internet Freedom

Sec. 521. Short title.
Sec. 522. Findings.
Sec. 523. Purposes.
Sec. 524. Development and deployment of technologies to defeat Internet jamming and censorship.

Subtitle C—Reorganization of United States International Broadcasting

Sec. 531. Establishment of United States International Broadcasting Agency.
Sec. 532. Authorities and functions of the agency.
Sec. 533. Role of the Secretary of State.
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Sec. 535. Broadcasting Board of Governors and International Broadcasting Bureau.
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TITLE VI—INTERNATIONAL FREE MEDIA ACT OF 2003

Sec. 601. Short title.
Sec. 602. Definitions.
Sec. 603. Findings.
Sec. 604. Statements of policy.
Sec. 605. Coordinator for International Free Media.

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TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—Reporting Requirements

Sec. 701. Reports on benchmarks for Bosnia.
Sec. 702. Reports to Committee on International Relations.
Sec. 703. Reports concerning the capture and prosecution of paramilitary and other terrorist leaders in Colombia.
Sec. 704. Reports relating to Magen David Adom Society.
Sec. 705. Report concerning the return of portraits of Holocaust victims to the artist Dina Babbitt.
Sec. 706. Report to Congress on use of vested assets.
Sec. 707. Report concerning the conflict in Uganda.

Subtitle B—Other Matters

Sec. 721. Sense of Congress relating to East Timor, justice, and rehabilitation.
Sec. 724. Sense of Congress with respect to human rights in Central Asia.
Sec. 725. Technical correction to authorization of appropriations for fiscal year 2003 for Center for Cultural and Technical Interchange Between East and West.

DIVISION B—DEFENSE TRADE AND SECURITY ASSISTANCE REFORM ACT OF 2003

TITLE X—GENERAL PROVISIONS

Sec. 1001. Short title.
Sec. 1002. Definitions.
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TITLE XI—TERRORIST-RELATED PROHIBITIONS AND ENFORCEMENT MEASURES

Sec. 1101. Eligibility provisions.
Sec. 1102. Weapons transfers to foreign persons in the United States.
Sec. 1103. Coordination of license exemptions with United States law enforcement agencies.
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Sec. 1105. Comprehensive nature of United States arms embargoes.
Sec. 1106. Transactions with countries supporting acts of international terrorism.
Sec. 1107. Amendments to control of arms exports and imports.
Sec. 1108. High risk exports and end use verification.
Sec. 1109. Concurrent jurisdiction of the Federal Bureau of Investigation.
Sec. 1110. Report on foreign-supplied defense articles, defense services, and dual use goods and technology discovered in Iraq.

TITLE XII—STRENGTHENING MUNITIONS EXPORT CONTROLS

Sec. 1201. Control of items on Missile Technology Control Regime Annex.

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Sec. 1202. Certifications relating to export of certain defense articles and services.

Sec. 1203. Notification requirements for technical assistance and manufacturing licensing agreements with NATO member countries, Australia, New Zealand, and Japan.

Sec. 1204. Strengthening defense cooperation with Australia and the United Kingdom.

Sec. 1205. Training and liaison for small businesses.

Sec. 1206. Study and report relating to co-locating munitions control functions of the Departments of State, Defense, and Homeland Security.

TITLE XIII—SECURITY ASSISTANCE AND RELATED PROVISIONS

Subtitle A—Foreign Military Sales and Financing Authorities

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Sec. 1302. Provision of cataloging data and services.

Sec. 1303. Annual estimate and justification for sales program.

Sec. 1304. Adjustment to advance notification requirement for transfer of certain excess defense articles.

Subtitle B—International Military Education and Training

Sec. 1311. Authorization of appropriations.

Sec. 1312. Annual foreign military training reporting.

Subtitle C—Assistance for Select Countries

Sec. 1321. Assistance for Israel.

Sec. 1322. Assistance for Egypt.

Subtitle D—International Narcotics Control Assistance

Sec. 1331. Additional authorities relating to international narcotics control assistance.

Sec. 1332. United States opium eradication program in Colombia.

Subtitle E—Miscellaneous Provisions

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Sec. 1342. Transfer to Israel of certain defense articles in the United States War Reserve Stockpiles for Allies.

Sec. 1343. Expansion of authorities for loan of material, supplies, and equipment for research and development purposes.

Sec. 1344. Assistance for demining and related activities.

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Sec. 1347. Annual human rights country reports on incitement to acts of discrimination.

Sec. 1348. Assistance to East Timor.

Sec. 1349. Support for democracy-building efforts for Cuba.


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Sec. 1353. Reports relating to Treaty Between the United States and the Russian Federation on Strategic Offensive Reductions.
TITLE XIV—MISSILE THREAT REDUCTION ACT OF 2003

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Sec. 1355. Nonproliferation and Disarmament Fund.

Sec. 1356. Maritime interdiction patrol boats for Mozambique.

Sec. 1401. Short title.

Subtitle A—Strengthening International Missile Nonproliferation Law

Sec. 1411. Findings.

Sec. 1412. Policy of the United States.

Sec. 1413. Sense of Congress.

Subtitle B—Strengthening United States Missile Nonproliferation Law

Sec. 1421. Probationary period for foreign persons.

Sec. 1422. Strengthening United States missile proliferation sanctions on foreign persons.

Sec. 1423. Comprehensive United States missile proliferation sanctions on all responsible persons.

Subtitle C—Incentives for Missile Threat Reduction

Sec. 1431. Foreign assistance.

Sec. 1432. Authorization of appropriations.

Sec. 1433. Authorization of technical assistance in missile disarmament.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—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.

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

(3) SECRETARY.—Except as otherwise provided, the term “Secretary” means the Secretary of State.
DIVISION A—DEPARTMENT OF
STATE AUTHORIZATION ACT,
FISCAL YEARS 2004 AND 2005

SEC. 101. SHORT TITLE.
This division may be cited as the “Department of
State Authorization Act, Fiscal Years 2004 and 2005”.

TITLE I—AUTHORIZATIONS OF
APPROPRIATIONS
Subtitle A—Department of State

SEC. 111. ADMINISTRATION OF FOREIGN AFFAIRS.
(a) IN GENERAL.—The following amounts are au-
thorized to be appropriated for the Department under
“Administration of Foreign Affairs” to carry out the au-
thorities, functions, duties, and responsibilities in the con-
duct of the foreign affairs of the United States, and for
other purposes authorized by law, including public diplo-
maoy activities and the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIA-
TIONS.—For “Diplomatic and Consular Pro-
gams”, $4,187,544,000 for the fiscal year
2004 and $4,438,796,000 for the fiscal year
2005.

(B) PUBLIC DIPLOMACY.—
(i) IN GENERAL.—Of the amounts authorized to be appropriated by subparagraph (A), $320,930,000 for the fiscal year 2004 and $329,838,000 for the fiscal year 2005 is authorized to be appropriated for public diplomacy.

(ii) IMPROVEMENTS IN PUBLIC DIPLOMACY PROGRAMS.—Of the amounts authorized to be appropriated under clause (i) $20,000,000 for the fiscal year 2004 and $20,000,000 for the fiscal year 2005 is authorized to be available for improvements and modernization of public diplomacy programs and activities of the Department of State.

(iii) TRANSLATION SERVICES.—Of the amounts authorized to be appropriated under clause (i), $4,000,000 for the fiscal year 2004 and $4,000,000 for the fiscal year 2005 is authorized to be available for translation services available to public affairs officers in overseas posts.

(C) WORLDWIDE SECURITY UPGRADES.—Of the amounts authorized to be appropriated by subparagraph (A), $646,701,000 for the fis-
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cal year 2004 and $679,036,000 for the fiscal year 2005 is authorized to be appropriated for worldwide security upgrades.

(D) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated by subparagraph (A), $20,000,000 for the fiscal year 2004 and $20,000,000 for the fiscal year 2005 is authorized to be appropriated for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.

(E) RECRUITMENT OF MINORITY GROUPS.—Of the amount authorized to be appropriated by subparagraph (A), $2,000,000 for the fiscal year 2004 and $2,000,000 for the fiscal year 2005 is authorized to be appropriated for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(2) CAPITAL INVESTMENT FUND.—For “Capital Investment Fund”, $157,000,000 for the fiscal year 2004 and $161,710,000 for the fiscal year 2005.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—
(A) IN GENERAL.—For “Embassy Security, Construction and Maintenance”, $653,000,000 for the fiscal year 2004 and $784,000,000 for the fiscal year 2005, in addition to amounts otherwise authorized to be appropriated for such purpose by section 604 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–470).

(B) AMENDMENT OF THE NANCE-DONOVAN FOREIGN RELATIONS AUTHORIZATION ACT.—Section 604(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (113 Stat. 1501A–453) is amended—

(i) at the end of paragraph (4) by striking “and”;

(ii) in paragraph (5) by striking “$900,000,000.” and inserting “$1,000,000,000; and”;

(iii) by inserting after paragraph (5) the following:
“(6) for fiscal year 2005, $1,000,000,000.”.

(4) Representation Allowances.—For “Representation Allowances”, $9,000,000 for the fiscal year 2004 and $9,000,000 for the fiscal year 2005.

(5) Protection of Foreign Missions and Officials.—For “Protection of Foreign Missions and Officials”, $10,000,000 for the fiscal year 2004 and $10,000,000 for the fiscal year 2005.

(6) Emergencies in the Diplomatic and Consular Service.—For “Emergencies in the Diplomatic and Consular Service”, $1,000,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005.

(7) Repatriation Loans.—For “Repatriation Loans”, $1,219,000 for the fiscal year 2004 and $1,219,000 for the fiscal year 2005.

(8) Payment to the American Institute in Taiwan.—For “Payment to the American Institute in Taiwan”, $19,773,000 for the fiscal year 2004 and $20,761,000 for the fiscal year 2005.

(9) Office of the Inspector General.—For “Office of the Inspector General”, $31,703,000
for the fiscal year 2004 and $32,654,000 for the fiscal year 2005.

(b) Availability of Funds for Protection of Foreign Missions and Officials.—The amount appropriated pursuant to subsection (a)(5) is authorized to remain available through September 30, 2006.

SEC. 112. UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS.

(a) In General.—Amounts in this section are authorized to be appropriated for the Department of State to carry out educational and cultural programs of the Department of State 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 Foreign Affairs Reform and Restructuring Act of 1998, 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.

(b) Educational and Cultural Exchange Programs.—

(1) Authorization of Appropriations.—For “Educational and Cultural Exchange Programs”,

• HR 1950 III
$393,000,000 for the fiscal year 2004 and $405,000,000 for the fiscal year 2005.

(2) Programs in Eastern Europe and former Soviet Union.—Of the amounts authorized to be appropriated under paragraph (1), $150,000,000 for the fiscal year 2004 and $150,000,000 for the fiscal year 2005 is authorized to be available for programs in Eastern Europe and countries of the former Soviet Union.

(3) Academic Exchange Programs.—

(A) In general.—Of the amounts authorized to be appropriated under paragraph (1), $142,000,000 for the fiscal year 2004 and $142,000,000 for the fiscal year 2005 is authorized to be available for the “Academic Exchange Programs” (other than programs described in paragraph (4)).

(B) HIV/AIDS Initiative.—Of the amounts authorized to be available under subparagraph (A), $1,000,000 for the fiscal year 2004 and $1,000,000 for the fiscal year 2005 is authorized to be available for HIV/AIDS research and mitigation strategies.

(C) Fulbright English Teaching Assistant Program in Korea.—Of the amounts
authorized to be available by subparagraph (A),

$750,000 for the fiscal year 2004 and

$750,000 for the fiscal year 2005 is authorized

to be available for the Fulbright English Teaching Assistant Program in Korea, which sends

United States citizen students to serve as

English language teaching assistants at Korean

colleges and high schools.

(D) DANTE B. FASCELL NORTH-SOUTH CENTER.—Of the amounts authorized to be

available by subparagraph (A), $1,025,000 for

the fiscal year 2004 and $1,025,000 for the fis-

cal year 2005 is authorized to be available for

the “Dante B. Faseell North-South Center”.

(4) OTHER EDUCATIONAL AND CULTURAL EX-

CHANGE PROGRAMS.—

(A) IN GENERAL.—Of the amounts author-

ized to be appropriated under paragraph (1),

$110,000,000 for the fiscal year 2004 and

$110,000,000 for the fiscal year 2005 is au-

thorized to be available for other educational

and cultural exchange programs authorized by

law.

(B) INITIATIVES FOR PREDOMINANTLY

MUSLIM COUNTRIES.—Of the amounts author-
ized to be available under subparagraph (A), $35,000,000 for the fiscal year 2004 and $35,000,000 for the fiscal year 2005 is authorized to be available for initiatives for predominantly Muslim countries established under section 251.

(C) TIBETAN EXCHANGES.—Of the amounts authorized to be available under subparagraph (A), $500,000 for the fiscal year 2004 and $500,000 for the fiscal year 2005 is authorized to be available for “Ngawang Choephel Exchange Programs” (formerly known as “programs of educational and cultural exchange between the United States and the people of Tibet”) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319).

(D) EAST TIMORESE SCHOLARSHIPS.—Of the amounts authorized to be available under subparagraph (A), $500,000 for the fiscal year 2004 and $500,000 for the fiscal year 2005 is authorized to be available for “East Timorese Scholarships”.
(E) **South Pacific Exchanges.**—Of the amounts authorized to be available under subparagraph (A), $750,000 for the fiscal year 2004 and $750,000 for the fiscal year 2005 is authorized to be available for “South Pacific Exchanges”.

(F) **Sudanese Scholarships.**—Of the amounts authorized to be available under subparagraph (A), $500,000 for the fiscal year 2004 and $500,000 for the fiscal year 2005 is authorized to be available for scholarships for students from southern Sudan for secondary or postsecondary education in the United States, to be known as “Sudanese Scholarships”.

(G) **Summer Institutes for Korean Students.**—Of the amounts authorized to be available under subparagraph (A), $750,000 for the fiscal year 2004 and $750,000 for the fiscal year 2005 is authorized to be available for summer academic study programs in the United States (focusing on United States political systems, government institutions, society, and democratic culture) for college and university students from the Republic of Korea, to be
known as the “United States Summer Institutes for Korean Student Leaders”.

(II) SCHOLARSHIPS FOR INDIGENOUS PEOPLES OF MEXICO AND CENTRAL AND SOUTH AMERICA.—Of the amounts authorized to be available under subparagraph (A), $400,000 for the fiscal year 2004 and $400,000 for the fiscal year 2005 is authorized to be available for scholarships for secondary and postsecondary education in the United States for students from Mexico and the countries of Central and South America who are from the indigenous peoples of the region.

(c) NATIONAL ENDOWMENT FOR DEMOCRACY.—

(1) IN GENERAL.—For the “National Endowment for Democracy”, $45,000,000 for the fiscal year 2004 and $47,000,000 for the fiscal year 2005.

(2) INITIATIVES FOR PREDOMINANTLY MUSLIM COUNTRIES.—Of the amounts authorized to be appropriated under paragraph (1), $5,000,000 for the fiscal year 2004 and $5,000,000 for the fiscal year 2005 is authorized to be available for the National Endowment for Democracy to fund programs that promote democracy, good governance, the rule of law, independent media, religious tolerance, the
rights of women, and strengthening of civil society
in countries of predominantly Muslim population
within the jurisdiction of the Bureau of Near Eastern Affairs of the Department of State.

(d) CENTER FOR CULTURAL AND TECHNICAL INTER-
CHANGE BETWEEN EAST AND WEST.—For the “Center
for Cultural and Technical Interchange between East and
West”, $14,280,000 for the fiscal year 2004 and
$14,280,000 for the fiscal year 2005.

(e) REAGAN-FASCCELL DEMOCRACY FELLOWS.—For
the “Reagan-Fascell Democracy Fellows”, for fellowships
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 2004 and $1,000,000 for
the fiscal year 2005.

(f) BENJAMIN GILMAN INTERNATIONAL SCHOLAR-
SHIP PROGRAM.—Section 305 of the Microenterprise for
Self-Reliance and International Anti-Corruption Act of
2000 (22 U.S.C. 2462 note) is amended by striking
“$1,500,000” and inserting “$2,500,000”.

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SEC. 113. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) Assessed Contributions to International Organizations.—There is authorized to be appropriated under the heading “Contributions to International Organizations” $1,010,463,000 for the fiscal year 2004 and $1,040,776,000 for the fiscal year 2005 for the Department to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) Contributions for International Peacekeeping Activities.—There is authorized to be appropriated under the heading “Contributions for International Peacekeeping Activities” $550,200,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005 for the Department to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

(c) Foreign Currency Exchange Rates.—

(1) Authorization of Appropriations.—In addition to the amounts authorized to be appro-
appropriated by subsection (a), there is authorized to be appropriated such sums as may be necessary for the fiscal years 2004 and 2005 to offset adverse fluctuations in foreign currency exchange rates.

(2) Availability of Funds.—Amounts appropriated under this subsection may be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to the appropriate congressional committees 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 organization or agency concerned its proportionate share of the amount by which the total contributions to the organization or agency exceed the expenditures of the regular assessed budget of the organization or agency.

SEC. 114. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under “International Commissions” for the Department to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs
of the United States with respect to international commissions, 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”, $31,562,000 for the fiscal year 2004 and $31,562,000 for the fiscal year 2005; and

(B) for “Construction”, $8,901,000 for the fiscal year 2004 and $8,901,000 for the fiscal year 2005.

(2) **INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.**—For “International Boundary Commission, United States and Canada”, $1,261,000 for the fiscal year 2004 and $1,261,000 for the fiscal year 2005.

(3) **INTERNATIONAL JOINT COMMISSION.**—For “International Joint Commission”, $7,810,000 for the fiscal year 2004 and $7,810,000 for the fiscal year 2005.

(4) **INTERNATIONAL FISHERIES COMMISSIONS.**—For “International Fisheries Commissions”, $20,043,000 for the fiscal year 2004 and $20,043,000 for the fiscal year 2005.
SEC. 115. MIGRATION AND REFUGEE ASSISTANCE.

(a) In General.—There is authorized to be appropriated for the Department for “Migration and Refugee Assistance” for authorized activities, $760,197,000 for the fiscal year 2004 and $813,197,000 for the fiscal year 2005.

(b) Refugees Resettling in Israel.—Of the amount authorized to be appropriated by subsection (a), $50,000,000 for the fiscal year 2004 and $50,000,000 for the fiscal year 2005 is authorized to be available for the resettlement of refugees in Israel.

(c) Tibetan Refugees in India and Nepal.—Of the amount authorized to be appropriated by subsection (a), $2,000,000 for the fiscal year 2004 and $2,000,000 for the fiscal year 2005 is 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.

(d) Humanitarian Assistance for Displaced Burmese.—Of the amount authorized to be appropriated by subsection (a), $2,000,000 for the fiscal year 2004 and $2,000,000 for the fiscal year 2005 is 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.

(c) Availability of Funds.—Funds appropriated pursuant to this section are authorized to remain available until expended.

SEC. 116. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) Authorization of Appropriations.—There is authorized to be appropriated for the Department of State for “Voluntary Contributions to International Organizations”, $317,550,000 for the fiscal year 2004 and $320,000,000 for the fiscal year 2005.

(b) United Nations Voluntary Fund for Victims of Torture.—Of the amounts authorized to be appropriated under subsection (a), $6,000,000 for the fiscal year 2004 and $7,000,000 for the fiscal year 2005 is authorized to be available for a United States voluntary contribution to the United Nations Voluntary Fund for Victims of Torture.

(c) Organization of American States.—Of the amounts authorized to be appropriated under subsection (a) $2,000,000 for fiscal years 2004 and 2005 is authorized to be available for a United States voluntary contribution to the Organization of American States for the Inter-American Committee Against Terrorism (CICTE) to iden-
tify and develop a port in the Latin American and Caribbean region into a model of best security practices and appropriate technologies for improving port security in the Western Hemisphere. Amounts authorized to be available by the preceding sentence are authorized to remain available until expended and are in addition to amounts otherwise available to carry out section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221).

(d) Restrictions on United States Contributions to United Nations Development Program.—

(1) Limitation.—Of the amounts made available under subsection (a) for each of the fiscal years 2004 and 2005 for United States 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.

SEC. 117. VOLUNTARY CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

(a) Authorization of Appropriations.—There is authorized to be appropriated for the Department of State for “Voluntary Contributions for International Peace-
keeping’, $110,000,000 for the fiscal year 2004 and
$110,000,000 for the fiscal year 2005.

(b) PEACEKEEPING IN AFRICA.—Of the amounts au-
thorized to be appropriated under subsection (a),
$40,000,000 for the fiscal year 2004 and $40,000,000 for
the fiscal year 2005 is authorized to be appropriated for
peacekeeping activities in Africa.

SEC. 118. 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 is authorized to be appropriated
to the Secretary of State $18,000,000 for the fiscal year
2004 and $18,000,000 for the fiscal year 2005 for grants
to The Asia Foundation pursuant to this title.”

Subtitle B—United States International Broadcasting Activities

SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.

The following amounts are authorized to be appro-
piated to carry out United States Government broad-
casting activities under the United States Information and
Educational Exchange Act of 1948, the United States
International Broadcasting Act of 1994, the Radio Broad-
casting to Cuba Act, the Television Broadcasting to Cuba
Act, and the Foreign Affairs Reform and Restructuring
Act of 1998, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL BROADCASTING OPERATIONS.—

(A) IN GENERAL.—For “International Broadcasting Operations”, $618,854,000 for the fiscal year 2004 and $612,146,000 for the fiscal year 2005.

(B) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated by subparagraph (A), there is authorized to be available for Radio Free Asia $30,000,000 for the fiscal year 2004 and $30,000,000 for the fiscal year 2005.

(C) OFFICE OF GLOBAL INTERNET FREEDOM.—Of the amounts authorized to be appropriated by subparagraph (A), there is authorized to be available for the Broadcasting Board of Governors for the establishment and operations of the Office of Global Internet Freedom under section 524(a) $8,000,000 for the fiscal year 2004 and $8,000,000 for the fiscal year 2005.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For “Broadcasting Capital Improvements”,
$11,395,000 for the fiscal year 2004 and $11,395,000 for the fiscal year 2005.

(3) Broadcasting to Cuba.—For “Broadcasting to Cuba”, $26,901,000 for the fiscal year 2004 and $27,439,000 for the fiscal year 2005.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—United States Public Diplomacy

SEC. 201. FINDINGS AND PURPOSES.

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

(1) The United States possesses strong and deep connections with the peoples of the world separate from its relations with their governments. These connections can be a major asset in the promotion of United States interests and foreign policy.

(2) Misinformation and hostile propaganda in these countries regarding the United States and its foreign policy endanger the interests of the United States. Existing efforts to counter such misinformation and propaganda are inadequate and must be greatly enhanced in both scope and substance.
(3) United States foreign policy has been hampered by an insufficient consideration of the importance of public diplomacy in the formulation and implementation of that policy and by the underuse of modern communication techniques.

(4) The United States should have an operational strategy and a coordinated effort regarding the utilization of its public diplomacy resources.

(5) The development of an operational strategy and a coordinated effort by United States agencies regarding public diplomacy would greatly enhance United States foreign policy.

(6) The Secretary of State has undertaken efforts to ensure that of the new positions established at the Department of State after September 30, 2002, a significant proportion are for public diplomacy.

(b) PURPOSES.—It is the purpose of this subtitle to enhance in scope and substance, redirect, redefine, and reorganize United States public diplomacy.

SEC. 202. PUBLIC DIPLOMACY RESPONSIBILITIES OF THE DEPARTMENT OF STATE.

(a) IN GENERAL.—The State Department Basic Authorities Act of 1956 (22 U.S.C. 265 et seq.) is amended by inserting after section 58 the following new section:
"SEC. 59. PUBLIC DIPLOMACY RESPONSIBILITIES OF THE DEPARTMENT OF STATE.

(a) IN GENERAL.—The Secretary of State shall make public diplomacy an integral component in the planning and execution of United States foreign policy. The Department of State, in coordination with the United States International Broadcasting Agency, shall develop a comprehensive strategy for the use of public diplomacy resources and assume a prominent role in coordinating the efforts of all Federal agencies involved in public diplomacy. Public diplomacy efforts shall be addressed to developed and developing countries, to select and general audiences, and shall utilize all available media to ensure that the foreign policy of the United States is properly explained and understood not only by the governments of countries but also by their peoples, with the objective of enhancing support for United States foreign policy. The Secretary shall ensure that the public diplomacy strategy of the United States is cohesive and coherent and shall aggressively and through the most effective mechanisms counter misinformation and propaganda concerning the United States. The Secretary shall endeavor to articulate the importance in American foreign policy of the guiding principles and doctrines of the United States, particularly freedom and democracy. The Secretary, in coordination with the Board of Governors of the United States Inter-
national Broadcasting Agency, shall develop and articulate
long-term measurable objectives for United States public
diplomacy. The Secretary is authorized to produce and
distribute public diplomacy programming for distribution
abroad in order to achieve public diplomacy objectives, in-
cluding through satellite communication, the Internet, and
other established and emerging communications tech-
nologies.

(b) INFORMATION CONCERNING UNITED STATES
ASSISTANCE.—

“(1) IDENTIFICATION OF ASSISTANCE.—In co-
operation with the United States Agency for Inter-
national Development (USAID) and other public
and private assistance organizations and agencies,
the Secretary shall ensure that information con-
cerning foreign assistance provided by the United
States Government, United States nongovernmental
organizations and private entities, and the American
people is disseminated widely and prominently, par-
ticularly, to the extent practicable, within countries
and regions that receive such assistance. The Sec-
retary shall ensure that, to the extent practicable,
projects funded by the United States Agency for
International Development (USAID) that do not in-
volve commodities, including projects implemented
by private voluntary organizations, are identified as being supported by the United States of America, as American Aid or provided by the American people.

“(2) REPORT TO CONGRESS.—Not later than 120 days after the end of each fiscal year, the Secretary shall submit a report to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate on efforts to disseminate information concerning assistance described in paragraph (1) during the preceding fiscal year. Each such report shall include specific information concerning all instances in which the United States Agency for International Development has not identified projects in the manner prescribed in paragraph (1) because such identification was not practicable. Any such report shall be submitted in unclassified form, but may include a classified appendix.

“(c) AUTHORITY.—Subject to the availability of appropriations, the Secretary may contract with and compensate government and private agencies or persons for property and services to carry out this section.”.

(b) ESTABLISHMENT OF PUBLIC DIPLOMACY RESERVE CORPS.—
(1) The Secretary of State shall establish a public diplomacy reserve corps to augment the public diplomacy capacity and capabilities of the Department in emergency and critical circumstances worldwide. The Secretary shall develop a contingency plan for the use of the corps to bolster public diplomacy resources and expertise. To the extent necessary and appropriate, the Secretary may recruit experts in public diplomacy and related fields from the private sector.

(2) While actively serving with the reserve corps, individuals are prohibited from engaging in activities directly or indirectly intended to influence public opinion within the United States to the same degree that employees of the Department engaged in public diplomacy are so prohibited.

c) FUNCTIONS OF THE UNDER SECRETARY FOR PUBLIC DIPLOMACY.—

(1) Section 1(b)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(3)) is amended by striking “formation” and all that follows through the period at the end and inserting “formation, supervision, and implementation of United States public diplomacy policies, programs, and activities, including the provision
of guidance to Department personnel in the United States and overseas who conduct or implement such policies, programs, and activities. The Under Secretary for Public Diplomacy shall assist the United States Agency for International Broadcasting in presenting the policies of the United States clearly and effectively, shall submit statements of United States policy and editorial material to the Agency for broadcast consideration in addition to material prepared by the Agency, and shall ensure that editorial material created by the Agency for broadcast is reviewed expeditiously by the Department.”

(2) The Under Secretary for Public Diplomacy, in carrying out the functions under the last sentence of section 1(b)(3) of the State Department Basic Authorities Act of 1956 (as added by paragraph (1), shall consult with public diplomacy officers operating at United States overseas posts and in the regional bureaus of the Department of State.

SEC. 203. ANNUAL PLAN ON PUBLIC DIPLOMACY STRATEGY.

The Secretary of State, in coordination with all appropriate Federal agencies, shall prepare an annual review and analysis of the impact of public diplomacy efforts on target audiences. Each review shall assess the United
States public diplomacy strategy worldwide and by region, including the allocation of resources and an evaluation and assessment of the progress in, and barriers to, achieving the goals set forth under previous plans submitted under this section. On the basis of such review, the Secretary of State, in coordination with all appropriate Federal agencies shall develop and submit, as part of the annual budget submission, a public diplomacy strategy which specifies goals, agency responsibilities, and necessary resources and mechanisms for achieving such goals during the next fiscal year. The plan may be submitted in classified form.

SEC. 204. PUBLIC DIPLOMACY TRAINING.

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

(1) The Foreign Service should recruit individuals with expertise and professional experience in public diplomacy.

(2) Ambassadors should have a prominent role in the formulation of public diplomacy strategies for the countries and regions to which they are assigned and be accountable for the operation and success of public diplomacy efforts at their posts.

(3) Initial and subsequent training of Foreign Service officers should be enhanced to include infor-
information and training on public diplomacy and the tools and technology of mass communication.

(b) PERSONNEL.—

(1) In the recruitment, training, and assignment of members of the Foreign Service, the Secretary shall emphasize the importance of public diplomacy and of applicable skills and techniques. The Secretary shall consider the priority recruitment into the Foreign Service, at middle-level entry, of individuals with expertise and professional experience in public diplomacy, mass communications, or journalism, especially individuals with language facility and experience in particular countries and regions.

(2) The Secretary of State shall seek to increase the number of Foreign Service officers proficient in languages spoken in predominantly Muslim countries. Such increase shall be accomplished through the recruitment of new officers and incentives for officers in service.

SEC. 205. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) Study and Report by United States Advisory Commission on Public Diplomacy.—Section 604(c)(2) of the United States Information and Edu-
(2)(A) Not less often than every two years, the Commission shall undertake an in-depth review of United States public diplomacy programs, policies, and activities. Each study shall assess the effectiveness of the various mechanisms of United States public diplomacy, in light of factors including public and media attitudes around the world toward the United States, Americans, United States foreign policy, and the role of the American private-sector community abroad, and make appropriate recommendations.

“(B) A comprehensive report of each study under subparagraph (A) shall be submitted to the Secretary of State and the appropriate congressional committees. At the discretion of the Commission, any report under this subsection may be submitted in classified or unclassified form, as appropriate.”.

(b) INFORMATION AND SUPPORT FROM OTHER AGENCIES.—Upon request of the United States Advisory Commission on Public Diplomacy, the Secretary of State, the Director of the United States International Broadcasting Agency, and the head of any other Federal agency that conducts public diplomacy programs and activities shall provide information to the Advisory Commission to
assist in carrying out the responsibilities under section 604(c)(2) of the United States Information and Educational Exchange Act of 1948 (as amended by subsection (a)).

(c) ENHANCING THE EXPERTISE OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—

(1) QUALIFICATIONS OF MEMBERS.—Section 604(a)(2) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469(a)(2)) is amended by adding at the end the following: “At least 4 members shall have substantial experience in the conduct of public diplomacy or comparable activities in the private sector. At least 1 member shall be an American residing abroad. No member may be an officer or employee of the United States.”.

(2) APPLICATION OF AMENDMENT.—The amendments made by paragraph (1) shall not apply to individuals who are members of the United States Advisory Commission on Public Diplomacy on the date of the enactment of this Act.

SEC. 206. LIBRARY PROGRAM.

The Secretary of State shall develop and implement a demonstration program to assist foreign governments to establish or upgrade their public library systems to im-
prove literacy and support public education. The program should provide training in the library sciences. The purpose of the program shall be to advance American values and society, particularly the importance of freedom and democracy.

SEC. 207. SENSE OF CONGRESS CONCERNING PUBLIC DIPLOMACY EFFORTS IN SUB-SAHARAN AFRI-CA.

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

(1) A significant number of sub-Saharan African countries have predominantly Muslim populations, including such key countries as Nigeria, Senegal, Djibouti, Mauritania, and Guinea.

(2) In several of these countries, groups with links to militant religious organizations are active among the youth, primarily young men, promoting a philosophy and practice of intolerance and radical clerics are effectively mobilizing public sentiment against the United States.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary should include countries in sub-Saharan Africa with predominantly Muslim populations in the public diplomacy activities authorized by this Act and the amendments made by this Act.

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Subtitle B—Basic Authorities and Activities

SEC. 221. UNITED STATES POLICY WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) 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 Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(b) 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.

(c) RECORD OF PLACE OF BIRTH AS ISRAEL FOR PASSPORT PURPOSES.—The first section of “An Act to regulate the issue and validity of passports, and for other purposes”, approved July 3, 1926 (22 U.S.C. 211a; 44 Stat. 887) is amended by inserting after the first sentence the following: “For purposes of the issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary shall, upon the request of the citizen or the
citizen’s legal guardian, record the place of birth as
Israel.’”.

SEC. 222. CONTINUATION OF REPORTING REQUIREMENTS.

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) (relat-
ing to reports on terrorist activity in which United States
citizens were killed and related matters) is amended by
striking “Not later” and all that follows through “2001,”
and inserting “Not later than May 1, 2003, May 1, 2004,
and May 1, 2005,”.

SEC. 223. REPORT CONCERNING EFFORTS TO PROMOTE
ISRAEL’S DIPLOMATIC RELATIONS WITH
OTHER COUNTRIES.

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

(1) Israel is a friend and ally of the United
States whose security is vital to regional stability
and United States interests.

(2) Israel currently maintains diplomatic rela-
tions with approximately 160 countries. Approxi-
mately 30 countries do not have any diplomatic rela-
tions with Israel.
(3) The State of Israel has been actively seeking to establish formal relations with a number of countries.

(4) The United States should assist its ally, Israel, in its efforts to establish diplomatic relations.

(5) After more than 50 years of existence, Israel deserves to be treated as an equal nation by its neighbors and the world community.

(b) REPORT CONCERNING UNITED STATES EFFORTS TO PROMOTE ISRAEL’S DIPLOMATIC RELATIONS WITH OTHER COUNTRIES.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that includes the following information (in classified or unclassified form, as appropriate):

(1) Actions taken by the United States to encourage other countries to establish full diplomatic relations with Israel.

(2) Specific responses solicited and received by the Secretary from countries that do not maintain full diplomatic relations with Israel with respect to the status of negotiations to enter into diplomatic relations with Israel.

(3) Other measures being undertaken, and measures that will be undertaken, by the United States to further promote Israel’s diplomatic relations with other countries.
States to ensure and promote Israel’s full participation in the world diplomatic community.

**SEC. 224. REIMBURSEMENT RATE FOR AIRLIFT SERVICES PROVIDED TO THE DEPARTMENT OF STATE.**

Section 2642 of title 10, United States Code, is amended—

(1) in the heading by inserting “and Department of State” after “Central Intelligence Agency”; and

(2) in subsection (a) by striking “Agency,” and inserting “Agency or the Department of State,”.

**SEC. 225. SENSE OF CONGRESS REGARDING ADDITIONAL UNITED STATES CONSULAR POSTS.**

It is the sense of the Congress that to help advance United States economic, political, and public diplomacy interests, the Secretary of State should make best efforts to establish consulates or other appropriate diplomatic presence in: Pusan, South Korea; Medan, Indonesia; and Hat Yai, Thailand.

**SEC. 226. VALIDITY OF UNITED STATES PASSPORTS FOR TRAVEL TO COUNTRIES RECEIVING UNITED STATES FOREIGN ASSISTANCE.**

The first section of the Act entitled “An Act to regulate the issue and validity of passports, and for other purposes”, approved July 3, 1926 (22 U.S.C. 211a) is amend-
ed by striking “travellers.” and inserting “travellers, and
no such restriction may apply to a country in which the
United States is providing assistance authorized by the
Foreign Assistance Act of 1961.”.

SEC. 227. SECURITY CAPITAL COST SHARING.

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

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

“(2) The Secretary is authorized to determine annu-
ally and charge each Federal agency the amount to be col-
lected under paragraph (1) from the agency. To determine
such amount, the Secretary may prescribe and use a for-
mula that takes into account the number of authorized
positions of each agency, including contractors and locally
hired personnel, who are assigned to United States diplo-
matic facilities and are under the authority of a chief of
mission pursuant to section 207 of the Foreign Service

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

“(4) There shall be established on the books of the
Treasury an account to be known as the ‘Security Capital
Cost-Sharing Program Fund’, which shall be administered
by the Secretary. There shall be deposited into the account
all amounts collected by the Secretary pursuant to the au-
thority under paragraph (1), and such funds shall remain
available until expended. Such funds shall be used solely
for the provision of new safe, secure, functional diplomatic
facilities that comply with all applicable legal standards,
including those standards established under the authority
of the Secure Embassy Construction and
Counterterrorism Act of 1999. The Secretary shall include
in the Department of State’s Congressional Presentation
Document an accounting of the sources and uses of the
amounts deposited into the account.
“(5) The Secretary shall not collect a fee for an authorized position of an agency of the Federal Government that has been or would be granted a waiver pursuant to section 606(a)(2)(B)(i) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865(a)(2)(B)(i)).

“(6) In this subsection—

(A) the term ‘agency of the Federal Government’—

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

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

(B) the term ‘United States diplomatic facility’ has the meaning given that term in section 603 of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note).”.

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

SEC. 228. AUTHORITY TO ISSUE ADMINISTRATIVE SUBPOENAS.

Section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709) is amended by adding at the end the following new subsection:

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“(d) Administrative Subpoenas.—

“(1) IN GENERAL.—If the Secretary determines that there is an imminent threat against a person, foreign mission, or international organization protected under the authority of subsection (a)(3), the Secretary may issue in writing, and cause to be served, a subpoena requiring—

“(A) the production of any records or other items relevant to the threat; and

“(B) testimony by the custodian of the items required to be produced concerning the production and authenticity of those items.

“(2) REQUIREMENTS.—

“(A) RETURN DATE.—A subpoena under this subsection shall describe the items required to be produced and shall specify a return date within a reasonable period of time within which the requested items may be assembled and made available. The return date specified may not be less than 24 hours after service of the subpoena.

“(B) NOTIFICATION TO ATTORNEY GENERAL.—As soon as practicable following the issuance of a subpoena under this subsection,
the Secretary shall notify the Attorney General of its issuance.

“(C) Other requirements.—The following provisions of section 3486 of title 18, United States Code, shall apply to the exercise of the authority of paragraph (1):

“(i) Paragraphs (4) through (8) of subsection (a).

“(ii) Subsections (b), (c), and (d).

“(3) Delegation of authority.—The authority under this subsection may be delegated only to the Deputy Secretary of State.

“(4) Annual report.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report regarding the exercise of the authority under this subsection during the previous calendar year.”

Subtitle C—Educational and Cultural Authorities

Sec. 251. Establishment of Initiatives for Predominantly Muslim Countries.

(a) Findings.—The Congress makes the following findings:
Surveys indicate that, in countries of predominantly Muslim population, opinions of the United States and American foreign policy among the general public and select audiences are significantly distorted by highly negative and hostile beliefs and images and that many of these beliefs and images are the result of misinformation and propaganda by individuals and organizations hostile to the United States.

These negative opinions and images are highly prejudicial to the interests of the United States and to its foreign policy.

As part of a broad and long-term effort to enhance a positive image of the United States in the Muslim world, a key element should be the establishment of programs to promote a greater familiarity with American society and values among the general public and select audiences in countries of predominantly Muslim population.

(b) Establishment of Initiatives.—The Secretary of State shall establish the following programs with countries with predominantly Muslim populations as part of the educational and cultural exchange programs of the Department of State for the fiscal years 2004 and 2005:
(1) **Journalism Program.**—A program for foreign journalists, editors, media managers, and postsecondary students of journalism which, in cooperation with private sector sponsors to include universities, shall sponsor workshops and professional training in techniques, standards, and practices in the field of journalism to assist the participants to achieve the highest standards of professionalism.

(2) **English Language Teaching.**—The Secretary shall provide grants to United States citizens to work in middle and secondary schools as English language teaching assistants for not less than an academic year. If feasible, the host government or local educational agency shall share the salary costs of the assistants.

(3) **Sister City Partnerships.**—The Secretary shall expand and enhance sister-city partnerships between United States and international municipalities in an effort to increase global cooperation at the community level. Such partnerships shall encourage economic development, municipal cooperation, health care initiatives, youth and educational programs, disability advocacy, emergency preparedness, and humanitarian assistance.
(4) CIVICS EDUCATION.—The Secretary shall establish a civics education program which shall develop civics education teaching curricula and materials, provide training for teachers of civics, and provide English language teaching materials that are designed to promote civics education. Civics education programs under this paragraph shall place particular emphasis on the on-site training of educators and the function of the mass media within that society.

(5) YOUTH AMBASSADORS.—The Secretary shall establish a program for visits by middle school students (to the extent feasible) and secondary school students to the United States during school holidays in their home country for periods not to exceed 4 weeks and a program for academic year study in the United States for secondary school students. Participating students shall reflect the economic, geographic, and ethnic diversity of their countries. Activities shall include cultural and educational activities designed to familiarize participating students with American society and values. To the extent practicable, the program involving school holiday visits shall be coordinated with middle and secondary schools in the United States to provide for school-
based activities and interactions. The Secretary shall encourage the establishment of direct school-to-school linkages under the programs.

(6) Fulbright Exchange Program.—The Secretary shall seek to substantially increase the number of awards under the J. William Fulbright Educational Exchange Program to graduate students, scholars, professionals, teachers, and administrators from the United States who are applying for such awards to study, teach, conduct research, or pursue scholarship in predominantly Muslim countries. Part of such increase shall include awards for scholars and teachers who plan to teach subjects relating to American studies.

(7) Hubert H. Humphrey Fellowships.—The Secretary shall seek to substantially increase the number of Hubert H. Humphrey Fellowships awarded to candidates from predominantly Muslim countries.

(8) Library Training Exchange Program.—The Secretary shall develop an exchange program for postgraduate students seeking additional training in the library sciences and related fields.

(c) General Provision.—Programs established under this section shall be carried out under the provisions

SEC. 252. DATABASE OF AMERICAN AND FOREIGN PARTICIPANTS IN EXCHANGE PROGRAMS.

To the extent practicable, the Secretary of State, in coordination with the heads of other agencies that conduct international exchange and training programs, shall establish and maintain a database listing all American and foreign alumni of such programs in order to encourage networking, interaction, and communication with alumni.

SEC. 253. REPORT ON INCLUSION OF FREEDOM AND DEMOCRACY ADVOCATES IN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Congress a report concerning the implementation of section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996. The report shall include information concerning the number of grants to conduct exchange programs to countries described in such section that have been submitted for competitive bidding, what measures have been taken to ensure that willingness to include supporters of freedom and democracy in such programs is given appropriate weight in the selection of

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grantees, and an evaluation of whether United States ex-
change programs in the countries described in such section
are fully open to supporters of freedom and democracy,
and, if not, what obstacles remain and what measures are
being taken to implement such policy.

SEC. 254. SENSE OF THE CONGRESS CONCERNING EDU-
CATIONAL AND CULTURAL EXCHANGE PRO-
GRAM FOR FOREIGN JOURNALISTS.

It is the sense of the Congress that the Secretary of
State should work toward the establishment of a program
for foreign journalists from regions of conflict that will
provide professional training in techniques, standards, and
practices in the field of journalism.

SEC. 255. SENSE OF CONGRESS REGARDING KOREAN FUL-
BRIGHT PROGRAMS.

It is the sense of the Congress that Fulbright pro-
gram activities for Korea should—

(1) include participation by students from
throughout South Korea, including proportional rep-
resentation from areas outside of Seoul;

(2) attempt to include Korean students from a
broad range of educational institutions, including
schools other than elite universities;

(3) broaden the Korean student emphasis be-
yond degree-seeking graduate students, to include
opportunities for one-year nondegree study at
United States campuses by pre-doctoral Korean stu-
dents; and

(4) include a significant number of Korean stu-
dents planning to move into areas other than ad-
vanced research and university teaching, such as
those heading towards careers in government service,
media, law, and business.

Subtitle D—Consular Authorities

SEC. 271. MACHINE READABLE VISAS.
Section 140(a) of the Foreign Relations Authoriza-
note) is amended by adding at the end the following:

“(4) For each of the fiscal years 2004 and
2005, any amount that exceeds $700,000,000 may
be made available only if a notification is submitted
to Congress in accordance with the procedures appli-
cable to reprogramming notifications under section
34 of the State Department Basic Authorities Act of
1956.”.

SEC. 272. PROCESSING OF VISA APPLICATIONS.
(a) IN GENERAL.—It shall be the policy of the De-
partment of State to process each visa application from
an alien classified as an immediate relative or as a K-1
nonimmigrant within 30 days of the receipt of all nec-
necessary documents from the applicant and the Department of Homeland Security. In the case of an immigrant visa application where the petitioner is a relative other than an immediate relative, it should be the policy of the Department to process such an application within 60 days of the receipt of all necessary documents from the applicant and the Department of Homeland Security.

(b) DEFINITIONS.—In this section:

(1) IMMEDIATE RELATIVE.—The term “immediate relative” has the meaning given the term in section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)).


SEC. 273. STAFFING AT DIPLOMATIC MISSIONS.

At least once every five years and pursuant to a process determined by the President for staffing at diplomatic missions and overseas constituent posts, the Secretary of State shall require each chief of mission to review every staff element under chief of mission authority, including staff from other executive agencies, and recommend approval or disapproval of each staff element. The Secretary of State shall submit an annual report concerning such
reviews together with the Secretary’s recommendations to
the heads of all affected agencies and the Inspector Gen-
eral of the Department of State.

TITLE III—ORGANIZATION AND
PERSONNEL OF THE DEPART-
MENT OF STATE

SEC. 301. FELLOWSHIP OF HOPE PROGRAM.
The Secretary of State is authorized to establish in
the Department of State an exchange program to be des-
ignated the “Fellowship of Hope Program”. The program
shall provide for the exchange and assignment of govern-
ment employees of designated countries to fellowship posi-
tions at the Department of State and reciprocal assign-
ment of civil service and foreign service employees of the
Department as fellows within the governments of foreign
countries.

SEC. 302. CLAIMS FOR LOST PAY.
Section 2 of the State Department Basic Authorities
Act (22 U.S.C. 2669) is amended—

(1) at the end of subsection (o) by striking the
period and inserting “; and”; and

(2) by inserting after subsection (o) the fol-
lowing new subsection:

“(p) make administrative corrections or adjustments
to an employee’s pay, allowances, or differentials, resulting
from mistakes or retroactive personnel actions, and to pro-
vide back pay and other categories of payments under the
Back Pay Act as part of the settlement of administrative
claims or grievances filed against the Department.”.

SEC. 303. OMBUDSMAN FOR THE DEPARTMENT OF STATE.

(a) Establishment.—There is established in the
Office of the Secretary of State the position of Ombuds-
man. The position of Ombudsman shall be a career posi-
tion within the Senior Executive Service. The Ombudsman
shall report directly to the Secretary of State.

(b) Duties.—At the discretion of the Secretary of
State, the Ombudsman shall participate in meetings re-
garding the management of the Department in order to
assure that all employees may contribute to the achieve-
ment of the Department’s responsibilities and to promote
the career interests of all employees.

(c) Conforming Amendment.—Section 172 of the
Foreign Relations Authorization Act, Fiscal Years 1988
and 1989 (22 U.S.C. 2664a) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as sub-
section (c).
SEC. 304. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.

Section 305 of the Foreign Service Act of 1980 (22 U.S.C. 3945) is amended by striking subsection (d).

SEC. 305. REPORT CONCERNING STATUS OF EMPLOYEES OF STATE DEPARTMENT.

Not later than one year after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the appropriate congressional committees a report that analyzes and evaluates the merits of the conversion of employees of the Department of State to excepted service under chapter 21 of title 5, United States Code.

SEC. 306. HOME LEAVE.

(a) REST AND RECUPERATION TRAVEL.—Section 901(6) of the Foreign Service Act of 1980 (22 U.S.C. 4081(6)) is amended by striking “unbroken by home leave” both places it appears.

(b) REQUIRED LEAVE IN THE UNITED STATES.—Section 903(a) of the Foreign Service Act of 1980 (22 U.S.C. 4083(a)) is amended by striking “18 months” and inserting “12 months”.

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SEC. 307. INCREASED LIMITS APPLICABLE TO POST DIFFERENTIALS AND DANGER PAY ALLOWANCES.

(a) Post differentials.—Section 5925(a) of title 5, United States Code, is amended by striking “25 percent” in the third sentence and inserting “35 percent”.

(b) Danger pay allowances.—Section 5928 of title 5, United States Code, is amended by striking “25 percent” both places it appears and inserting “35 percent”.

(c) Criteria.—The Secretary shall inform the appropriate congressional committees of the criteria to be used in determinations of appropriate adjustments in post differentials under section 5925 of title 5, United States Code, and danger pay allowances under section 5928 of title 5, United States Code.

(d) Study and report.—Two years after the date of the enactment of this Act, the Secretary of State shall conduct a study assessing the effect of the increases in post differentials and danger pay allowances made by the amendments in subsections (a) and (b) in filling “hard-to-fill” positions. The Secretary shall submit a report of such study to the appropriate congressional committees.
SEC. 308. REGULATIONS REGARDING RETIREMENT CREDIT FOR GOVERNMENT SERVICE PERFORMED ABROAD.

Section 321(f) of the Foreign Relations Authorization Act, Fiscal Year 2003 (5 U.S.C. 8411 note; Public Law 107–228) is amended by striking “regulations” and inserting “regulations, not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2004 and 2005,”.

SEC. 309. MINORITY RECRUITMENT.

(a) REPORTING REQUIREMENT.—Section 324 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended by striking “and April 1, 2004” and inserting “April 1, 2004, and April 1, 2005”.

(b) USE OF FUNDS.—The provisions of section 325 of such Act shall apply to funds authorized by section 111(a)(1)(E) of this Act.

(c) CONFORMING AMENDMENT.—Section 325(c) of such Act is amended in the second sentence by striking “two” and inserting “three”.

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TITLE IV—INTERNATIONAL ORGANIZATIONS

Subtitle A—Basic Authorities and Activities

SEC. 401. RAISING THE CAP ON PEACEKEEPING CONTRIBUTIONS.

Section 404(b)(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 is amended by inserting after clause (iv) the following:

“(v) For assessments made during calendar year 2005 and calendar year 2006, 27.10 percent.”.

SEC. 402. REGARDING THE REENTRY OF THE UNITED STATES IN UNESCO.

(a) SENSE OF CONGRESS.—As the United States resumes membership in the United Nations Educational, Scientific, and Cultural Organization (UNESCO), the President should—

(1) appoint a United States Representative to the Organization for Economic Cooperation and Development (OECD) who shall also serve as the United States Representative to UNESCO;

(2) take steps to ensure that more Americans are employed by UNESCO, particularly for senior level positions;
(3) request that the Secretary General of UNESCO create a Deputy Director General position for Management or a comparable position with high level managerial and administrative responsibilities to be filled by an American;

(4) insist that any increases in UNESCO’s budget beyond the level of zero nominal growth for the 2004-2005 biennium focus primarily on the adoption of management and administrative reforms; and

(5) request that the Secretary General of UNESCO spend the United States contribution to UNESCO for the last quarter of calendar year 2003 on key education and science priorities of the organization that will directly benefit United States national interests.

(b) ANNUAL ASSESSMENT FOR UNITED STATES PARTICIPATION IN UNESCO.—Of the amounts authorized to be appropriated by section 113(a), such sums as may be necessary for each of the fiscal years 2004 and 2005 are authorized to be available for the annual assessment for United States contributions to the regular budget of the United Nations Educational, Scientific, and Cultural Organization.
SEC. 403. UNESCO NATIONAL COMMISSION.

(a) IN GENERAL.—Section 3 of the Act of July 30, 1946, “Providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor.” (22 U.S.C. 287o) is amended to read as follows:

“SEC. 3. (a) In fulfillment of article VII of the constitution of the Organization, the Secretary of State shall establish a National Commission on Educational, Scientific, and Cultural Cooperation.

“(b) The National Commission shall be composed of not more than 35 members appointed by the Secretary of State in consultation with the National Academy of Sciences, the National Science Foundation, the Secretary of Education, the Secretary of Health and Human Services, and the Secretary of the Interior. Members of the National Commission shall be representatives of nongovernmental organizations, academic institutions, and associations interested in education, scientific, and cultural matters. Periodically, the Secretary shall review and revise the entities represented on the National Commission in order to achieve a desirable rotation in representation. Except as otherwise provided, each member of the National Commission shall be appointed to a term of 3 years. As designated by the Secretary of State at the time of ap-
pointment, of the members first appointed one-third shall be appointed for a term of 1 year, one-third shall be appointed for a term of 2 years, and one-third shall be appointed for a term of 3 years. 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. A member may serve after the expiration of that member’s term until a successor has taken office. No member may serve more than 2 consecutive terms. The Secretary of State shall designate a chair of the National Commission.

“(c) Members of the National Commission shall serve without pay. For attendance at the annual meeting, each member shall receive travel expenses in accordance with section 5703 of title 5, United States Code.

“(d) The National Commission shall meet at the call of the chair at least annually and such meetings may be through video conferencing or other electronic means. The National Commission shall designate an executive committee from among the members of the commission and may designate such other committees as may be necessary to carry out its duties under this Act.

“(e) Upon request of the National Commission, the Secretary of State may detail any of the personnel of the
Department of State to the National Commission to assist it in carrying out its duties under this Act.”.

(b) CONFORMING CHANGES.—Section 2 of the Act of July 30, 1946, “Providing for membership and participa- tion by the United States in the United Nations Edu- cational, Scientific, and Cultural Organization, and au- thorizing an appropriation therefor.” (22 U.S.C. 287o) is amended by striking “One of the representatives” and all that follows through the end of such section.

SEC. 404. ORGANIZATION OF AMERICAN STATES (OAS) EMERGENCY FUND.

Section 109(b)(3) of Public Law 104–114 (22 U.S.C. 6039(b)(3)) is amended by striking “should provide not less than $5,000,000” and inserting “shall provide for each of the fiscal years 2004 and 2005 not less than $500,000”.

SEC. 405. UNITED STATES EFFORTS REGARDING THE STA- TUS OF ISRAEL IN THE WESTERN EUROPEAN AND OTHERS GROUP AT THE UNITED NA- TIONS.

(a) UNITED STATES EFFORTS.—The Secretary of State and other appropriate officials of the United States Government should pursue an aggressive diplomatic effort and should take all necessary steps to ensure the extension
and upgrade of Israel’s membership in the Western Euro-
pean and Others Group at the United Nations.

(b) REPORT.—Not later than 60 days after the date
of the enactment of this Act and biannually thereafter,
the Secretary of State shall submit to the appropriate con-
gressional committees a report on the steps taken by the
United States pursuant to subsection (a) and progress in
achieving the objectives of subsection (a).

Subtitle B—United States
International Leadership

SEC. 431. SHORT TITLE.
This subtitle may be cited as the “United States
International Leadership Act of 2003”.

SEC. 432. FINDINGS.
The Congress makes the following findings:

(1) International organizations and other multi-
lateral institutions play a key role in United States
foreign policy and serve key United States foreign
policy objectives, such as obligating all countries to
freeze assets of terrorist groups, preventing the pro-
liferation of chemical, biological, and nuclear weap-
os, and spearheading the fight to combat the rav-
ages of HIV/AIDS and other infectious diseases.

(2) Decisions at many international organiza-
tions, including membership and key positions, re-
main subject to determinations made by regional
groups where democratic states are often in the mi-
nority and where there is intensive cooperation
among repressive regimes. As a result, the United
States has often been blocked in its attempts to take
action in these institutions to advance its goals and
objectives, including at the United Nations Human
Rights Commission (where a representative of Libya
was elected as chairman and the United States tem-
porarily lost a seat).

(3) In order to address these shortcomings, the
United States must actively work to improve the
workings of international organizations and multilat-
eral institutions, particularly by creating a caucus of
democratic countries that will advance United States
interests. In the Second Ministerial Conference of
the Community of Democracies in Seoul, Korea, on
November 10–20, 2002, numerous countries rec-
ommended working together as a democracy caucus
in international organizations such as the United
Nations and ensuring that international and regional
institutions develop and apply democratic standards
for member states.

(4) In addition, the United States has short-
changed its ability to influence these organizations
by failing to obtain enough support for positions that are congruent to or consistent with United States objectives and has not done enough to build expertise in the United States Government in the area of multilateral diplomacy.

SEC. 433. ESTABLISHMENT OF A DEMOCRACY CAUCUS.

(a) In General.—The President of the United States, acting through the Secretary of State and the relevant United States chiefs of mission, shall seek to establish a democracy caucus at the United Nations, the United Nations Human Rights Commission, the United Nations Conference on Disarmament, and at other broad-based international organizations.

(b) Purposes of the Caucus.—A democracy caucus at an international organization should—

(1) forge common positions, including, as appropriate, at the ministerial level, on matters of concern before the organization and work within and across regional lines to promote agreed positions;

(2) work to revise an increasingly outmoded system of regional voting and decision making; and

(3) set up a rotational leadership scheme to provide member states an opportunity, for a set period of time, to serve as the designated president of
the caucus, responsible for serving as its voice in each organization.

SEC. 434. ANNUAL DIPLOMATIC MISSIONS ON MULTILATERAL ISSUES.

The Secretary of State, acting through the principal officers responsible for advising the Secretary on international organizations, shall ensure that a high-level delegation from the United States Government, on an annual basis, is sent to consult with key foreign governments in every region in order to promote the United States agenda at key international fora, such as the United Nations General Assembly, United Nations Human Rights Commission, the United Nations Education, Science, and Cultural Organization, and the International Whaling Commission.

SEC. 435. LEADERSHIP AND MEMBERSHIP OF INTERNATIONAL ORGANIZATIONS.

The President, acting through the Secretary of State and the relevant United States chiefs of mission, shall use the voice, vote, and influence of the United States to—

(1) where appropriate, reform the criteria for leadership and, in appropriate cases for membership, at all United Nations bodies and at other international organizations and multilateral institutions to which the United States is a member so as to ex-
clude nations that violate the principles of the specific organization;

(2) make it a policy of the United Nations and other international organizations and multilateral institutions, of which the United States is a member, that a member state may not stand in nomination or be in rotation for a leadership position in such bodies if the member state is subject to sanctions imposed by the United Nations Security Council;

and

(3) work to ensure that no member state stand in nomination or be in rotation for a leadership position in such organizations if the member state is subject to a determination under section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or section 6(j) of the Export Administration Act.

SEC. 436. INCREASED TRAINING IN MULTILATERAL DIPLOMACY.

(a) Training Programs.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding after subsection (b) the following new subsection:

“(c) Training in Multilateral Diplomacy.—
“(1) IN GENERAL.—The Secretary shall estab-
lish a series of training courses for officers of the
Service, including appropriate chiefs of mission, on
the conduct of diplomacy at international organi-
zations and other multilateral institutions and at
broad-based multilateral negotiations of inter-
national instruments.

“(2) PARTICULAR PROGRAMS.—The Secretary
shall ensure that the training described in paragraph
(1) is provided at various stages of the career of
members of the Service. In particular, the Secretary
shall ensure that after January 1, 2004—

“(A) officers of the Service receive training
on the conduct of diplomacy at international or-
ganizations and other multilateral institutions
and at broad-based multilateral negotiations of
international instruments as part of their train-
ing upon entry of the Service; and

“(B) officers of the Service, including
chiefs of mission, who are assigned to United
States missions representing the United States
to international organizations and other multi-
lateral institutions or who are assigned in
Washington, D.C. to positions that have as
their primary responsibility formulation of pol-
icy towards such organizations and institutions or towards participation in broad-based multilateral negotiations of international instruments receive specialized training in the areas described in paragraph (1) prior to beginning of service for such assignment or, if receiving such training at that time is not practical, within the first year of beginning such assignment.”.

(b) Training for Civil Service Employees.—
The Secretary shall ensure that employees of the Department of State that are members of the civil service and that are assigned to positions described in section 708(c) of the Foreign Service Act of 1980 (as amended by this subtitle) have training described in such section.

(c) Conforming Amendments.—Section 708 of such Act is further amended—

(1) in subsection (a) by striking “(a) The” and inserting “(a) Training on Human Rights.—
The”; and

(2) in subsection (b) by striking “(b) The” and inserting “(b) Training on Refugee Law and Religious Persecution.—The”.

SEC. 437. PROMOTING ASSIGNMENTS TO INTERNATIONAL ORGANIZATIONS.

(a) Promotions.—
(1) IN GENERAL.—Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003) is amended by striking the period at the end and inserting: “, and shall consider whether the member of the Service has served in a position whose primary responsibility is to formulate policy towards or represent the United States at an international organization, a multilateral institution, or a broad-based multilateral negotiation of an international instrument.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect January 1, 2010.

(b) ESTABLISHMENT OF A MULTILATERAL DIPLOMACY CONE IN THE FOREIGN SERVICE.—

(1) FINDINGS.—

(A) The Department of State maintains a number of United States missions both within the United States and abroad that are dedicated to representing the United States to international organizations and multilateral institutions, including missions in New York, Brussels, Geneva, Rome, Montreal, Nairobi, Vienna, and Paris, which will soon be responsible for United States representation to UNESCO and OECD.
(B) In offices at the Harry S. Truman Building, the Department maintains a significant number of positions in bureaus that are either dedicated, or whose primary responsibility is, to represent the United States to such organizations and institutions or at multilateral negotiations.

(C) Given the large number of positions in the United States and abroad that are dedicated to multilateral diplomacy, the Department of State may be well served in developing persons with specialized skills necessary to become experts in this unique form of diplomacy.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report—

(A) evaluating whether a new cone should be established for the Foreign Service that concentrates on members of the Service that serve at international organizations and multilateral institutions or are primarily responsible for participation in broad-based multilateral negotiations of international instruments; and
(B) provides alternative mechanisms for achieving the objective of developing a core group of United States diplomats and other government employees who have expertise and broad experience in conducting multilateral diplomacy.

SEC. 438. IMPLEMENTATION AND ESTABLISHMENT OF OFFICE ON MULTILATERAL NEGOTIATIONS.

(a) Establishment of Office.—The Secretary of State is authorized to establish, within the Bureau of International Organizational Affairs, an Office on Multilateral Negotiations to be headed by a Special Representative for Multilateral Negotiations (in this section referred to as the "special representative").

(b) Appointment.—The special representative shall be appointed by the President with the advice and consent of the Senate and shall have the rank of Ambassador-at-Large. At the discretion of the President another official at the Department may serve as the special representative.

The President may direct that the special representative report to the Assistant Secretary for International Organizations.

(c) Staffing.—The special representative shall have a staff of foreign service and civil service officers skilled in multilateral diplomacy.
(d) Duties.—The special representative shall have the following responsibilities:

(1) In general.—The primary responsibility of the special representative shall be to assist in the organization of, and preparation for, United States participation in multilateral negotiations, including the advocacy efforts undertaken by the Department of State and other United States agencies.

(2) Advisory role.—The special representative shall advise the President and the Secretary of State, as appropriate, regarding advocacy at international organizations and multilateral institutions and negotiations and, in coordination with the Assistant Secretary of State for International Organizational Affairs, shall make recommendations regarding—

(A) effective strategies (and tactics) to achieve United States policy objectives at multilateral negotiations;

(B) the need for and timing of high level intervention by the President, the Secretary of State, the Deputy Secretary of State, and other United States officials to secure support from key foreign government officials for the United

States position at such organizations, institutions, and negotiations;
(C) the composition of United States delegations to multilateral negotiations; and
(D) liaison with Congress, international organizations, nongovernmental organizations, and the private sector on matters affecting multilateral negotiations.

(3) DEMOCRACY CAUCUS.—The special representative, in coordination with the Assistant Secretary for International Organizational Affairs, shall ensure the establishment of a democracy caucus.

(4) ANNUAL DIPLOMATIC MISSIONS OF MULTILATERAL ISSUES.—The special representative, in coordination with the Assistant Secretary for International Organizational Affairs, shall organize annual consultations between the principal officers responsible for advising the Secretary of State on international organizations and foreign governments to promote the United States agenda at the United Nations General Assembly and other key international fora (such as the United Nations Human Rights Commission).

(5) LEADERSHIP AND MEMBERSHIP OF INTERNATIONAL ORGANIZATIONS.—The special representa-
tive, in coordination with the Assistant Secretary of International Organizational Affairs, shall direct the efforts of the United States Government to reform the criteria for leadership and membership of international organizations as described in section 435.

(6) Participation in multilateral negotiations.—The special representative, or members of the special representative’s staff, may, as required by the President or the Secretary of State, serve on a United States delegation to any multilateral negotiation.

(e) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a plan to establish a democracy caucus to the appropriate congressional committees. The report required by section 437(e) may be submitted together with the report under this subsection.

SEC. 439. SYNCHRONIZATION OF UNITED STATES CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

Not later than 180 days after the date of the enactment of this Act, the President shall submit a plan to the appropriate congressional committees on the implementation of section 404 of the Foreign Relations Authorization Act of 2003 (Public Law 107–228), (relating to a resump-
tion by the United States of the payment of its full con-
tribution to certain international organizations at the be-
ginning of each calendar year).

TITLE V—UNITED STATES
INTERNATIONAL BROAD-
CASTING ACTIVITIES
Subtitle A—Basic Authorities and
Activities

SEC. 501. MIDEAST RADIO AND TELEVISION NETWORK, INC.
(a) The United States International Broadcasting
Act of 1994 (22 U.S.C. 6201 et seq.) is amended by add-
ing after section 309 the following new section:

"SEC. 310. MIDEAST RADIO AND TELEVISION NETWORK,
INC.

"(a) AUTHORITY.—Grants authorized under section
305 shall be available to make annual grants to Mideast
Radio and Television Network, Inc. (hereinafter in this
title also referred to as ‘Mideast Network’) for the purpose
of carrying out radio and television broadcasting to the
Middle East region.

"(b) FUNCTION.—Mideast Network shall provide
radio and television programming to the Middle East re-
gion consistent with the broadcasting standards and
broadcasting principles set forth in section 303 of this Act.
“(c) GRANT AGREEMENT.—Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

“(1) The Board may not make any grant to the nonprofit corporation, Mideast Network unless its certificate of incorporation provides that—

“(A) the Board of Directors of Mideast Radio and Television Network, Inc. (hereinafter referred to as ‘the Board’) shall consist of the members of the Broadcasting Board of Governors established under section 304 and of no other members; and

“(B) the Board shall make all major policy determinations governing the operation of Mideast Network and shall appoint and fix the compensation of such managerial officers and employees of Mideast Network as it considers necessary to carry out the purposes of the grant provided under this title, except that no officer or employee may be paid a salary or other compensation in excess of the rate of pay payable for Level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(2) Any grant agreement under this section shall require that any contract entered into by Mideast Network...
east Network shall specify that obligations are assumed by Mideast Network and not the United States Government.

“(3) Any grant agreement shall require that any lease agreement entered into by Mideast Network shall be, to the maximum extent possible, assignable to the United States Government.

“(4) Grants awarded under this section shall be made pursuant to a grant agreement which requires that grant funds be used only for activities consistent with this section, and that failure to comply with such requirements shall permit the grant to be terminated without fiscal obligation to the United States.

“(5) Duplication of language services and technical operations between the Mideast Radio and Television Network, Inc., (including Radio Sawa), RFE/RL, and the International Broadcasting Bureau will be reduced to the extent appropriate, as determined by the Board.

“(d) NOT A FEDERAL AGENCY OR INSTRUMENTALITY.—Nothing in this title may be construed to establish Mideast Network as a Federal agency or instrumentality, nor shall the officers or employees of Mideast Net-
work be considered to be officers or employees of the United States Government.

"(c) Audit Authority.—

"(1) Such financial transactions of Mideast Network, as relate to functions carried out under this section may be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of Mideast Network are normally kept.

"(2) Representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, papers, and property belonging to or in use by Mideast Network pertaining to such financial transactions as necessary to facilitate an audit. Such representatives shall be afforded full facilities for verifying transactions with any assets held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of Mideast Network shall remain in the custody of Mideast Network.

"(3) Notwithstanding any other provisions of law, the Inspector General of the Department of
State is authorized to exercise the authorities of the Inspector General Act with respect to the Mideast Network.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended—

(A) in subsection (a)(5) by striking “308 and 309” and inserting “308, 309, and 310”; and

(B) in subsection (a)(6) by striking “308 and 309” and inserting “308, 309, and 310”; and

(C) in subsection (c) by striking “308 and 309” and inserting “308, 309, and 310”.

(2) Section 307 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6206) is amended—

(A) in subsection (a) by striking “308 and 309” and inserting “308, 309, and 310”; and

(B) in subsection (c) by adding “Mideast Radio and Television Network, Inc.,” after “Asia”.

(3) Section 304(g) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203(g)) is amended by striking “and Radio Free
Asia’’ and inserting ‘‘, Radio Free Asia, and Mideast Radio and Television Network, Inc.’’.

(4) Section 8332(b)(11) of title 5, United States Code, is amended by adding ‘‘Mideast Radio and Television Network, Inc.;’’ after ‘‘the Asia Foundation;’’.

SEC. 502. IMPROVING SIGNAL DELIVERY TO CUBA.

Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a) is amended—

(1) in subsection (c) by striking the second sentence and inserting ‘‘The Board is authorized to simultaneously utilize other broadcasting transmission facilities, and other frequencies, including the Amplitude Modulation (AM) Band (535 kHz to 1705 kHz), the Frequency Modulation (FM) Band, and the Shortwave (SW) Band.’’;

(2) in subsection (c) in the third sentence by striking ‘‘Provided, That’’ and all that follows before the period at the end;

(3) in subsection (d) by striking the last sentence;

(4) by amending subsection (e) to read as follows:
“(c) Any program of United States Government radio broadcasts to Cuba authorized by this section shall be des-
ignated ‘Radio Marti program’; and

(5) in subsection (f) by striking “Voice of
America”.

SEC. 503. REPORT CONCERNING EFFORTS TO COUNTER
JAMMING OF BROADCASTS OF RADIO MARTI
AND TV MARTI.

Not later than 30 days after the date of the enact-
ment of this Act, the Secretary of State shall submit to
the appropriate congressional committees a report pro-
viding the following information:

(1) Specific steps taken to increase the capabili-
ties of Radio Marti and TV Marti to ensure that
broadcasts overcome jamming by the Government of
Cuba.

(2) An evaluation and analysis of not less than
10 alternate methods to counter jamming of radio
and television broadcasts including the following:

(A) Methods used to broadcast into Iraq
involving a C-130.

(B) Methods previously used to transmit
into the former Soviet Union and other Soviet
bloc countries.
(C) Successful methods employed by non-
United States Government entities, such as
those used by the Falun Gong to overcome Chi-
nese Government jamming and those recently
used by a Cuban exile group to transmit tele-
vision broadcasts into Cuba.

Subtitle B—Global Internet
Freedom

SEC. 521. SHORT TITLE.
This subtitle may be cited as the “Global Internet
Freedom Act of 2003”.

SEC. 522. FINDINGS.
The Congress makes the following findings:

(1) Freedom of speech, freedom of the press,
and freedom of association are fundamental charac-
teristics of a free society. The first amendment to
the Constitution of the United States guarantees
that “Congress shall make no law . . . abridging the
freedom of speech, or of the press; or the right of
the people peaceably to assemble.” These constitu-
tional provisions guarantee the rights of Americans
to communicate and associate with one another
without restriction, including unfettered communi-
cation and association via the Internet. Article 19 of
the United Nation’s Universal Declaration of
Human Rights explicitly guarantees the freedom to “receive and impart information and ideas through any media and regardless of frontiers”.

(2) All people have the right to communicate freely with others, and to have unrestricted access to news and information, on the Internet.

(3) With nearly 10 percent of the world’s population now online, and more gaining access each day, the Internet stands to become the most powerful engine for democratization and the free exchange of ideas ever invented.

(4) The governments of Burma, Cuba, Laos, North Korea, the People’s Republic of China, Saudi Arabia, Syria, and Vietnam, among others, are taking active measures to keep their citizens from freely accessing the Internet and obtaining international political, religious, and economic news and information.

(5) The Voice of America and Radio Free Asia, as well as hundreds of news sources with an Internet presence, are routinely being jammed by repressive governments.

(6) Since the 1940s, the United States has deployed anti-jamming technologies to make Voice of America and other United States Government spon-
sored broadcasting available to people in nations
with governments that seek to block news and infor-
mation.

(7) The United States Government has thus far
commenced only modest steps to fund and deploy
technologies to defeat Internet censorship.

(8) The success of United States policy in sup-
port of freedom of speech, press, and association re-
quires continued efforts to defeat totalitarian and
authoritarian controls on news and information over
the Internet.

SEC. 523. PURPOSES.
The purposes of this subtitle are—

(1) to adopt an effective and robust global
Internet freedom policy;

(2) to establish an office within the Broad-
casting Board of Governors with the sole mission of
countering Internet jamming and blocking by uti-
lizing available anti-jamming technology;

(3) to expedite the development and deployment
of technology to protect Internet freedom around the
world; and

(4) to bring to bear the pressure of the free
world on repressive governments guilty of Internet
censorship and the intimidation and persecution of their citizens who use the Internet.

SEC. 524. DEVELOPMENT AND DEPLOYMENT OF TECHNOLOGIES TO DEFEAT INTERNET JAMMING AND CENSORSHIP.

(a) Establishment of Office of Global Internet Freedom.—The Broadcasting Board of Governors shall establish an Office of Global Internet Freedom (hereinafter in this subtitle referred to as the “Office”). The Office shall develop and implement a comprehensive global strategy to combat state-sponsored and state-directed Internet jamming and persecution of those who use the Internet.

(b) Cooperation of Other Federal Departments and Agencies.—Each department and agency of the United States Government shall cooperate fully with, and assist in the implementation of, the strategy developed by the Office and shall make such resources and information available to the Office as is necessary to the achievement of the purposes of this subtitle.

(c) Cooperation with Department of State.—The Office shall assist the Secretary of State in preparing portions of the country reports on human rights practices that address Internet accessibility.
(d) Report to Congress.—Nine months after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the Congress a report on the status of foreign government interference with Internet use and of efforts by the United States to counter such interference. The report shall list the countries that pursue policies of Internet censorship, blocking, and other abuses; provide information concerning the government agencies or quasi-governmental organizations that implement Internet censorship; and describe with the greatest particularity practicable the technological means by which such blocking and other abuses are accomplished. In the discretion of the Broadcasting Board of Governors, such report may be submitted in both a classified and nonclassified version. One year after the date of submission of such report, the Office shall submit a second report.

(e) Limitation on Authority.—Nothing in this subtitle shall be interpreted to authorize any action by the United States to interfere with foreign national censorship in furtherance of legitimate law enforcement aims consistent with the Universal Declaration of Human Rights.
Subtitle C—Reorganization of United States International Broadcasting

SEC. 531. ESTABLISHMENT OF UNITED STATES INTERNATIONAL BROADCASTING AGENCY.

(a) In General.—Section 304 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203) is amended to read as follows:

“SEC. 304. ESTABLISHMENT OF UNITED STATES INTERNATIONAL BROADCASTING AGENCY.

“(a) Establishment.—There is established as an independent agency in the executive branch the United States International Broadcasting Agency (hereinafter in this Act referred to as the ‘Agency’).

“(b) Board of Governors of the Agency.—

“(1) Head of agency.—The Agency shall be headed by the Board of Governors of the United States International Broadcasting Agency (hereinafter in this Act referred to as the ‘Board of Governors’).

“(2) Authorities and functions.—The Board of Governors shall—

“(A) carry out the authorities and functions of the Agency under section 305; and
“(B) be responsible for the exercise of all authorities and powers and the discharge of all duties and functions of the Agency.

“(3) COMPOSITION OF THE BOARD OF GOVERNORS.—

“(A) The Board of Governors shall consist of 9 members, as follows:

“(i) Eight voting members who shall be appointed by the President, by and with the advice and consent of the Senate.

“(ii) The Secretary of State who shall also be a voting member.

“(B) The President shall appoint one member (other than the Secretary of State) as Chair of the Board of Governors, subject to the advice and consent of the Senate.

“(C) Exclusive of the Secretary of State, not more than 4 of the members of the Board of Governors appointed by the President shall be of the same political party.

“(4) TERM OF OFFICE.—The term of office of each member of the Board of Governors shall be three years, except that the Secretary of State shall remain a member of the Board of Governors during the Secretary’s term of service. The President shall
appoint, by and with the advice and consent of the Senate, board members to fill vacancies occurring prior to the expiration of a term, in which case the members so appointed shall serve for the remainder of such term. Any member whose term has expired may serve until a successor has been appointed and qualified. When there is no Secretary of State, the Acting Secretary of State shall serve as a member of the board until a Secretary is appointed.

"(5) SELECTION OF BOARD OF GOVERNORS.— Members of the Board of Governors appointed by the President shall be citizens of the United States who are not regular full-time employees of the United States Government. Such members shall be selected by the President from among Americans distinguished in the fields of mass communications, print, broadcast media, or foreign affairs.

"(6) COMPENSATION.— Members of the Board of Governors, while attending meetings of the board or while engaged in duties relating to such meetings or in other activities of the board pursuant to this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5,
United States Code. While away from their homes or regular places of business, members of the board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently. The Secretary of State shall not be entitled to any compensation under this title, but may be allowed travel expenses as provided under this subsection.

“(7) Decisions.—Decisions of the Board of Governors shall be made by majority vote, a quorum being present. A quorum shall consist of 5 members.

“(8) Immunity from civil liability.—Notwithstanding any other provision of law, any and all limitations on liability that apply to the members of the Board of Governors also shall apply to such members when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.

“(c) Executive Director.—

“(1) Appointment.—The Board of Governors shall appoint an Executive Director of the Agency. The Executive Director shall receive basic pay at the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.
The Director may be removed through a majority vote of the Board.

“(2) FUNCTIONS AND DUTIES.—The Executive Director shall have the following functions and duties:

“(A) To exercise the authorities delegated by the Board of Governors pursuant to section 305(b).

“(B) To carry out all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act.

“(C) To examine and make recommendations to the Board of Governors on long-term strategies for the future of international broadcasting, including the use of new technologies.

“(D) To review engineering activities to ensure that all broadcasting elements receive the highest quality and cost-effective delivery services.

“(E) To procure supplies, services, and other personal property to carry out the functions of the Agency.

“(F) To obligate and expend, for official reception and representation expenses, such
amounts as may be made available through ap-
propriations.

“(G) To provide for the use of United
States Government transmitter capacity for
relay of broadcasting by grantees.

“(H) To procure temporary and intermit-
tent personal services to the same extent as is
authorized by section 3109 of title 5, United
States Code, at rates not to exceed the daily
equivalent of the rate provided for positions
classified above grade GS–15 of the General
Schedule under section 5108 of title 5, United
States Code.

“(I) To procure for the Agency, pursuant
to section 1535 of title 31, United States Code
goods and services from other departments or
agencies.

“(J) To the extent funds are available, to
lease space and acquire personal property for
the Agency.

“(d) INSPECTOR GENERAL AUTHORITIES.—

“(1) IN GENERAL.—The Inspector General of
the Department of State shall exercise the same au-
thorities with respect to the Agency as the Inspector
General exercises under the Inspector General Act of
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1978 and section 209 of the Foreign Service Act of 1980 with respect to the Department of State.

“(2) RESPECT FOR JOURNALISTIC INTEGRITY OF BROADCASTERS.—The Inspector General of the Department of State and the Foreign Service shall respect the journalistic integrity of all the broadcasters covered by this title and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.”.

(b) RETENTION OF EXISTING BOARD MEMBERS.—The members of the Broadcasting Board of Governors appointed by the President pursuant to section 304 of the United States International Broadcasting Act of 1994 on the day before the effective date of this title and holding office as of that date may serve the remainder of their terms of office as members of the Board of Governors established under section 304(b) of the United States International Broadcasting Act of 1994, as amended by subsection (a) of this section, without reappointment, or if their term has expired may serve until a successor is appointed and qualified.

SEC. 532. AUTHORITIES AND FUNCTIONS OF THE AGENCY.

Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended to read as follows:

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SEC. 305. AUTHORITIES AND FUNCTIONS OF THE AGENCY.

(a) The Agency shall have the following authorities and functions:

(1) To supervise all broadcasting activities conducted pursuant to this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act.

(2) To review and evaluate the mission and operation of, and to assess the quality, effectiveness, and professional integrity of, all such activities within the context of the broad foreign policy objectives of the United States and the guiding principles and doctrines of the United States, particularly freedom and democracy.

(3) To develop strategic goals after reviewing human rights reporting and other reliable assessments to assist in determining programming and resource allocation.

(4) To ensure that United States international broadcasting is conducted in accordance with the standards and principles contained in section 303.

(5) To review, evaluate, and determine, at least annually, after consultation with the Secretary of State, the addition or deletion of language services.
“(6) To make and supervise grants for broadcasting and related activities in accordance with sections 308 and 309.

“(7) To allocate funds appropriated for international broadcasting activities among the various elements of the Agency and grantees, subject to the limitations in sections 308 and 309 and subject to reprogramming notification requirements in law for the reallocation of funds.

“(8) To undertake such studies as may be necessary to identify areas in which broadcasting activities under its authority could be made more efficient and economical.

“(9) To submit to the President and the Congress an annual report which summarizes and evaluates activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act, placing special emphasis on the assessment described in paragraph (2).

“(10) To make available in the annual report required by paragraph (9) information on funds expended on administrative and managerial services by the Agency and by grantees and the steps the Agency has taken to reduce unnecessary overhead costs for each of the broadcasting services.
“(11) To utilize the provisions of titles III, IV, V, VII, VIII, IX, and X of the United States Information and Educational Exchange Act of 1948, and section 6 of Reorganization Plan Number 2 of 1977, as in effect on the day before the effective date of title XIII of the Foreign Affairs Agencies Consolidation Act of 1998, to the extent the Executive Director considers necessary in carrying out the provisions and purposes of this title.

“(12) To utilize the authorities of any other statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding that had been available to the Director of the United States Information Agency, the Bureau, or the Board before the effective date of title XIII of the Foreign Affairs Consolidation Act of 1998 for carrying out the broadcasting activities covered by this title.

“(b) DELEGATION OF AUTHORITY.—The Board of Governors may delegate to the Executive Director of the Agency, or any other officer or employee of the United States, the authorities provided in this section, except those authorities provided in paragraph (1), (2), (4), (5), (6), (7), or (9) of subsection (a).
“(c) Broadcasting Budgets.—The Executive Director and the grantees identified in sections 308 and 309 shall submit proposed budgets to the Board. The Board shall forward its recommendations concerning the proposed budget for the Board and broadcasting activities under this title, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act to the Office of Management and Budget.”.

SEC. 533. ROLE OF THE SECRETARY OF STATE.

Section 306 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended to read as follows:

“SEC. 306. ROLE OF THE SECRETARY OF STATE.

“To assist the Agency in carrying out its functions, the Secretary of State shall provide such information and guidance on foreign policy and public diplomacy issues to the Agency as the Secretary considers appropriate.”.

SEC. 534. ADMINISTRATIVE PROVISIONS.

The United States International Broadcasting Act of 1994 is amended by striking section 307 and inserting the following new section:

“SEC. 307. ADMINISTRATIVE PROVISIONS.

“(a) Officers and Employees.—The Board of Governors may appoint and fix the compensation of such officers and employees as may be necessary to carry out
the functions of the Agency. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation shall be fixed in accordance with title 5, United States Code.

“(b) EXPERTS AND CONSULTANTS.—The Board of Governors, as may be provided in appropriation Acts, may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, and may compensate such experts and consultants at rates not to exceed the daily rate prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(c) ACCEPTANCE OF VOLUNTARY SERVICES.—

“(1) IN GENERAL.—Notwithstanding section 1342 of title 31, United States Code, the Board of Governors may accept, subject to regulations issued by the Office of Personnel Management, voluntary services if such services—

“(A) are to be uncompensated; and

“(B) are not used to displace any employee.

“(2) TREATMENT.—Any individual who provides voluntary services under this section shall not be considered a Federal employee for any purpose

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other than for purposes of chapter 81 of title 5, United States Code (relating to compensation for injury) and sections 2671 through 2680 of title 28, United States Code (relating to tort claims).

“(d) DELEGATION.—Except as otherwise provided in this Act, the Board of Governors may delegate any function to the Executive Director and such other officers and employees of the Agency as the Board of Governors may designate, and may authorize such successive redelegations of such functions within the Agency as may be necessary or appropriate.

“(e) CONTRACTS.—

“(1) IN GENERAL.—Subject to the Federal Property and Administrative Services Act of 1949 and other applicable Federal law, the Board of Governors may make, enter into, and perform such contracts, grants, leases, cooperative agreements, and other similar transactions with Federal or other public agencies (including State and local governments) and private organizations and persons, and to make such payments, by way of advance or reimbursement, as the Board of Governors may determine necessary or appropriate to carry out functions of the Board of Governors or the Agency.
“(2) Appropriation Authority Required.—

No authority to enter into contracts or to make payments under this title shall be effective except to such extent or in such amounts as are provided in advance under appropriation Acts.

“(f) Regulations.—The Executive Director may prescribe such rules and regulations as the Board of Governors considers necessary or appropriate to administer and manage the functions of the Agency, in accordance with chapter 5 of title 5, United States Code.

“(g) Seal.—The Executive Director shall cause a seal of office to be made for the Agency of such design as the Board of Governors shall approve. Judicial notice shall be taken of such seal.”.

SEC. 535. BROADCASTING BOARD OF GOVERNORS AND INTERNATIONAL BROADCASTING BUREAU.

The Broadcasting Board of Governors and the International Broadcasting Bureau are abolished.

SEC. 536. TRANSITION.

(a) Transfer of Functions.—Except as otherwise provided in this subtitle or an amendment made by this subtitle, all functions that on the day before the effective date specified in section 540 are authorized to be performed by the Broadcasting Board of Governors and the International Broadcasting Bureau and any officer, em-
ployee, or component of such entities, under any statute, reorganization plan, Executive order, or other provision of law, are transferred to the Agency established under this title effective on that date.

(b) Determination of Certain Functions.—If necessary, the Office of Management and Budget shall make any determination of the functions that are transferred under this title.

(c) Transition Provisions.—

(1) Exercise of Authorities.—Except as otherwise provided by law, the Board of Governors may, for purposes of performing a function that is transferred to the Agency by this title, exercise all authorities under any other provision of law that were available with respect to the performance of that function to the official responsible for the performance of that function on the day before the effective date specified in section 540.

(2) Authorities to Wind Up Affairs.—

(A) The Director of the Office of Management and Budget may take such actions as the Director of the Office of Management and Budget considers necessary to wind up any outstanding affairs of the Broadcasting Board of Governors and the International Broadcasting
Bureau associated with the functions that are transferred pursuant to subsection (a).

(B) The Director of the Office of Management and Budget may take such actions as the Director of the Office of Management and Budget considers necessary to wind up any outstanding affairs of the Broadcasting Board of Governors and the International Broadcasting Bureau associated with the functions that are transferred pursuant to subsection (a).

(3) Transfer of assets.—Any property, records, unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with a function transferred to the Agency by this Act are transferred on the effective date specified in section 540.

SEC. 537. CONFORMING AMENDMENTS.

(a) United States International Broadcasting Act of 1994.—The United States International Broadcasting Act of 1994 is amended as follows:

(1) Section 308 (22 U.S.C. 6207) is amended—

(A) in subsection (a)—

(i) by striking “The Board” and inserting “The Agency”; and
(ii) in paragraph (1) by striking
“Broadcasting Board of Governors” and
inserting “Board Governors of the Intern-
national Broadcasting Agency”;  
(B) in subsection (b)—  
(i) by striking paragraph (2);  
(ii) by striking “(1)” and  
(iii) by striking “Board” both places
it appears and inserting “Agency”;  
(C) in subsections (c), (d), (g), (h), and (i)
by striking “Board” each place it appears and
inserting “Agency”;  
(D) in subsection (g)(4) by striking “Inter-
national Broadcasting Bureau” and inserting
“Agency”; and  
(E) in subsections (i) and (j) by striking
“and the Foreign Service” each place it ap-
ppears.  
(2) Section 309 (22 U.S.C. 6208) is amended—
(A) in subsection (e)(1) by striking
“Board” both places it appears and inserting
“Agency”;  
(B) by striking subsection (e);
(C) in subsections (f) and (g) by striking “Board” each place it appears and inserting “Agency”; and

(D) in subsection (g) by striking “Chairman of the Board” and inserting “Agency”.

(3) By striking section 311 (22 U.S.C. 6210).

(4) In section 313 (22 U.S.C. 6212) by striking “Board” and inserting “Agency”.

(5) In section 314 (22 U.S.C. 6213) by striking paragraph (2).

(6) By striking section 315.

(b) Cuban Liberty and Democratic Solidarity

(1) By striking section 311 (22 U.S.C. 6210).

(c) Radio Broadcasting to Cuba Act.

Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.) is amended as follows:

(1) In section 3 (22 U.S.C. 1465a) as follows:

(A) In the section heading by striking ‘‘BROADCASTING BOARD OF GOVERNORS’’ and inserting ‘‘UNITED STATES
(B) In subsection (a) by striking “the
‘Board’)’’ and inserting “the ‘Agency’)’’.

(C) In subsections (a), (d), and (f) by
striking “Broadcasting Board of Governors”
and inserting “United States International
Broadcasting Agency”.

(2) In section 4 (22 U.S.C. 1465b) as follows:

(A) In the first sentence by striking “The”
and all that follows through “Bureau” and in-
serting: “The Board of Governors of the United
States International Broadcasting Agency shall
establish within the Agency”.

(B) In the third sentence by striking
“Broadcasting Board of Governors” and insert-
ing “Board of Governors of the United States
International Broadcasting Agency”.

(C) In the fourth sentence by striking
“Board of the International Broadcasting Bu-
reau” and inserting “Board of Governors of the
United States International Broadcasting Agen-
cy”.

(3) In section 5 (22 U.S.C. 1465c) as follows:
(A) In subsection (b) by striking “Broadcasting Board of Governors” and inserting “Board of Governors of the United States International Broadcasting Agency”.

(B) By striking “Board” each place it appears and inserting “Advisory Board”.

(4) In section 6 (22 U.S.C. 1465d) as follows:

(A) In subsection (a) by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency” and by striking “Board” and inserting “Board of Directors of the United States International Broadcasting Agency”.

(B) In subsection (b) by striking “Board” and inserting “United States International Broadcasting Agency”.

(5) In section 7 (22 U.S.C. 1465e) by striking “Board” in subsections (b) and (d) and inserting “United States International Broadcasting Agency”.

(6) In section 8(a) (22 U.S.C. 1465f(a)), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”.

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The Television Broadcasting to Cuba Act (22 U.S.C. 1465aa note) is amended as follows:

(1) Section 243(a) (22 U.S.C. 1465bb) is amended by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”.

(2) Section 244 (22 U.S.C. 1465cc) is amended as follows:

(A) In subsection (a) by amending the third sentence to read as follows: “The Board of Governors of the United States International Broadcasting Agency shall appoint a head of the Service who shall report directly to the Board of Governors.”.

(B) In subsection (b) by striking “Board” and inserting “United States International Broadcasting Agency”.

(C) In subsection (c) by striking “The Board” and inserting “The Agency” and by striking “Board determines” and inserting “Board of Governors of the United States International Broadcasting Agency determines”.

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(3) In section 246 (22 U.S.C. 1465dd) by striking “United States Information Agency” and inserting “United States International Broadcasting Agency” and by striking “Board” and inserting “Board of Governors of the United States International Broadcasting Agency”.

(e) UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.—The United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is amended—

(1) in section 505 (22 U.S.C. 1464a), by striking “Broadcasting Board of Governors” each place it appears and inserting “United States International Broadcasting Agency”; and

(2) in section 506(c) (22 U.S.C. 1464b(c))—

(A) by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”; and

(B) by striking “Board” and inserting “Agency”.

(f) FOREIGN SERVICE ACT OF 1980.—The Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) is amended—

(1) in section 202(a)(1) (22 U.S.C. 3922(a)(1)), by striking “Broadcasting Board of
Governors” and inserting “United States International Broadcasting Agency”;

(2) in section 210 (22 U.S.C. 3930), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”;

(3) in section 1003(a) (22 U.S.C. 4103(a)), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”; and

(4) in section 1101(c) (22 U.S.C. 4131(c)), by striking “Broadcasting Board of Governors,” and inserting “the United States International Broadcasting Agency.”

(g) STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—The State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended—

(1) in section 23(a) (22 U.S.C. 2695(a)), by striking “Broadcasting Board of Governors,” and inserting “United States International Broadcasting Agency”; 

(2) in section 25(f) (22 U.S.C. 2697(f))—

(A) by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”; and
(B) by striking “the Board and the Agency” and inserting “their respective agencies”; (3) in section 26(b) (22 U.S.C. 2698(b))— (A) by striking ‘Broadcasting Board of Governors’,” and inserting “United States International Broadcasting Agency”; and (B) by striking “the Board and the Agency” and inserting “their respective agencies”; and (4) in section 32 (22 U.S.C. 2704), by striking “Broadcasting Board of Governors” and inserting “United States International Broadcasting Agency”.

(h) TITLE 5, UNITED STATES CODE.— (1) Section 5314 of title 5, United States Code, is amended by adding at the end the following: “Executive Director, United States International Broadcasting Agency.”.

(2) Section 5315 of title 5, United States Code, is amended by striking “Director of the International Broadcasting Bureau.”.

SEC. 538. REFERENCES.

Except as otherwise provided in this subtitle or an amendment made by this subtitle, any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or
proceeding to the Broadcasting Board of Governors and
the International Broadcasting Bureau or any other offi-
cer or employee of the Broadcasting Board of Governors
or the International Broadcasting Bureau shall be deemed
to refer to the United States International Broadcasting
Agency or the Board of Governors of the United States
International Broadcasting Agency established under this
subtitle.

SEC. 539. BROADCASTING STANDARDS.

Section 303(a) of the United States International
Broadcasting Act of 1994 (22 U.S.C. 6202(a)) is
amended—

(1) in paragraph (6) by striking “and”;

(2) in paragraph (8) by striking the period and
inserting “; and”;

(3) by adding after paragraph (8) the following
new paragraph:

“(9) seek to ensure that resources are allocated
to broadcasts directed at people whose governments
deny freedom of expression or who are otherwise in
special need of honest and professional broadcasting,
commensurate with the need for such broadcasts.”.

SEC. 540. EFFECTIVE DATE.

Except as otherwise provided, this subtitle and the
amendments made by this subtitle shall take effect on the
last day of the 6-month period beginning on the date of
the enactment of this Act.

TITLE VI—INTERNATIONAL
FREE MEDIA ACT OF 2003

SEC. 601. SHORT TITLE.
This title may be cited as the “International Free
Media Act of 2003”.

SEC. 602. DEFINITIONS.
In this title, the term “free media” means individuals
or organizations engaged in the gathering and distribution
of news and information free of direct or indirect govern-
mental control.

SEC. 603. FINDINGS.
The Congress makes the following findings:

(1) Freedom of speech and freedom of the press
are fundamental human rights enshrined in inter-
national law.

(2) The United States has a national interest in
promoting these freedoms by supporting free media
abroad, which is essential to the development of free
and democratic societies consistent with our own.

(3) Free media is undermined, endangered, or
nonexistent in many repressive and transitional soci-
eties around the world, including in Eurasia, Africa,
and the Middle East.
(4) Free media is suppressed by foreign governments by a variety of means, including state censorship, legal restriction, financial pressure, and physical intimidation.

(5) Unprofessional and unethical media that violate widely accepted standards of professional journalism and editorial practice compromises the ability of a free media to contribute to open, fair, and constructive democratic debate.

(6) Unprofessional and unethical media includes media that violate the standards set in the International Covenant on Civil and Political Rights, which includes article 20, section 2 of the Covenant which states that “Any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence shall be prohibited by law.”.

(7) Individuals lacking access to a plurality of free media are vulnerable to misinformation and propaganda and are potentially more likely to adopt anti-American views.

(8) Foreign governments have a responsibility to actively and publicly discourage and rebut unprofessional and unethical media while respecting journalistic integrity and editorial independence.
(9) Past and continuing United States Government efforts to promote free media through training and technical support have advanced United States national interests by contributing to the promotion of human rights and democracy worldwide.

(10) Support for free media must be an integral part of United States foreign policy, including public diplomacy and United States international broadcasting, and should be coordinated across government agencies and with international, bilateral, and private donor organizations toward achieving the shared goal of developing professional, ethical, diversified, sustainable, independent, indigenous media worldwide.

SEC. 604. STATEMENTS OF POLICY.

It shall be the policy of the United States, acting through the Secretary of State, to—

(1) make the promotion of press freedoms and free media worldwide a priority of United States foreign policy and an integral component of United States public diplomacy;

(2) respect the journalistic integrity and editorial independence of free media worldwide; and
(3) use widely accepted standards for professional and ethical journalistic and editorial practices in assessing international media.

SEC. 605. COORDINATOR FOR INTERNATIONAL FREE MEDIA.

(a) Establishment.—There is established within the Department of State a Coordinator for International Free Media (in this section referred to as the “Coordinator”). At the discretion of the President another official at the Department of State may serve as the Coordinator.

(b) Appointment of Coordinator.—The Coordinator shall be appointed by the President, by and with the advice and consent of the Senate.

(c) Duties.—The principal duties of the Coordinator shall be the promotion of international press freedoms and free media by—

(1) coordinating United States government policies, programs, and projects concerning international press freedoms and free media;

(2) monitoring and assessing the status of free media worldwide in consultation with appropriate agencies of the United States Government and national and international organizations;
(3) promoting widely accepted standards of professional and ethical journalism and editorial practices;

(4) discouraging media from advocating national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence consistent with article 20, section 2 of the International Covenant on Civil and Political Rights;

(5) promoting the journalistic integrity and editorial independence of free media worldwide;

(6) advising the President and the Secretary of State regarding matters of international press freedoms and free media;

(7) representing the United States in matters and cases relevant to international press freedoms and free media;

(8) assisting the Secretary of State in preparing the portions of the Department of State country reports on human rights that relate to international press freedoms and free media;

(9) consulting with the Broadcasting Board of Governors and the United States Agency for International Development for the purpose of promoting free media through training of international journalists, producers, editors, and media managers; and
(10) administering the International Free Media Fund (established in section 607) in consultation with the United States Advisory Commission on Public Diplomacy and International Media.

(d) ASSESSMENT FACTORS.—In making an assessment of media within individual countries pursuant to subsection (c)(2), the Coordinator shall take into account—

(1) the number and diversity of media;

(2) access to and consumption of media by populations;

(3) the extent of direct or indirect government ownership, control, or censorship of media outlets;

(4) the financial viability and profitability of free media;

(5) the extent to which journalists, editors, and media managers adhere to widely accepted standards for professional and ethical journalism;

(6) domestic laws addressing press freedoms;

(7) instances in which the media have incited discrimination, hostility, or violence consistent with article 20, section 2 of the International Covenant on Civil and Political Rights;

(8) physical threats, intimidation or inappropriate pressure by government on free media;
(9) the number of journalists, editors, producers, and media managers receiving training from programs of the Department of State, the Broadcasting Board of Governors, grantees of the United States Agency for International Development, or other organizations qualified to provide such training; and

(10) the activity of local and international non-governmental organizations promoting press freedoms and free media and obstacles to their activity.

(e) CONSULTATION REQUIREMENT.—The Coordinator shall consult with United States public affairs officers and other United States foreign mission personnel directly engaged in interacting with indigenous media in carrying out the duties specified in subsection (e).

(f) FUNDING.—The Secretary of State shall ensure that the Coordinator has adequate staff and funding for the conduct of investigations, the administration of the International Free Media Fund, necessary travel, and other activities necessary to carry out the provisions of this section.
SEC. 606. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY AND INTERNATIONAL MEDIA.

(a) Establishment.—Section 604(a)(1) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) is amended to read as follows:

“(1) There is established an advisory commission to be known as the United States Advisory Commission on Public Diplomacy and International Media.”.

(b) Duties and Responsibilities.—Section 604(c) of the United States Information and Exchange Act of 1948 (22 U.S.C. 1469) is amended by adding at the end the following:

“(5) The Commission shall—

“(A) advise the Coordinator for International Free Media on issues relating to the promotion of international press freedoms and free media;

“(B) assist the Coordinator for International Free Media in monitoring and assessing the status of free media worldwide;

“(C) consult with the Coordinator on the administration of the International Free Media Fund; and
“(D) make policy recommendations to the
President, the Secretary of State, and Congress
with respect to matters involving international
press freedoms and free media.”.

(c) REFERENCES.—Except as otherwise provided in
this section or an amendment made by this section, any
reference in any statute, reorganization plan, Executive
order, regulation, agreement, determination, or other offi-
cial document or proceeding to the United States Advisory
Commission on Public Diplomacy or any other officer or
employee of the United States Advisory Commission on
Public Diplomacy shall be deemed to refer to the United
States Advisory Commission on Public Diplomacy and
International Media established under this section.—

SEC. 607. INTERNATIONAL FREE MEDIA FUND.

(a) ESTABLISHMENT.—There is established an Inter-
national Free Media Fund (in this section referred to as
the “Fund”) at the Department of State.

(b) PURPOSES.—The purposes of the Fund shall
be—

(1) to promote the development of free and
independent media worldwide which adhere to widely
accepted standards of professional and ethical jour-
nalism and editorial practice; and
(2) to complement current efforts by the Department of State, the United States Agency for International Development, the Broadcasting Board of Governors, and other agencies of the United States Government to support free and independent media worldwide.

(c) Authorization of Appropriations.—In addition to amounts otherwise authorized to be appropriated to carry out the purposes specified in subsection (b), there is authorized to be appropriated to the Fund $15,000,000 for fiscal year 2004. Such amounts are authorized to remain available until expended.

(d) Nonapplicability of Other Laws.—Notwithstanding any other provision of law, funds appropriated pursuant to subsection (c) may be used for the purposes of this section.

(e) Administration.—

(1) The Fund shall be administered by the Coordinator in consultation with the Commission.

(2) Activities and assistance financed through the Fund may be carried out through grants, contracts, technical assistance, and material support.

(f) Eligible Organizations, Programs, and Projects.—Amounts in the Fund may be used to carry out activities and provide assistance only for organiza-
tions, programs, and projects consistent with the purposes set forth in subsection (b).

(g) PROHIBITIONS.—Amounts in the Fund shall not be used to carry out activities or provide assistance to organizations, programs, or projects which advocate national, racial, or religious hatred that incites discrimination, hostility, or violence consistent with article 20, section 2 of the International Covenant on Civil and Political Rights.

(h) ASSISTANCE CRITERIA.—In administering the Fund, the Coordinator shall take into account—

(1) the importance of providing assistance to organizations, programs, and projects based on their proven or potential contribution to the development of a free media environment worldwide;

(2) the importance of enabling free media to become commercially viable and financially independent in the long term; and

(3) the importance of providing media personnel whose organizations, programs, or projects receive assistance under this section for training in professional and ethical journalism, editorial practices, and media management by the Department of State, the Broadcasting Board of Governors, United States Agency for International Development grant-
ees, or other organizations qualified to provide such training.

(i) Annual Reports.—Not later than January 31, of 2005 and in each subsequent year, the Coordinator shall publish an annual report on the activities of the Fund, which shall include a comprehensive and detailed description of the operations, activities, financial condition, and accomplishments under this section for the preceding fiscal year. The reports shall also include an assessment of whether the Fund should also provide loans and guarantees as an additional means to carry out the purposes of this title.

(j) Consultation Requirements.—

(1) The Coordinator shall consult with the State Department official primarily responsible for developing and implementing United States policy with respect to a country prior to carrying out activities or providing assistance for such country through the Fund.

(2) Amounts in the Fund shall be used to carry out activities or provide assistance on the basis of consultations among all relevant United States Government agencies operating in the country and with the approval of the chief of mission.
SEC. 608. FREE MEDIA PROMOTION ACTIVITY OF THE
BROADCASTING BOARD OF GOVERNORS.

(a) IN GENERAL.—The Broadcasting Board of Gov-
ernors shall make support for indigenous free media an
integral part of its mission.

(b) AFFILIATES.—The Broadcasting Board of Gov-
ernors shall submit a report to the appropriate congres-
sional committees on the prospects and strategy for culti-
vating affiliate relationships with free media in countries
targeted for United States international broadcasting.

(c) TRAINING.—The Broadcasting Board of Gov-
ernors shall enhance foreign journalist training programs
in coordination with existing training programs adminis-
tered by the Department of State and the United States
Agency for International Development.

(d) AUTHORIZATION FOR APPROPRIATIONS.—In ad-
dition to amounts otherwise authorized to be appropriated,
there is authorized to be appropriated $2,500,000 for the
fiscal year 2004 and $2,500,000 for the fiscal year 2005
to support free media in countries in which the Broad-
casting Board of Governors is decreasing or discontinuing
United States international broadcasting activity.
TITLE VII—MISCELLANEOUS
PROVISIONS
Subtitle A—Reporting
Requirements

SEC. 701. REPORTS ON BENCHMARKS FOR BOSNIA.
(a) Section 7 of the 1998 Supplemental Appropriations and Rescissions Act (Public Law 105–174, 112 Stat. 64) is amended—
(1) at the end of paragraph (1) by striking ‘‘; and’’ and inserting a period;
(2) by striking ‘‘Congress’’ and all that follows through ‘‘not later’’ and inserting ‘‘Congress not later’’; and
(3) by striking paragraph (2).
(b) Section 1203 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) is repealed.

SEC. 702. REPORTS TO COMMITTEE ON INTERNATIONAL RELATIONS.
Notwithstanding any other provision of law, for the fiscal years 2004 and 2005, any report required by law or otherwise requested to be submitted by the Secretary of State or the Department of State to any committee of the Congress shall be submitted also to the Committee on International Relations of the House of Representatives.
SEC. 703. REPORTS CONCERNING THE CAPTURE AND PROSECUTION OF PARAMILITARY AND OTHER TERRORIST LEADERS IN COLOMBIA.

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

(1) As reported in the Department of State report Patterns of Global Terrorism 2001, the United Self-Defense Forces of Colombia (also referred to as “AUC” or “paramilitaries”) have been designated as a foreign terrorist organization by the United States primarily because of their increasing reliance on terrorist methods, such as the use of massacres, to purposefully displace segments of the population as retaliation for allegedly supporting the AUC’s rival organizations, the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) of Colombia. According to the report, the paramilitaries also use terrorist tactics to compete for narcotics-trafficking corridors and prime coca-growing terrain.

(2) The Department of State concluded in the 2001 Country Report on Human Rights Practices that despite increased efforts by the Government of Colombia to combat and capture members of paramilitary groups, security forces sometimes illegally collaborate with paramilitaries forces and often fail
to take action to prevent paramilitary attacks which lead to serious abuses of human rights.

(3) In September 2002, Amnesty International, Human Rights Watch, and the Washington Office on Latin America released a report which argued that the Colombian Government had not made substantial progress toward suspending officers implicated in human rights abuses, conducting effective judicial investigations of such abuses, or breaking the persistent links between some units of the Colombian military and paramilitary groups.

(4) In February 2003, the United Nations High Commissioner for Human Rights in Colombia reported that some units of the Colombian Security Forces continued to collude openly with illegal paramilitary groups in operations which resulted in violations of human rights.

(5) The Consolidated Appropriations Resolution, 2003 (Public Law 108–7) made available not less than $5,000,000 to support a Colombian Armed Forces unit which is dedicated to apprehending leaders of Colombian paramilitary organizations.

(b) REPORTS TO CONGRESS.—Not later than 30 days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of State, after consulting
with internationally recognized human rights organiza-
tions pursuant to the procedures required in section 
564(b) of the Consolidated Appropriations Resolution, 
2003, shall submit a report, in unclassified form (with a 
classified annex if necessary), on the specific measures 
that the Colombian authorities are taking to apprehend 
effectively and prosecute aggressively leaders of para-
military organizations, to the Committee on International 
Relations of the House of Representatives and the Com-
mittee on Foreign Relations of the Senate.

(c) CONTENTS OF REPORTS.—Each report submitted 
pursuant to subsection (b) shall—

(1) identify which Colombian Armed Forces 
units are receiving assistance to apprehend leaders 
of Colombian paramilitary organizations;

(2) describe the amount and purposes of such 
assistance;

(3) describe operations by Colombian security 
forces to apprehend and arrest leaders of Colombian 
paramilitary organizations;

(4) list the number of detentions, captures, and 
arrests of leaders of Colombian paramilitary organi-
izations, disaggregating the number according to 
those detentions, captures, and arrests which were
carried out by Colombian security forces identified under paragraph (1);

(5) briefly describe the status of investigations and prosecutions of cases by the Colombian Attorney General’s office involving the arrests of leaders of Colombian paramilitary organizations; and

(6) estimate the number of hours of use by the Colombian military of helicopters provided by the United States under Plan Colombia and successor programs to apprehend the leaders of Colombian paramilitary organizations, as well as leaders of the FARC and ELN, including those individuals who have United States indictments pending against them.

SEC. 704. REPORTS RELATING TO MAGEN DAVID ADOM SOCIETY.

(a) FINDINGS.—Section 690(a) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended by adding at the end the following:

“(5) Since the founding of the Magen David Adom in 1930, the American Red Cross has regarded it as a sister national society forging close working ties between the two societies and has consistently advocated recognition and membership of
the Magen David Adom in the International Red Cross and Red Crescent Movement.

“(6) The American Red Cross and Magen David Adom signed an important memorandum of understanding in November 2002, outlining areas for strategic collaboration, and the American Red Cross will encourage other societies to establish similar agreements with Magen David Adom.”.

(b) SENSE OF CONGRESS.—Section 690(b) of such Act is amended—

(1) in paragraph (3) after the semicolon by striking “and”;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

“(4) the High Contracting Parties to the Geneva Conventions of August 12, 1949, should adopt the October 12, 2000, draft additional protocol which would accord international recognition to an additional distinctive emblem; and”.

(c) REPORT.—Section 690 of such Act is further amended by adding at the end the following:

“(c) REPORT.—Not later than 60 days after the date of the enactment of the Foreign Relations Authorization
Act, Fiscal Years 2004 and 2005 and annually thereafter, the Secretary of State shall submit a report, on a classified basis if necessary, to the appropriate congressional committees describing—

“(1) efforts by the United States to obtain full membership for the Magen David Adom in the International Red Cross Movement;

“(2) efforts by the International Committee of the Red Cross to obtain full membership for the Magen David Adom in the International Red Cross Movement;

“(3) efforts of the High Contracting Parties to the Geneva Convention of 1949 to adopt the October 12, 2000, draft additional protocol; and

“(4) the extent to which the Magen David Adom of Israel is participating in the activities of the International Red Cross and Red Crescent Movement.”.

SEC. 705. REPORT CONCERNING THE RETURN OF PORTRAITS OF HOLOCAUST VICTIMS TO THE ARTIST DINA BABBITT.

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

(1) Dina Babbitt (formerly known as Dinah Gottliebova), a United States citizen, has requested
the return of watercolor portraits she painted while suffering a one and one-half year long internment at the Auschwitz death camp during World War II, where she was ordered to paint portraits by the infamous war criminal Dr. Josef Mengele.

(2) Congress has previously considered the issue, under the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228), and urged the Administration to facilitate the return of the paintings to Dina Babbitt.

(3) The Administration has not yet reported any progress in furthering this goal, nor has the Secretary reported on the status of any negotiations held with the intent of furthering this goal.

(b) SENSE OF CONGRESS.—The Congress—

(1) continues to recognize the moral right of Dina Babbitt to obtain the artwork she created, and recognizes her courage in the face of the evils perpetrated by the Nazi command of the Auschwitz-Birkenau death camp, including the atrocities committed by Dr. Josef Mengele;

(2) urges the President of the United States to make all necessary efforts to retrieve the 7 watercolor portraits painted by Dina Babbitt, during her internment at the Auschwitz death camp; and
(3) urges the Secretary of State to make immediate diplomatic efforts to facilitate the transfer of the 7 original watercolors painted by Dina Babbitt from the Auschwitz-Birkenau State Museum to Dina Babbitt, their rightful owner.

(c) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees, describing all diplomatic efforts the United States has taken to facilitate the return of the paintings referred to in this section to Dina Babbitt.

SEC. 706. REPORT TO CONGRESS ON USE OF VESTED ASSETS.

Section 203(a) of the International Emergency Economic Powers Act (50 U.S.C. 1702(a)) is amended—

(1) in subparagraph (C), by inserting “subject to paragraph (4),” after “such interest or property shall”; and

(2) by adding at the end the following:

“(4) The authority under paragraph (1)(C) to use property that has been vested or to use assets that have been liquidated may not be exercised until 15 days after the President has notified the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the purpose
for which such vested property or liquidated assets will be so used.”.

SEC. 707. REPORT CONCERNING THE CONFLICT IN UGANDA.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should—

(1) exhaust all diplomatic means and pressures, including the creation of a United States role in negotiating humanitarian access to hitherto inaccessible populations which would offer an opportunity to bring the warring parties together to build confidence, to support an immediate peaceful resolution to the 16-year-old conflict in Northern Uganda that has—

(A) killed an estimated 23,000 people, including 12,000 civilians,
(B) resulted in the forced abduction, sexual servitude, and armed recruitment of between 16,000 to 26,000 Ugandan children by the Lord’s Resistance Army, a renegade army that has in the past sought refuge in southern Sudan and raided villages in northern Uganda,
(C) displaced over 800,000 Ugandan citizens and Sudanese refugees,
(D) resulted in the death and abduction of humanitarian aid workers, and

(E) gravely inhibited the delivery of emergency assistance and food aid to nearly 1 million northern Ugandan civilians dependent on such assistance for survival;

(2) urge rebel forces to stop the abduction of children, urge all forces to stop the use of child soldiers, and seek the release of all forcibly-held children;

(3) make available technical assistance resources to seek, track, and stop funding for the Lord’s Resistance Army (LRA) from all sources and condemn all governments and organizations who do assist the LRA;

(4) monitor and support negotiations conducted by an third-party institutions for an immediate cease-fire between the LRA and the Ugandan Government, and to explore the possibility of facilitating the creation of mechanisms for an international monitoring team to enforce this cease-fire as the first step in the process toward a permanent peace;

(5) continue supporting the Sudan Peace Process and Danforth Initiative, which includes peace talks, donor coordination, regional support, civilian
protection and monitoring, and cease-fire verification
and consider modeling aspects of this process in
northern Uganda;

(6) make available sufficient resources to meet
the immediate relief of the towns and cities sup-
porting large displaced populations, including food,
clean water, medicine, shelter, and clothing;

(7) make available increased resources for as-
sistance to released and returned abducted children
and child soldiers and ensure that amnesty is pro-
vided when appropriate;

(8) work with other donors and the Ugandan
Government to increase resources and technical sup-
port to the Uganda Amnesty Commission for the in-
creased demobilization of rebel combatants;

(9) examine ways in which development assist-
ance can help those living in protective villages in
northern Uganda return to and cultivate farmland;
and

(10) condition military assistance to Uganda on
its international compliance with sustained troop
withdrawals from the Democratic Republic of Congo
where the presence of Ugandan armies has contrib-
uted to the violence and instability in the region.
(b) **Reports to Congress.**—Not later than 180 days after the date of the enactment of this Act, and not later than April 1 of each subsequent year, the Secretary shall submit to the appropriate congressional committees a report on the comprehensive actions of the United States in seeking a peaceful and immediate solution to conflict in northern Uganda as well as humanitarian assistance efforts to the region, including efforts to advance each area addressed in subsection (a).

**Subtitle B—Other Matters**

**SEC. 721. SENSE OF CONGRESS RELATING TO EAST TIMOR, JUSTICE, AND REHABILITATION.**

The Congress—

(1) recalls that the United Nations International Commission of Inquiry concluded in January 2000 that “the Indonesian Army was responsible for the intimidation, terror, killings and other acts of violence” during East Timor’s vote for independence in 1999;

(2) reiterates that justice for crimes against humanity and war crimes committed in East Timor during the vote for independence in 1999 is crucial for peace, reconciliation, and the ongoing nation-building process in East Timor and Indonesia;
(3) finds that the ad hoc Human Rights Court on East Timor established by the Indonesian Government in 2001 has inadequately brought to justice the perpetrators of these crimes as eleven of fourteen defendants have been acquitted as a result of poor indictments and the absence of an adequate witness protection program, and four of the five sentences imposed have been less than the minimum allowed under the Indonesian Human Rights Law;

(4) supports the work of the Joint United Nations-East Timor Serious Crimes Unit (SCU), which filed indictments against high-ranking Indonesian officers who were allegedly involved in the crimes, including Gen. Wiranto, Maj. Gen. Kiki Syahnakri, Maj. Gen. Zacky Anwar Makarim, Maj. Gen. Adam Damiri, Col. Suratman, Col. Noer Muis, Col. Yayat Sudrajat and former Governor Abilio Soares, and expresses its strong disappointment that the Indonesian Government has stated its intention to ignore the indictments;

(5) calls on the State Department and the United States Mission to the United Nations to push for a comprehensive United Nations review of the Indonesian ad hoc Human Rights Court on East Timor, including a review of the conduct of trials,
the indictment strategy by the prosecutors and its adherence to the international standards, and urges the State Department to consider alternative mechanisms of justice for East Timor, including the establishment of an ad hoc international tribunal; and

(6) urges the Indonesian Government to fully cooperate with the joint United Nations-East Timor Serious Crimes Unit (SCU) and encourages the United States to urge the Indonesian Government to fully cooperate with the SCU.

SEC. 722. SENSE OF CONGRESS CONCERNING HUMAN RIGHTS AND JUSTICE IN INDONESIA.

The Congress—

(1) notes with grave concern that members of the Indonesian security forces, particularly the Army Special Forces (Kopassus) and the Police Mobile Brigade (Brimob), continue to commit many serious human rights violations, including extrajudicial killings, torture, rape, and arbitrary detention, particularly in areas of conflict such as Aceh, Papua, the Moluccas, and Central Sulawesi;

(2) notes with grave concern that the Government of Indonesia largely fails to hold soldiers and police accountable for extrajudicial killings and other serious human rights abuses, both past and present;
(3) condemns the intimidation and harassment of human rights and civil society organizations and activists by members of Indonesian security forces and by military-backed militia groups, particularly in Aceh and Papua;

(4) notes with concern the Indonesian military’s resistance to civilian control and oversight, its lack of budgetary transparency, and its continuing emphasis on internal security within Indonesia;

(5) urges the Indonesian government and military to provide full, active, and unfettered cooperation with the investigation of the Federal Bureau of Investigation of the United States Department of Justice into the August 31, 2002 attack near Timika, Papua, which killed three people (including two Americans, Rick Spier and Ted Burgon), and injured 12 others, and which appears likely to have been perpetrated at least in part by members of the Indonesian military;

(6) commends the December 2002 signing of the Framework Agreement on Cessation of Hostilities in Aceh, but condemns the recent outbreaks of violence and militia activity that appear calculated to subvert that cease-fire agreement;
(7) notes with grave concern the continued detention of Muhammad Nazar, and the fact that those responsible for the murders of other prominent members of civil society in Aceh, such as Jafar Siddiq Hamzah, Sukardi, Sulaiman Ahmad, Tengku Safwan Idris, Nashiruddin Daud, and Zaini Sulaiman, still have not been apprehended, prosecuted, or punished;

(8) commends the “Zone of Peace” initiative in Papua, which has brought together civic, religious, governmental, and police representatives to discuss productive means of avoiding conflict, but expresses concern at the refusal of the Indonesian military to participate in that effort; and

(9) encourages the Government of Indonesia to expedite the reunification of separated East Timorese children with their families, and to hold legally accountable those individuals and organizations responsible for taking those children and for obstructing reunification efforts.

SEC. 723. AMENDMENT TO THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998.

Section 207(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6435(a)) is amended by in-
serting “and for each subsequent fiscal year” after “2003”.

SEC. 724. SENSE OF CONGRESS WITH RESPECT TO HUMAN RIGHTS IN CENTRAL ASIA.

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

(1) The Central Asian nations of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan are providing the United States with assistance in the war in Afghanistan, from military basing and overflight rights to the facilitation of humanitarian relief.

(2) In turn, the United States victory over the Taliban in Afghanistan provides important benefits to the Central Asian nations by removing a regime that threatened their security and by significantly weakening the Islamic Movement of Uzbekistan, a terrorist organization that had previously staged armed raids from Afghanistan into the region.

(3) The United States has consistently urged the nations of Central Asia to open their political systems and economies and to respect human rights, both before and since the attacks of September 11, 2001.
(4) Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan are members of the United Nations and the Organization for Security and Cooperation in Europe (OSCE), both of which confer a range of obligations with respect to human rights on their members.

(5) While the United States recognizes marked differences among the social structures and commitments to democratic and economic reform of the Central Asian nations, the United States notes nevertheless, according to the State Department Country Reports on Human Rights Practices, that all five governments of such nations, to differing degrees, restrict freedom of speech and association, restrict or ban the activities of human rights organizations and other nongovernmental organizations, harass or prohibit independent media, imprison political opponents, practice arbitrary detention and arrest, and engage in torture and extrajudicial executions.

(6) By continuing to suppress human rights and to deny citizens peaceful, democratic means of expressing their convictions, the nations of Central Asia risk fueling popular support for violent and extremist movements, thus undermining the goals of the war on terrorism.
(7) President George W. Bush has made the defense of human dignity, the rule of law, limits on the power of the state, respect for women and private property, free speech, equal justice, religious tolerance strategic goals of United States foreign policy in the Islamic world, arguing that “a truly strong nation will permit legal avenues of dissent for all groups that pursue their aspirations without violence”.

(8) Congress has expressed its desire to see deeper reform in Central Asia in past resolutions and other legislation, most recently conditioning assistance to Uzbekistan and Kazakhstan on their progress in meeting commitments to the United States on human rights and democracy.

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

(1) the governments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan should accelerate democratic reforms and fulfill their human rights obligations, including, where appropriate, by—

(A) releasing from prison anyone jailed for peaceful political activism or the nonviolent expression of their political or religious beliefs;
(B) fully investigating any credible allegations of torture and prosecuting those responsible;

(C) permitting the free and unfettered functioning of independent media outlets, independent political parties, and nongovernmental organizations, including by easing registration processes;

(D) permitting the free exercise of religious beliefs and ceasing the persecution of members of religious groups and denominations that do not engage in violence or political change through violence;

(E) holding free, competitive, and fair elections; and

(F) making publicly available documentation of their revenues and punishing those engaged in official corruption;

(2) the President, the Secretary of State, and the Secretary of Defense should—

(A) continue to raise at the highest levels with the governments of the nations of Central Asia specific cases of political and religious persecution, and to urge greater respect for human
rights and democratic freedoms at every diplo-
matic opportunity;

(B) take progress in meeting the goals
specified in paragraph (1) into account when
determining the scope and nature of United
States diplomatic and military relations and as-
sistance with each of such governments;

(C) ensure that the provisions of foreign
operations appropriations Acts are fully imple-
mented to ensure that no United States assist-
ance benefits security forces in Central Asia
that are implicated in violations of human
rights;

(D) press the Government of
Turkmenistan to implement the helpful rec-
ommendations contained in the 2003 resolution
on Turkmenistan of the United Nations Com-
mission on Human Rights and the so-called
“Moscow Mechanism” Report of the Organiza-
tion for Security and Cooperation in Europe
(OSCE), respect the right of all prisoners to
due process and a fair trial and release demo-
cratic activists and their family members from
prison;
(E) urge the Government of Russia not to extradite to Turkmenistan members of the political opposition of Turkmenistan;

(F) work with the Government of Kazakhstan to create a political climate free of intimidation and harassment, including releasing political prisoners and permitting the return of political exiles, and to reduce official corruption, including by urging the Government of Kazakhstan to cooperate with the ongoing United States Department of Justice investigation;

(G) support through United States assistance programs individuals, nongovernmental organizations, and media outlets in Central Asia working to build more open societies, to support the victims of human rights abuses, and to expose official corruption; and

(H) press the Government of Uzbekistan to implement fully the recommendations made to the Government of Uzbekistan by the United Nations’ Special Rapporteur on Torture; and

(3) increased levels of United States assistance to the governments of the nations of Central Asia made possible by their cooperation in the war in Af-
ghanistan can be sustained only if there is substantial and continuing progress toward meeting the goals specified in paragraph (1).

SEC. 725. TECHNICAL CORRECTION TO AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2003 FOR CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.

Section 112(3) of the Foreign Relations Authorization Act, Fiscal Year 2003 (116 Stat. 1358; Public Law 107–228) is amended by striking “$15,000,000” and inserting “$18,000,000”.

DIVISION B—DEFENSE TRADE AND SECURITY ASSISTANCE REFORM ACT OF 2003

TITLE X—GENERAL PROVISIONS

SEC. 1001. SHORT TITLE.

This division may be cited as the “Defense Trade and Security Assistance Reform Act of 2003”.

SEC. 1002. DEFINITIONS.

Except as otherwise provided, in this division:

(1) DEFENSE ARTICLES.—The term “defense articles” has the meaning given the term in section 47(7)(A) of the Arms Export Control Act (as amended by section 1107(d) of this Act).
(2) **Defense services.**—The term "defense services" has the meaning given the term in section 47(7)(B) of the Arms Export Control Act (as amended by section 1107(d) of this Act).

(3) **Dual use.**—The term "dual use" means, with respect to goods or technology, those goods or technology that are specifically designed or developed for civil purposes but which also may be used or deployed in a military mode.

(4) **Export Administration regulations.**—The term "Export Administration Regulations" means those regulations contained in sections 730–774 of title 15, Code of Federal Regulations (or successor regulations).

(5) **Good.**—The term "good" has the meaning given the term in section 16(3) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(3)).

(6) **International traffic in arms regulations.**—The term "International Traffic in Arms Regulations" means those regulations contained in sections 120–130 of title 22, Code of Federal Regulations (or successor regulations).

(7) **Missile technology control regime; MTCR.**—The term "Missile Technology Control Regime" or "MTCR" has the meaning given the term
in section 11B(c)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(2)).

(8) Missile Technology Control Regime Annex; MTCR Annex.—The term “Missile Technology Control Regime Annex” or “MTCR Annex” has the meaning given the term in section 11B(c)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(4)).

(9) Operation Iraqi Freedom.—The term “Operation Iraqi Freedom” means operations of United States Armed Forces, the armed forces of the United Kingdom, and the armed forces of other coalition member countries initiated on or about March 19, 2003—

(A) to disarm Iraq of its weapons of mass destruction;

(B) to enforce United Nations Security Council Resolution 1441 (November 8, 2002) and other relevant Security Council resolutions with respect to Iraq; and

(C) to liberate the people of Iraq from the regime of Saddam Hussein.

(10) Technology.—The term “technology” has the meaning given the term in section 16(4) of
the Export Administration Act of 1979 (50 U.S.C. App. 2415(4)).

SEC. 1003. REFERENCES TO ARMS EXPORT CONTROL ACT. Except as otherwise specifically provided, whenever in this division an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to that section or other provision of the Arms Export Control Act (22 U.S.C. 2751 et seq.).

TITLE XI—TERRORIST-RELATED PROHIBITIONS AND ENFORCEMENT MEASURES

SEC. 1101. ELIGIBILITY PROVISIONS. (a) Ineligibility for Terrorist Related Transactions.—Section 3(c)(1) (22 U.S.C. 2753(c)(1)) is amended—

(1) in each of subparagraphs (A) and (B), by striking “or any predecessor Act,” and inserting “,

any predecessor Act, or licensed or approved under section 38 of this Act, to carry out a transaction with a country, the government of which the Secretary of State has determined is a state sponsor of international terrorism for purposes of section 6(j)(1) of the Export Administration Act of 1979
(50 U.S.C. App. 2405(j)(1)), or otherwise uses such defense articles or defense services”; and (2) by adding at the end the following: “(C) In this section, the term ‘transaction’ means the taking of any action, directly or indirectly, by a foreign country that would be a transaction prohibited by section 40 of this Act with respect to the United States Government and United States persons.”. (b) REPORTING REQUIREMENT.—Section 3(e) (22 U.S.C. 2753(e)) is amended by inserting after “the Foreign Assistance Act of 1961,” the following: “regardless of whether the article or service has been sold or otherwise furnished by the United States Government or licensed under section 38 of this Act,”. SEC. 1102. WEAPONS TRANSFERS TO FOREIGN PERSONS IN THE UNITED STATES. Section 38(a)(1) (22 U.S.C. 2778(a)(1)) is amended in the first sentence by inserting after “import and the export of defense articles and defense services” the following: “, or the transfer of such articles, other than firearms (or ammunition, components, parts, accessories, or attachments for firearms), and services within the United States to foreign persons,”.
SEC. 1103. COORDINATION OF LICENSE EXEMPTIONS WITH UNITED STATES LAW ENFORCEMENT AGENCIES.

(a) SENSE OF CONGRESS.—In view of the historic difficulties in the enforcement of the Arms Export Control Act (22 U.S.C. 2751 et seq.) associated with violations involving exports of defense articles and defense services that have been exempted by regulation from the licensing requirements of section 38 of such Act, it is the sense of Congress that the establishment of new exemptions by regulation should only be undertaken after careful coordination with the appropriate United States law enforcement agencies.

(b) AMENDMENT.—Section 38(b)(2) (22 U.S.C. 2778(b)(2)) is amended by adding at the end the following new sentences: “In promulgating regulations under subsection (a)(1) in accordance with the preceding sentence, any provision in such regulations that permits the export of defense articles or defense services without a license shall include a determination by the Attorney General, in consultation with the Secretary of Homeland Security and the Director of the Federal Bureau of Investigation, that the compilation and maintenance of sufficient documentation relating to the export without a license of the articles or services is ensured, notwithstanding the absence of a license, to facilitate law enforcement efforts to detect, pre-
vent, and prosecute criminal violations of any provision of this section, section 39, or section 40 of this Act, including the efforts on the part of countries and factions engaged in international terrorism to illicitly acquire defense articles and defense services. No defense article or defense service designated by the President under subsection (a)(1) may be exported without a license pursuant to a regulation under subsection (a)(1) that is promulgated on or after January 1, 2003, until 30 days after the date on which the President provides notice of the proposed regulation 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, including a description of the criteria that would be used to permit the export of the article or service and any measures to facilitate law enforcement efforts associated with the Attorney General’s determination required by the preceding sentence.”.

SEC. 1104. MECHANISMS TO IDENTIFY PERSONS IN VIOLATION OF CERTAIN PROVISIONS OF LAW.

Section 38(g)(1)(A) (22 U.S.C. 2778(g)(1)(A)) is amended—

(1) in clause (iii)—
(A) by striking “or section 2339A” and inserting “, section 2339A”; and

(B) by inserting at the end before the comma the following: “, or section 2339C of such title (relating to financing terrorism)”;

(2) in clause (x), by striking “or” at the end;

(3) in clause (xi), by striking the semicolon at the end and inserting a comma; and

(4) by adding at the end the following:

“(xii) subclause (I) or (II) of section 1956(c)(7)(B)(v) of title 18, United States Code;

“(xiii) section 329 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001;

“(xiv) section 5332 of title 31, United States Code;

“(xv) section 1960 of title 18, United States Code;

“(xvi) section 175(b), 175b, 1993, 2339 of title 18, United States Code;

“(xvii) section 2332a, 2332b, or 2332f of title 18, United States Code; or
SEC. 1105. COMPREHENSIVE NATURE OF UNITED STATES ARMS EMBARGOES.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that—

(A) governments to which the United States Government prohibits by law or policy the transfer of implements of war, including material, components, parts, and other defense articles and defense services (as defined in paragraphs (3) and (4) of section 47 of the Arms Export Control Act, respectively) continue to seek to evade these embargoes through increasingly sophisticated illegal acquisitions via the “international gray arms market” and by seeking to exploit weaknesses in the export control system of the United States and its friends and allies; and

(B) the strict and comprehensive application of arms embargoes referred to in subparagraph (A) including those embargoes established by the United Nations Security Council is of fundamental importance to the security "(xviii) section 175 of title 18, United States Code;".
and foreign policy interests of the United States.

(2) Sense of Congress.—It is the sense of Congress that the United States Government should continue to provide a leadership role internationally in ensuring the effectiveness of arms embargoes referred to in paragraph (1).

(b) Scope of Embargoes.—Section 38 (22 U.S.C. 2778) is amended by adding at the end the following:

“(k) Whenever the United States maintains an arms embargo pursuant to United States law, or through public notice by the President or Secretary of State pursuant to the authorities of this Act, no defense article or defense service subject to sections 120–130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’) and no dual use good or technology subject to sections 730–774 of title 15, Code of Federal Regulations (commonly known as the ‘Export Administration Regulations’) shall be sold or transferred to the military, police, or intelligence services of the embargoed government, including any associated governmental agency, subdivision, entity, or other person acting on their behalf, unless, at a minimum and without prejudice to any additional requirements established in United States law or regulation, the Secretary of State and the
Secretary of Defense have concurred in the sale or transfer through issuance of a license.”.

(c) Establishment of Controls.—The Secretary shall consult with the Secretary of Commerce to ensure the establishment of appropriate foreign policy and national security controls and license requirements under the Export Administration Regulations in order to ensure the effective implementation of section 38(k) of the Arms Export Control Act, as added by subsection (b).

(d) Report.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that describes the actions taken to implement the requirements of subsection (c).

SEC. 1106. TRANSACTIONS WITH COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.

Section 40(l)(1) (22 U.S.C. 2780(l)(1)) is amended by striking “any item enumerated on the United States Munitions List” and inserting “a defense article or defense service (as defined in subparagraph (A) or (B) of section 47(7), respectively), an item enumerated on the United States Munitions List (as designated by the President pursuant to section 38(a)), or any other activity for which a license or other approval is required pursuant to the regulations promulgated under subsection (a)(1)”.
SEC. 1107. AMENDMENTS TO CONTROL OF ARMS EXPORTS AND IMPORTS.

(a) Revision of Standard for Violation; Amount of Penalties.—Section 38(c) (22 U.S.C. 2778(c)) is amended—

(1) by striking “willfully” each place it appears and inserting “knowingly”;

(2) by striking “this section or section 39” and inserting “this section, section 39, or section 40”; and

(3) by striking “$1,000,000” and inserting “$1,000,000 (in the case of a violation of this section or section 39), $2,000,000 (in the case of a violation involving any country covered by section 40), and $1,500,000 (in the case of a violation involving any country other than a country covered by section 40 that is subject by United States law or policy to an arms embargo)”.

(b) Civil Penalties.—Section 38(e) (22 U.S.C. 2778(e)) is amended in the third sentence by striking “under this section may not exceed $500,000” and inserting “or any other activities subject to control under this section, section 39, or section 40, may not exceed $500,000 for each violation of section 38 or section 39, $1,000,000 for each violation involving any country covered by section 40, and $750,000 for each violation relat-
ing to an arms embargo (other than a violation covered
by section 40)”.

(c) Revision of Standard for Violation; Criminal Penalty; Civil Penalties; Enforcement.—Section 40 (22 U.S.C. 2780) is amended—

(1) in subsection (j)—

(A) by striking “willfully” and inserting
“knowingly”; and

(B) by striking “$1,000,000” and insert-
ing “$2,000,000”; and

(2) in subsection (k), by striking “$500,000”
and inserting “$1,000,000”.

(d) Definitions.—Section 47(7) (22 U.S.C.
2794(7)) is amended to read as follows:

“(7)(A) ‘defense articles’, with respect to ex-
ports subject to sections 38, 39, and 40 of this Act,
has the meaning given such term in sections 120–
130 of title 22, Code of Federal Regulations (com-
monly known as the ‘International Traffic in Arms
Regulations’), as such regulations were in effect on
January 1, 2003, and includes such additional arti-
cles as may be designated by the President under
section 38(a)(1); and

“(B) ‘defense services’, with respect to exports
subject to sections 38, 39, and 40 of this Act, has
the meaning given such term in sections 120–130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’), as such regulations were in effect on January 1, 2003, and includes—

“(i) the provision of assistance (including aiding, abetting, or training) to foreign persons; and

“(ii) such other activities as may be designated by the President pursuant to section 38(a)(1).”.

SEC. 1108. HIGH RISK EXPORTS AND END USE VERIFICATION.

Section 38(g)(7) (22 U.S.C. 2778) is amended by adding at the end the following new sentence: “Such standards shall be coordinated biennially with the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, the Director of Central Intelligence, and the heads of other Federal departments or agencies, as appropriate.”.

SEC. 1109. CONCURRENT JURISDICTION OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, in view of the responsibilities of the Federal Bureau of Investigation for protecting the United States
against terrorist attack, foreign intelligence operations, high technology crimes, and transnational criminal organizations and enterprises, the Federal Bureau of Investigation should be provided authority to investigate and enforce violations of the Arms Export Control Act without adversely affecting the existing authority of the Bureau of Customs and Border Protection of the Department of Homeland Security.

(b) Copy of Registration.—Section 38(b)(1) (22 U.S.C. 2778(b)) is amended—

(1) by redesignating the second subparagraph (B) as subparagraph (C); and

(2) in subparagraph (B)—

(A) in the first sentence, by inserting “and the Director of the Federal Bureau of Investigation” after “Secretary of Treasury”; and

(B) in the second sentence, by inserting “and the Director” after “The Secretary”.

(c) Jurisdiction of FBI and Bureau of Customs.—Section 38(e) (22 U.S.C. 2778(e)) is amended in the first sentence by adding at the end before the period the following: “, and except further, that the Federal Bureau of Investigation and the Bureau of Customs and Border Protection of the Department of Homeland Security
shall have concurrent jurisdiction for criminal violations
and enforcement of this Act”.

(d) MECHANISMS TO IDENTIFY PERSONS IN VIOLA-
TION OF CERTAIN PROVISIONS OF LAW.—Section 38(g)
(22 U.S.C. 2778(g)) is amended in the second sentence
of paragraph (3), in paragraph (4), and in paragraph (8)
by inserting “and the Director of the Federal Bureau of
Investigation” after “Secretary of Treasury”.

SEC. 1110. REPORT ON FOREIGN-SUPPLIED DEFENSE ARTI-
CLES, DEFENSE SERVICES, AND DUAL USE
GOODS AND TECHNOLOGY DISCOVERED IN
IRAQ.

(a) Report.—

(1) IN GENERAL.—Not later than 180 days
after the date of the enactment of this Act, and on
annual basis thereafter as appropriate, the President
shall prepare and transmit to the congressional com-
mittees specified in paragraph (2) a written report
on foreign-supplied defense articles, defense services,
and dual use goods and technology supplied to Iraq
since the adoption of United Nations Security Coun-
cil Resolution 687 (April 3, 1991) and discovered in
Iraq since the inception of Operation Iraqi Freedom
or identified as having been in Iraq at any time
since April 3, 1991, and not destroyed or otherwise
accounted for by the United Nations Special Commission (UNSCOM) or the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC).

(2) Congressional committees specified.—The congressional committees referred to in paragraph (1) are—

(A) the Committee on International Relations and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

(b) CONTENTS.—The report required by subsection (a) shall include information on defense articles, defense services, and dual use goods and technology discovered in accordance with such subsection, including a description of such articles, services, and goods and technology by category or type, quantity, country of origin (if known), manufacturer (if known), date of acquisition (if known), and, in the case of dual use goods and technology, the use or intended use or deployment (if known) and whether the goods or technology are covered by any arms control agreement or nonproliferation arrangement to which the United States is a party.
(c) Form.—The report required by subsection (a) shall be transmitted in unclassified form to the maximum extent practicable, but may contain a classified annex if necessary.

TITLE XII—STRENGTHENING MUNITIONS EXPORT CONTROLS

SEC. 1201. CONTROL OF ITEMS ON MISSILE TECHNOLOGY CONTROL REGIME ANNEX.

(a) Sense of Congress.—It is the sense of Congress that all proposals to export or transfer to foreign persons by other means, whether in the United States or abroad, and any other activities subject to regulation under section 38, 39, or 40 of the Arms Export Control Act, relating to items on the Missile Technology Control Regime Annex, should be accorded stringent control and scrutiny consistent with the purposes of section 71 of the Arms Export Control Act (22 U.S.C. 2797).

(b) Control of Items on MTCR Annex.—The Secretary, in coordination with the Secretary of Commerce, the Attorney General, and the Secretary of Defense, shall ensure that all items on the MTCR Annex are subject to stringent control by the United States Government pursuant to the International Traffic in Arms Regulations and the Export Administration Regulations.
(e) Certification.—Not later than March 1 of each year, the Secretary, in coordination with the Secretary of Commerce, the Attorney General and the Secretary of Defense, shall prepare and submit to the appropriate congressional committees a report that contains—

(1) a certification that the requirement of subsection (b) has been met for the prior year, or if the requirement has not been met, the reasons therefor; and

(2) a description of the updated coverage, if any, of the regulations referred to in subsection (b) with respect to all items on the MTCR Annex and an explanation of any areas of overlap or omissions, if any, among the regulations.

SEC. 1202. CERTIFICATIONS RELATING TO EXPORT OF CERTAIN DEFENSE ARTICLES AND SERVICES.

Section 36(c) (22 U.S.C. 2776(c)) is amended—

(1) in the first sentence of paragraph (1), by inserting after “$1,000,000 or more” the following: “, or, notwithstanding section 27(g) of this Act, for any special comprehensive authorization under sections 120–130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’) for the export of defense arti-
cles or defense services in an aggregate amount of $100,000,000 or more’’;

(2) in paragraph (2)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B); and

(3) in the matter preceding subparagraph (A) of paragraph (5), by inserting “or paragraph (2)” after “paragraph (1)”.

SEC. 1203. NOTIFICATION REQUIREMENTS FOR TECHNICAL ASSISTANCE AND MANUFACTURING LICENSING AGREEMENTS WITH NATO MEMBER COUNTRIES, AUSTRALIA, NEW ZEALAND, AND JAPAN.

Section 36(d) (22 U.S.C. 2776(d)) is amended by adding at the end the following:

“(6) In the case of a commercial technical assistance or manufacturing license agreement with a member country of the North Atlantic Treaty Organization (NATO) or Australia, Japan, or New Zealand that does not authorize a new sales territory that includes any country other than such countries, the requirements contained in paragraphs (2) and (4) shall apply only if—

“(A) the agreement involves—
“(i) major defense equipment in the amount of $7,000,000 or more; or
“(ii) significant military equipment in the amount of $25,000,000 or more; and
“(B) the amount referred to in clause (i) or (ii) of subparagraph (A), as the case may be, includes the estimated value of all defense articles and defense services to be manufactured or transferred throughout the duration of the approval period.”.

SEC. 1204. STRENGTHENING DEFENSE COOPERATION WITH AUSTRALIA AND THE UNITED KINGDOM.

(a) Sense of Congress.—It is the sense of Congress that the expeditious consideration of munitions license applications that meet the policy and eligibility criteria established in section 38 of the Arms Export Control Act (22 U.S.C. 2778) for export or transfer of defense items (as such term is defined in subsection (j)(4)(A) of such section) to Australia and the United Kingdom is fully consistent with United States security and foreign policy interests and the objectives of world peace and security.

(b) Establishment of Fast Track Munitions Licensing for Australia and the United Kingdom.—Section 38(f) (22 U.S.C. 2778(f)) is amended by adding at the end the following:
“(4) In the absence of a binding bilateral agreement with the Government of Australia or the Government of the United Kingdom (as the case may be) that meets the requirements of paragraph (2) and subsection (j), the Secretary of State shall ensure that any application submitted under this section for the export of defense items to Australia or the United Kingdom (as the case may be) that meets all other requirements of this section (including requirements relating to eligibility of parties to the transaction, the absence of risk of diversion to unauthorized end use and end users, and preservation of United States intelligence and law enforcement interests), and which are also transactions involving defense items that would be exempt pursuant to sections 120–130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’) from export licensing or other written approvals if such items were items to be exported to Canada, are processed by the Department of State not later than ten days after the date of receipt of the application without referral to any other Federal department or agency, except on an extraordinary basis upon receipt of a written request from the Attorney General, the Secretary of Homeland Security, the Director of Central Intelligence, or the Secretary of Defense.”.
SEC. 1205. TRAINING AND LIAISON FOR SMALL BUSINESSES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is increasingly important that the Secretary, in administering the licensing, registration, compliance, and other authorities contained in section 38 of the Arms Export Control Act (22 U.S.C. 2778), should provide up-to-date training and other educational assistance to small businesses in the United States aerospace and defense industrial sector.

(b) SMALL BUSINESS LIAISON.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall designate, within the Office of Defense Trade Controls of the Department of State, a coordinator for small business affairs. The coordinator shall serve as a liaison for small businesses in the United States aerospace and defense industrial sector with respect to licensing and registration requirements in order to facilitate the compliance and other forms of participation by such small businesses in the United States munitions control system, including by providing training, technical assistance, and through other efforts as may be appropriate.
SEC. 1206. STUDY AND REPORT RELATING TO CO-LOCATING MUNITIONS CONTROL FUNCTIONS OF THE DEPARTMENTS OF STATE, DEFENSE, AND HOMELAND SECURITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the administrative, licensing, and compliance-related functions associated with the export of defense articles and defense services under section 38 of the Arms Export Control Act (22 U.S.C. 2778), which are generally administered by the Department of State in conjunction with the Department of Homeland Security and the Department of Defense, should be expedited consistent with United States security, law enforcement, and foreign policy requirements by a reduction in the those matters necessitating inter-agency referral outside of the Department of State, or by co-locating related functions of the Department of Homeland Security and the Department of Defense with those functions of the Department of State in order to minimize the time and administrative tasks to government and industry involved in inter-agency referrals, while also providing a convenient, central location for United States defense companies, especially small businesses.

(b) STUDY AND REPORT.—

(1) STUDY.—The Secretary, in consultation with the Secretary of Homeland Security and the
Secretary of Defense, and through the Federal advisory committee structure with the public, shall conduct a study to examine the relative advantages and disadvantages to the United States Government, the United States defense industry, including United States small businesses, and to other public constituencies of co-locating relevant functions and personnel of the Department of State, the Department of Homeland Security, and the Department of Defense with the Office of Defense Trade Controls of the Department of State at a central location convenient to the public and United States defense industry, without prejudice to the responsibilities and prerogatives of the Secretary, the Secretary of Homeland Security, and the Secretary of Defense under existing law.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prepare and submit to the appropriate congressional committees a report that contains the results of study conducted under paragraph (1).
TITLE XIII—SECURITY ASSISTANCE AND RELATED PROVISIONS

Subtitle A—Foreign Military Sales and Financing Authorities

SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the President for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section $4,414,000,000 for fiscal year 2004.

SEC. 1302. PROVISION OF CATALOGING DATA AND SERVICES.

Section 21(h)(2) (22 U.S.C. 2761(h)(2)) is amended by striking “or to any member government of that Organization if that Organization or member government” and inserting “, to any member of that Organization, or to the Governments of Australia, New Zealand, or Japan if that Organization, member government, or the Governments of Australia, New Zealand, or Japan”.

SEC. 1303. ANNUAL ESTIMATE AND JUSTIFICATION FOR SALES PROGRAM.

Section 25(a)(1) (22 U.S.C. 2765(a)(1)) is amended by inserting after “$7,000,000 or more” the following
“(or, in the case of a member country of the North Atlantic Treaty Organization (NATO), Australia, New Zealand, or Japan, $25,000,000 or more)”.  

SEC. 1304. ADJUSTMENT TO ADVANCE NOTIFICATION REQUIREMENT FOR TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.  

Section 516(f)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i) is amended by striking “significant military equipment (as defined in section 47(9) of the Arms Export Control Act)” and inserting “major defense equipment (as defined in section 47(6) of the Arms Export Control Act)”.

Subtitle B—International Military Education and Training  

SEC. 1311. AUTHORIZATION OF APPROPRIATIONS.  

There are authorized to be appropriated to the President $91,700,000 for fiscal year 2004 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).

SEC. 1312. ANNUAL FOREIGN MILITARY TRAINING REPORTING.  

Section 656(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416(a)(1)) is amended—

(1) by striking “January 31” and inserting “March 1”; and
Subtitle C—Assistance for Select Countries

SEC. 1321. ASSISTANCE FOR ISRAEL.

Section 513 of the Security Assistance Act of 2000 (Public Law 106–280) is amended—

(1) in subsection (b)(1), by striking “2002 and 2003” and inserting “2003 through 2005”;

(2) in subsection (c)(1), by striking “2002 and 2003” and inserting “2003 through 2005”;

(3) in subsection (c)(3)—

(A) by striking “fiscal years 2002 and 2003” and inserting “fiscal years 2004 and 2005”;

(B) by striking “fiscal year 2002” and inserting “fiscal year 2004”; and

(C) by striking “fiscal year 2003, or” and inserting “fiscal year 2005, or”; and

(4) in subsection (c)(4)—

(A) by striking “2002 and 2003” and inserting “2003 through 2005”; and

(B) by striking “$535,000,000 for fiscal year 2002” and all that follows through “fiscal year 2003” and inserting “$550,000,000 for
fiscal year 2003, not less than $565,000,000 for fiscal year 2004, and not less than $580,000,000 for fiscal year 2005.”

SEC. 1322. ASSISTANCE FOR EGYPT.

Section 514 of the Security Assistance Act of 2000 (Public Law 106–280) is amended—

(1) by striking “2002 and 2003” each place it appears and inserting “2003 through 2005”; and

(2) in subsection (e)—

(A) by striking “fiscal years 2002 and 2003” and inserting “fiscal years 2004 and 2005”;

(B) by striking “fiscal year 2002” and inserting “fiscal year 2004”; and

(C) by striking “fiscal year 2003, or” and inserting “fiscal year 2005, or”.

Subtitle D—International Narcotics Control Assistance

SEC. 1331. ADDITIONAL AUTHORITIES RELATING TO INTERNATIONAL NARCOTICS CONTROL ASSISTANCE.

Notwithstanding any other provision of law, assistance provided by the United States Government to support international efforts to combat aerial trafficking of illicit narcotics under chapter 8 of part I of the Foreign
Assistance Act of 1961 or under any other provision of law shall include the authority to interdict illicit arms in connection with the trafficking of illicit narcotics.

SEC. 1332. UNITED STATES OPIUM ERADICATION PROGRAM IN COLOMBIA.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, acting through the Department of State's Narcotics Affairs Section (NAS) in Bogota, Colombia, shall ensure that all pilots participating in the United States opium eradication program in Colombia are Colombians and are fully trained, qualified, and experienced pilots, with preference provided to individuals who are members of the Colombian National Police.

Subtitle E—Miscellaneous Provisions

SEC. 1341. UNITED STATES WAR RESERVE STOCKPILES FOR ALLIES.

Section 514(b)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)) is amended—

(1) in subparagraph (A), by striking “for fiscal year 2003” and inserting “for each of fiscal years 2003 and 2004”; and

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(2) in subparagraph (B), by striking “for fiscal year 2003” and inserting “for each of fiscal years 2003 and 2004”.

SEC. 1342. TRANSFER TO ISRAEL OF CERTAIN DEFENSE ARTICLES IN THE UNITED STATES WAR RESERVE STOCKPILES FOR ALLIES.

(a) AUTHORIZATION.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Israel, in return for concessions to be negotiated by the Secretary of Defense, with the concurrence of the Secretary, defense articles, including armor, artillery, ammunition for automatic weapons, missiles, and other munitions that are—

(1) obsolete or surplus items;

(2) in the inventory of the Department of Defense;

(3) intended for use as reserve stocks in Israel; and

(4) are located in a stockpile in Israel as of the date of enactment of this Act.

(b) CONCESSIONS.—The value of concessions negotiated pursuant to subsection (a) shall be at least equal to the fair market value of the items transferred. The concessions may include cash compensation, services, waiver
of charges otherwise payable by the United States, and other items of value.

(c) ADVANCE NOTIFICATION OF TRANSFER.—

(1) IN GENERAL.—Not less than 30 days before making a transfer under the authority of this section, the President shall transmit a notification describing the items to be transferred to Israel and the concessions to be received by the United States to the congressional committees specified in paragraph (2).

(2) CONGRESSIONAL COMMITTEES SPECIFIED.—The congressional committees referred to in paragraph (1) are—

(A) the Committee on International Relations and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

(d) EXPIRATION OF AUTHORITY.—No transfer may be made under the authority of this section following the expiration of the five-year period beginning on the date of enactment of this Act.
SEC. 1343. EXPANSION OF AUTHORITIES FOR LOAN OF MATERIAL, SUPPLIES, AND EQUIPMENT FOR RESEARCH AND DEVELOPMENT PURPOSES.

Section 65 (22 U.S.C. 2796d) is amended—

(1) in subsection (a)(1), by inserting “or a friendly foreign country” after “ally” each place such term appears; and

(2) in subsection (d) to read as follows:

“(d) For purposes of this section—

“(1) the term ‘NATO ally’ means a member country of the North Atlantic Treaty Organization (other than the United States); and

“(2) the term ‘friendly foreign country’ means any non-NATO member country determined by the President to be eligible for a cooperative project agreement with the United States pursuant to section 27(j) of this Act.”.

SEC. 1344. ASSISTANCE FOR DEMINING AND RELATED ACTIVITIES.

(a) Assistance.—The Secretary is authorized to provide grants to, or enter into contracts or cooperative agreements with, public-private partnerships for the purpose of establishing and carrying out demining, clearance of unexploded ordnance, and related activities in foreign countries.
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(b) LIMITATION.—Except as otherwise provided, the total amount provided on a grant basis to public-private partnerships under subsection (a) for a fiscal year may not exceed $450,000.

(c) FUNDING.—Amounts made available to carry out "Nonproliferation, Anti-Terrorism, Demining, and Related Programs" for fiscal year 2004 are authorized to be made available to carry out this section.

SEC. 1345. COOPERATIVE DEVELOPMENT PROGRAM.

Of the amounts made available for development assistance under the Foreign Assistance Act of 1961, not less than $2,000,000 for each of the fiscal years 2004 and 2005 are authorized to be made available to finance projects among the United States, Israel, and developing countries in Africa under the Cooperative Development Program.

SEC. 1346. WEST BANK AND GAZA PROGRAM.

(a) OVERSIGHT.—For fiscal year 2004, the Secretary of State shall certify to the appropriate committees of Congress not later than 30 days prior to the initial obligation of funds for the West Bank and Gaza that procedures have been established to assure the Comptroller General will have access to appropriate United States financial information in order to review the use of United States assistance for the West Bank and Gaza funded under chap-
(b) Vetting.—Prior to any obligation of funds authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual or entity that the Secretary knows, or has reason to believe, advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection.

(c) Audits.—

(1) In general.—The Administrator of the United States Agency for International Development shall ensure that independent audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Audits by inspector general of USAID.—Of the funds authorized to be appropriated by this Act to carry out chapter 4 of part II of the...
Foreign Assistance Act of 1961 that are made available for assistance for the West Bank and Gaza, up to $1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of paragraph (1). Such funds are in addition to funds otherwise available for such purposes.

SEC. 1347. ANNUAL HUMAN RIGHTS COUNTRY REPORTS ON INCITEMENT TO ACTS OF DISCRIMINATION.

(a) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(1) in paragraph (9), by striking “and” at the end;

(2) in paragraph (10), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(11)(A) wherever applicable, in a separate section with a separate heading, a description of the nature and extent of—

“(i) propaganda in government and government-controlled media and other sources, including government-produced educational materials and textbooks, that attempt to justify or
promote racial hatred or incite acts of violence
against any race or people; and
“(ii) complicity or involvement in the cre-
ation of such propaganda or incitement of acts
of violence against any race; and
“(B) a description of the actions, if any, taken
by the government of the country to eliminate such
propaganda or incitement.”.

(b) COUNTRIES RECEIVING SECURITY ASSIST-
ANCE.—Section 502B(b) of the Foreign Assistance Act of
1961 (22 U.S.C. 2304(b)) is amended by inserting after
the eighth sentence the following: “Each report under this
section shall also include wherever applicable, in a sepa-
rate section with a separate heading, a description of (i)
the nature and extent of (I) propaganda in government
and government-controlled media and other sources, in-
cluding government-produced educational materials and
textbooks, that attempt to justify or promote racial hatred
or incite acts of violence against any race, and (II) com-
pliance or involvement in the creation of such propaganda
or incitement of acts of violence against any race or peo-
ple, and (ii) a description of the actions, if any, taken by
the government of the country to eliminate such propa-
ganda or incitement.”.

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SEC. 1348. ASSISTANCE TO EAST TIMOR.

Section 632(b)(1) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–277) is amended by striking “the fiscal year 2003” and inserting “each of the fiscal years 2003, 2004, and 2005”.

SEC. 1349. SUPPORT FOR DEMOCRACY-BUILDING EFFORTS FOR CUBA.

(a) Statement of Policy.—It is the policy of the United States to support those individuals and groups who struggle for freedom and democracy in Cuba, including human rights dissidents, independent journalists, independent labor leaders, and other opposition groups.

(b) Authorization of Appropriations.—

(1) In general.—There are authorized to be appropriated to the President to carry out section 109(a) of Public Law 104–114 (22 U.S.C. 6039(a)) $15,000,000 for each of the fiscal years 2004 and 2005.

(2) Additional authorities.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a)—

(A) are authorized to remain available until expended; and

(B) are in addition to amounts otherwise available for such purposes.
SEC. 1350. AMENDMENT TO THE AFGHANISTAN FREEDOM SUPPORT ACT OF 2002.

The Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7501 et seq.) is amended—

(1) in section 103(a) by striking “section 512 of Public Law 107–115 or any similar” and inserting “any other”; and

(1) in section 207(b) by striking “section 512 of Public Law 107–115 or any similar” and inserting “any other”.

SEC. 1351. CONGO BASIN FOREST PARTNERSHIP.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out the Congo Basin Forest Partnership (CBFP) program $18,600,000 for each of the fiscal years 2004 and 2005. Of the amounts appropriated pursuant to the authorization of appropriations under the preceding sentence for a fiscal year, $16,000,000 is authorized to be made available to the Central Africa Regional Program for the Environment (CARPE) of the United States Agency for International Development.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.
SEC. 1352. COMBATTING THE PIRACY OF UNITED STATES COPYRIGHTED MATERIALS.

In addition to such amounts as may otherwise be authorized to be appropriated for such purpose, there are authorized to be appropriated for the Department of State, $10,000,000 to carry out the following activities in countries that are not members of the Organization for Economic Cooperation and Development (OECD):

(1) Provision of equipment and training for foreign law enforcement officials.

(2) Training for judges and prosecutors.

(3) Assistance in complying with obligations under appropriate international copyright and intellectual property treaties and agreements.

SEC. 1353. REPORTS RELATING TO TREATY BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION ON STRATEGIC OFFENSIVE REDUCTIONS.

The President shall submit to the Committee on International Relations of the House of Representatives all reports submitted to the Committee on Foreign Relations pursuant to section 2 of the Senate Resolution of Ratification to Accompany Treaty Document 107–8, Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions.
SEC. 1354. STATEMENT OF HOUSE OF REPRESENTATIVES REGARDING THE TREATY BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION ON STRATEGIC OFFENSIVE REDUCTIONS.

The House of Representatives—

(1) concurs with the declarations of the Senate in section 3 of the Resolution of Ratification to Accompany Treaty Document 107–8, Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions;

(2) encourages the President to continue strategic offensive reductions to the lowest possible levels consistent with national security requirements and alliance obligations of the United States;

(3) urges the President to engage the Russian Federation with the objectives of establishing cooperative measures to give each party to the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions improved confidence regarding the accurate accounting and security of nonstrategic nuclear weapons maintained by the other party; and
(4) encourages the President to accelerate United States strategic force reductions, to the extent feasible and consistent with the treaty, in order that the reductions required by Article I of the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions may be achieved prior to December 31, 2012.

SEC. 1355. NONPROLIFERATION AND DISARMAMENT FUND.

(a) Authorization of Appropriations.—

(1) In general.—There are authorized to be appropriated to the President to carry out section 504 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5854; relating to the “Nonproliferation and Disarmament Fund”) $60,000,000 for each of the fiscal years 2004 and 2005.

(2) Availability.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

(b) Nonproliferation of Highly Enriched Uranium.—

(1) Findings.—Congress finds the following:
(A) Highly enriched uranium is the most likely source material for terrorist or other outlaw organizations that seek to acquire a nuclear weapon.

(B) Such organizations are not likely to produce this source material on their own, but will instead look to divert highly enriched uranium from some of the many vulnerable stockpiles in numerous facilities around the world.

(C) There is a need for a coordinated United States Government initiative to secure and dispose of highly enriched uranium stockpiles in these vulnerable facilities around the world.

(D) The Nonproliferation and Disarmament Fund (NDF) is a unique and flexible entity that is well-suited to carry out the initiative described in subparagraph (C), in cooperation with other Federal departments and agencies, including the Department of Energy.

(2) INITIATIVE.—The Secretary of State is authorized to establish and carry out an initiative to secure and dispose of highly enriched uranium stockpiles in foreign countries, including the provision of
such assistance as may be required to secure host
country cooperation under the initiative.

(3) AUTHORIZATION OF APPROPRIATIONS.—Of
the amounts made available to carry out section 504
of the Freedom for Russia and Emerging Eurasian
Democracies and Open Markets Support Act of
1992 (22 U.S.C. 5854) for fiscal years 2004 and
2005, there are authorized to be appropriated to the
Secretary to carry out paragraph (2) $25,000,000
for each such fiscal year.

SEC. 1356. MARITIME INTERDICTION PATROL BOATS FOR
MOZAMBIQUE.

(a) IN GENERAL.—Of the amounts made available to
carry out section 23 of the Arms Export Control Act for
fiscal year 2004, there is authorized to be appropriated
$1,000,000 for refurbishment, delivery, operational train-
ing, and related costs associated with the provision of not
more than four excess coastal patrol boats to the Govern-
ment of Mozambique for maritime patrol and interdiction
activities.

(b) AVAILABILITY.—Amounts appropriated pursuant
to the authorization of appropriations under subsection (a)
are authorized to remain available until September 30,
2006.
TITLE XIV—MISSILE THREAT
REDUCTION ACT OF 2003

SEC. 1401. SHORT TITLE.

This title may be cited as the “Missile Threat Reduction Act of 2003”.

Subtitle A—Strengthening International Missile Nonproliferation Law

SEC. 1411. FINDINGS.

Congress makes the following findings:

(1) The spread of offensive ballistic missiles suitable for launching nuclear, chemical, and biological warheads is accelerating across the globe.

(2) According to the Carnegie Endowment for International Peace, more than 25 countries possess missiles with ranges in excess of 300 kilometers and capable of delivering a nuclear warhead.

(3)(A) Many of the countries now possessing such missiles, and engaging in the sale and transfer of such missiles and their production technology to other countries, are directly hostile to the United States, its interests, and its allies.

(B) Of particular concern in this regard is North Korea, which regularly sells ballistic missiles
and technology to countries in regions of instability and concern to the United States.

(4) The Central Intelligence Agency has stated in its most recent report on the foreign ballistic missile threat the following:

“Emerging ballistic missile states continue to increase the range, reliability, and accuracy of the missile systems in their inventories—posing ever greater risks to U.S. forces, interests, and allies throughout the world. A decade ago, U.S. and allied forces abroad faced threats from SRBM’s [Short Range Ballistic Missiles]—primarily the Scud and its variants. Today, countries have deployed or are on the verge of deploying MRBM’s [Medium Range Ballistic Missiles], placing greater numbers of targets at risk.

“Proliferation of ballistic missile-related technologies, materials, and expertise—especially by Russian, Chinese, and North Korean entities—has enabled emerging missile states to accelerate the development timelines for their existing programs, acquire turnkey systems to gain previously non-existent capabilities—in the case of the Chinese sale of the M–11 SRBM to
Pakistan—and lay the groundwork for the expansion of domestic infrastructures to potentially accommodate even more capable and longer range future systems.”

(5) The same CIA report also noted the following: “North Korea has assumed the role as the missile and manufacturing technology source for many programs. North Korean willingness to sell complete systems and components has enabled other states to acquire longer range capabilities earlier than otherwise would have been possible—notably the sale of the No Dong MRBM to Pakistan. The North also has helped countries to acquire technologies to serve as the basis for domestic development efforts—as with Iran’s reverse-engineering of the No Dong in the Shahab-3 program. Meanwhile, Iran is expanding its efforts to sell missile technology.”

(6) Since 1987, 33 countries have committed to abide by a voluntary set of guidelines known as the Missile Technology Control Regime (MTCR), whereby adherents agreed to refrain from the transfer to nonadherents of certain categories of whole missiles, their constituent parts, and the facilities to manufacture them, especially “Category I” missiles, which
at a range of 300 kilometers or more and a payload
capacity of 500 kilograms or more are especially
suited for delivering nuclear weapons.

(7) In October 2002, 93 countries committed to
observe a nonbinding code of conduct derived from,
but less restrictive than, the nonbinding MTCR.
While this is a welcome achievement, it does not pro-
vide a legal obligation on its adherents to refrain
from the trade in missiles or missile technology.

(8) On December 10, 2002, the White House
released its “National Strategy to Combat Weapons
of Mass Destruction”, wherein it is stated that
strengthening international nonproliferation controls
on weapons of mass destruction (WMD) and upon
the missiles that can deliver them is the second of
three principal pillars of the National Strategy. The
National Strategy also states that “effective inter-
diction is a critical part of the U.S. strategy to com-
bat WMD and their delivery means”.

(9) On December 11, 2002, the United States
took control of an unflagged freighter that was at-
ttempting clandestinely to ship, from North Korea to
Yemen, SCUD missiles of a type that would be gen-
erally prohibited from transfer as Category I mis-
siles.
Neither North Korea nor Yemen is an adherent to the MTCR guidelines, which in any case are not legally binding, and there is no binding international legal instrument that would prohibit shipments of the missiles referred to in paragraph (9).

At Yemen’s request, the United States released the shipment of North Korean Scud missiles to Yemen.

Also on December 11, 2002, the White House press spokesman stated that existing international law regarding halting the spread of missile proliferation could be strengthened. The new National Strategy to Combat Weapons of Mass Destruction also commits the United States to support those regimes that are currently in force, and to work to improve the effectiveness of, and compliance with, those regimes, and identifies the MTCR as a regime that the United States will seek to strengthen.

Secretary of Defense Donald Rumsfeld, testifying on February 12, 2003, before the Committee on Armed Services of the Senate, stated the following: “...[I]t’s pretty clear that the proliferation regimes that exist in the world worked pretty...
well before, [but] they're not working very well right now.... Unless the world wakes up and says this is a dangerous thing and creates a set of regimes that will in fact get cooperation to stop those weapons, we're going to be facing a very serious situation in the next five years.”.

(14) The MTCR has made an invaluable contribution to restraint in the international trade of offensive ballistic missiles. Strengthening international controls on ballistic missiles, however, will require a dramatic expansion of adherents that rigorously abide by the MTCR's guidelines, and a binding legal basis for the United Nations and countries devoted to nonproliferation to prevent, and when necessary act to prevent, further proliferation of offensive ballistic missiles around the world.

(15) Therefore, it should be the policy of the United States to promote the creation of new international mechanisms that would, in all future circumstances, allow the peace-loving and law-abiding nations of the world the authority to interdict and prevent the transfer of such missiles.

**SEC. 1412. POLICY OF THE UNITED STATES.**

It shall be the policy of the United States to seek a binding international instrument or instruments to re-
strict the trade in offensive ballistic missiles with ranges
of 300 kilometers or more that have a payload capacity
of 500 kilograms or more. Such a binding international
instrument may take the form of a multilateral treaty, a
United Nations Security Council resolution, or other in-
strument of international law, and should provide for en-
forcement measures including interdiction, seizure, and
impoundment of illicit shipments of offensive ballistic mis-
siles and related technology, equipment, and components.

SEC. 1413. SENSE OF CONGRESS.

It is the sense of the Congress that the United States
should immediately introduce a resolution in the United
Nations Security Council to prohibit all members of the
United Nations from purchasing, receiving, assisting or al-
lowing the transfer of, and to authorize the subsequent
interdiction, seizure, and impoundment of, any missile,
missile-related equipment, means of producing missiles, or
missile-related technology from North Korea.

Subtitle B—Strengthening United
States Missile Nonproliferation
Law

SEC. 1421. PROBATIONARY PERIOD FOR FOREIGN PER-
SONS.

(a) IN GENERAL.—Notwithstanding any other provi-
ution of law, upon the expiration, or the granting of a waiv-
or after January 1, 2003, of sanctions against a
foreign person imposed under section 73(a) of the Arms
Export Control Act (22 U.S.C. 2797b(a)) or under section
11B(b)(1) of the Export Administration Act of 1979 (50
U.S.C. App. 2410b(b)(1)), as continued in effect under
the International Emergency Economic Powers Act, a li-

cense shall be required, for a period of not less than 3
years, for the export to that foreign person of all items
controlled for export under section 5 or 6 of the Export
Administration Act of 1979 (50 U.S.C. App. 2404, 2405),
as continued in effect under the International Emergency
Economic Powers Act, in accordance with the Export Ad-

(b) TERMINATION.—Subsection (a) shall not apply to
a foreign person 30 days after the President notifies the
Committee on International Relations of the House of
Representatives and the Committee on Banking, Housing,
and Urban Affairs and the Committee on Foreign Rela-
tions of the Senate that he has determined that—

(1) the foreign person has—

(A) ceased all activity related to the origi-
nal imposition of sanctions under section 73(a)
of the Arms Export Control Act or section
11B(b)(A) of the Export Administration Act of
1979, as the case may be; and
(B) has instituted a program of transparency measures whereby the United States will be able to verify for at least a period of 3 years that the foreign person is not engaging in prohibited activities under those provisions of law referred to in paragraph (1); and

(2) there has been an appropriate resolution of the original violation or violations, such as financial penalties, incarceration, destruction of prohibited items, or other appropriate measures taken to prevent a recurrence of the violation or violations.

SEC. 1422. STRENGTHENING UNITED STATES MISSILE PROLIFERATION SANCTIONS ON FOREIGN PERSONS.

(a) ARMS EXPORT CONTROL ACT.—Section 73(a)(2) (22 U.S.C. 2797b(a)(2)) is amended by striking “2 years” each place it appears and inserting “4 years”.

(b) PUBLIC INFORMATION.—Section 73(e)(2) (22 U.S.C. 2797b(e)(2)) is amended by adding at the end the following new sentence: “Such report may be classified only to the extent necessary to protect intelligence sources and methods. If the report is so classified, the President shall make every effort to acquire sufficient alternative information that would allow a subsequent unclassified version of the report to be issued.”.
(c) Export Administration Act of 1979.—Any sanction imposed on a foreign person under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, shall be in effect for a period of 4 years beginning on the date on which the sanction was imposed.

(d) Applicability.—The amendments made by subsections (a) and (b) and the provisions of subsection (c) shall apply to all sanctions imposed under section 73(a) of the Arms Export Control Act or section 11B(b)(1) of the Export Administration Act of 1979, as continued in effect under the International Emergency Economic Powers Act, by reason of acts giving rise to such sanctions that were committed by foreign persons on or after January 1, 2003.

SEC. 1423. COMPREHENSIVE UNITED STATES MISSILE PROLIFERATION SANCTIONS ON ALL RESPONSIBLE PERSONS.

(a) Arms Export Control Act.—Section 73(a) (22 U.S.C. 2797b(a)) is amended by adding at the end the following new paragraph:

“(3)(A) Sanctions imposed upon a foreign person under paragraph (2) shall also be imposed on any governmental entity that the President determines exercises ef-

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effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

“(B) When a sanction is imposed on a foreign person under paragraph (2), the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire items that may not be exported to that foreign person on account of the sanction imposed on that foreign person, with the intent to transfer to that foreign person, or provide to that foreign person access to, such items.

“(C) The President may also prohibit, for such period of time as he may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person on whom sanctions have been imposed under this subsection.

“(D) The President shall report on an annual basis to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate the identity of any foreign person that engages in any transaction or activity with a foreign person on whom sanctions have been imposed under this subsection that either—

“(i) would be the basis for imposing sanctions under subparagraph (B) but for which sanctions have not been imposed; or

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“(ii) would be the basis for imposing sanctions
under subparagraph (C) if the transaction or activity
had been carried out by a United States person or
by a person in the United States.

Such report shall be unclassified to the maximum extent
feasible, but may include a classified annex.”.

(b) Definition of Person.—Section 74(a)(8)(A)
(22 U.S.C. 2797e(a)(8)(A)) is amended to read as follows:

“(8)(A) the term ‘person’ means—

“(i) a natural person;

“(ii) a corporation, business association,
partnership, society, trust, transnational cor-
poration, or transnational joint venture, any
other nongovernmental entity, organization, or
group, and any governmental entity;

“(iii) any subsidiary, subunit, or parent en-
tity of any business enterprise or other organi-
zeation or entity listed in clause (ii); and

“(iv) any successor of any business enter-
prise or other organization or entity listed in
clause (ii) or (iii); and”.

(c) Export Administration Act of 1979.—

(1) Sanctions Imposed on Government En-
tities.—Any sanction imposed on a foreign person
under section 11B(b)(1)(B) of the Export Adminis-
tration Act of 1979 (50 U.S.C. App. 2410b(b)(1)(B)), as continued in effect under the International Emergency Economic Powers Act (in this subsection referred to as a “dual use sanction”), shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

(2) OTHER ENTITIES.—When a dual use sanction is imposed on a foreign person, the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire items that may not be exported to that foreign person on account of the dual use sanction imposed on that foreign person, with the intent to transfer to that foreign person, or provide to that foreign person access to, such items.

(3) TRANSACTIONS BY THIRD PARTIES.—The President may also prohibit, for such period of time as he may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person on whom dual use sanctions have been imposed.

(4) REPORT.—The President shall submit on an annual basis to the appropriate congressional
committees a report that contains the identity of any foreign person that engages in any transaction or activity with a foreign person on whom dual use sanctions have been imposed that either—

(A) would be the basis for imposing dual use sanctions under paragraph (2) but for which such sanctions have not been imposed; or

(B) would be the basis for imposing dual use sanctions under paragraph (3) if the transaction or activity had been carried out by a United States person or by a person in the United States.

Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.

(5) DEFINITIONS.—In this subsection:

(A) PERSON.—The term “person” means—

(i) a natural person;

(ii) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;
(iii) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in clause (ii); and

(iv) any successor of any business enterprise or other organization or entity listed in clause (ii) or (iii).

(B) In the case of countries where it may be impossible to identify a specific governmental entity referred to in subparagraph (A), the term “person” means—

(i) all activities of that government relating to the development or production of any missile equipment or technology; and

(ii) all activities of that government affecting the development or production of aircraft, electronics, and space systems or equipment.

(C) United States person.—The term “United States person” has the meaning given that term in section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(2)).

(D) Missile equipment or technology.—The term “missile equipment or
technology’’ has the meaning given that term in section 11B(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(c)).

(d) Effective Date.—The amendments made by subsections (a) and (b) shall apply with respect to sanctions imposed on or after January 1, 2003, on foreign persons under section 73(a)(2) of the Arms Export Control Act, and the provisions of subsection (c) shall apply with respect to sanctions imposed on or after January 1, 2003, on foreign persons under section 11B(b) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)), as continued in effect under the International Emergency Economic Powers Act.

Subtitle C—Incentives for Missile Threat Reduction

SEC. 1431. FOREIGN ASSISTANCE.

(a) Types of Assistance.—The President is authorized to provide, on such terms as the President deems appropriate, the following assistance to countries that agree to destroy their ballistic missiles, and their facilities for producing ballistic missiles, that have a payload capacity of 500 kilograms or more over a distance of 300 kilometers or more:

(2) Assistance under chapter 4 of part II of the
Foreign Assistance Act of 1961 (22 U.S.C. 2346 et
seq.), notwithstanding section 531(e) or 660(a) of
that Act (22 U.S.C. 2346(c) or 2420(a)).
(3) Drawdown of defense articles, defense serv-
ices, and military education and training under sec-
tion 506 of the Foreign Assistance Act of 1961 (22
(b) CONGRESSIONAL NOTIFICATION.—Assistance au-
thorized under subsection (a) may not be provided until
30 days after the date on which the President has pro-
vided notice thereof to the appropriate congressional com-
mittees in accordance with the procedures applicable to
reprogramming notifications under section 634A(a) of the
Foreign Assistance Act of 1961 (22 U.S.C. 2394–1(a)).
(c) LIMITATION.—Any assistance provided to a coun-
try under subsection (a) may not be provided in more than
3 fiscal years.
SEC. 1432. AUTHORIZATION OF APPROPRIATIONS.
(a) AUTHORIZATION.—There is authorized to be ap-
propriated to the President to carry out section 1431 the
sum of $250,000,000.
(b) AVAILABILITY.—Amounts appropriated pursuant
to the authorization of appropriations under subsection (a)
are authorized to remain available until expended.
SEC. 1433. AUTHORIZATION OF TECHNICAL ASSISTANCE IN MISSILE DISARMAMENT.

The President is authorized to provide technical assistance in the destruction of any missile or facility for producing ballistic missiles, in any country that requests such assistance.
Chairman HYDE. Without objection, the bill will be considered as read and open for amendment at any point, and the Chair yields himself 5 minutes for purposes of a statement.

Before us is H.R. 1950, the Foreign Relations and Security Assistance Bill. This bill, which I introduced with Ranking Democratic Member Tom Lantos, authorizes the funding and activities for the Department of State for two fiscal years, 2004 and 2005. The accounts covered in this bill are funded at or above the President’s fiscal year 2004 budget request. The President’s request for these accounts is approximately $14.3 billion. The total authorization for this bill, including State Department operation accounts and the security assistance provisions for 2004, is approximately $15 billion.

The proposed amount for FY 2005 is approximately the same as that of FY 2004 with some modest percentage increases for typical cost-of-living adjustments. A significant portion of these increases reflects the need to improve the effectiveness of our public diplomacy programs and our international broadcasting, as well as to strengthen our democracy-building programs overseas.

This bill does carry some foreign assistance provisions, but we have tried to keep these to a minimum. There will be opportunities for further foreign assistance provisions when the Committee considers other bills, such as the Millennium Challenge Account. The measure contains several recommendations from the Administration and Committee Members. Many of the State Department requests are administrative in nature.

This bill incorporates the Public Diplomacy Bill, H.R. 3969, the Freedom Promotion Act of 2002, that was agreed to by this Committee and the full House during the last Congress. The provisions in this act are focused on enhancing the role of public diplomacy in our foreign policy and specifically places the responsibility for the formulation and execution of these programs on the Secretary of State. These provisions also authorize funding for student and other exchanges, as well as for a number of other public-diplomacy programs, with a focus on countries with predominately Muslim populations.

H.R. 1950 includes a much-needed reorganization of the decision-making processes of our international broadcasting efforts. These provisions will allow the many innovative plans for this increasingly important element of our foreign policy to be implemented more vigorously and expeditiously, which all observers agree must be a high priority.

This bill includes the request from the Broadcasting Board of Governors regarding the establishment of a separate grantee to run the new Middle East Television and Radio Network. This network will add 24-hours-a-day TV and radio broadcasts to the Middle East and thereby greatly contribute to an enhancement of our efforts to combat the misinformation and propaganda that contribute to the rising anti-American sentiment in the region.

Constructing secure facilities for our overseas missions continues to be a top priority. To that end, we have fully funded State’s requests in this area, while also encouraging the establishment of a cost-sharing program. This cost-sharing program is designed to collect funds from each agency that has staff stationed at a U.S. Em-
bassy or consulate. These funds will be used to supplement the construction costs of new facilities.

Last year, the President made the decision to rejoin UNESCO. As you are aware, the U.S. withdrew from that organization 19 years ago and refused to rejoin until UNESCO implemented a series of significant reforms designed to remedy its many abuses. Careful consideration has been given to the terms of U.S. reentry to this organization, and this bill makes well-considered recommendations to that end.

Division B of H.R. 1950 contains four titles which address defense trade and security assistance issues, as well as missile-proliferation policy and laws.

Concerning defense trade reforms, title XI contains several amendments to the Arms Export Control Act (AECA) that will strengthen the terrorist-related prohibitions contained in that law and enhance the ability of our Government to enforce the law should violations occur. Together with measures designed to strengthen the effectiveness of the U.S. Government program for defense trade in title XI, there are other measures, title XII and title XIII, that will improve the administration of export controls by the State Department; reflect new priorities in the U.S. defense trade systems; and facilitate the participation of the U.S. defense industry; and provide modifications to AECA to implement security assistance programs.

Title XIV incorporates an important initiative by the Ranking Democratic Member, Mr. Lantos, which I am pleased to support, aimed at curbing the proliferation of ballistic missiles that can be armed with weapons of mass destruction.

I appreciate the bipartisan cooperation we have received in developing this bill, and I hope we can continue this bipartisan approach in the amendment process. We expect to be on the Floor with this bill in June, and I now recognize Mr. Lantos for any comments he may wish to make.

[The prepared statement of Mr. Hyde 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. 1950, the Foreign Relations and Security Assistance bill. This bipartisan bill, which I introduced with Ranking Democratic Member Tom Lantos, authorizes the funding and activities for the Department of State for two fiscal years, 2004 and 2005.

The accounts covered in this bill are funded at or above the President's Fiscal Year 2004 budget request. The President's request for these accounts is approximately $14.3 billion. The total authorization for this bill, including the State Department Operation accounts and the Security Assistance provisions for FY 2004, is approximately $15 billion.

The proposed amount for FY 2005 is approximately the same as that of FY 2004 with some modest percentage increases for typical cost-of-living adjustments. A significant portion of these increases reflects the need to improve the effectiveness of our public diplomacy programs and our international broadcasting, as well as to strengthen our democracy-building programs overseas.

This bill does carry some foreign assistance provisions, but we have tried to keep these to a minimum. There will be opportunities for further foreign assistance provisions when the committee considers other bills, such as the Millennium Challenge Account.

The measure contains several recommendations from the Administration and Committee members. Many of the State Department requests are administrative in nature.
This bill incorporates the public diplomacy bill—H.R. 3969, the Freedom Promotion Act of 2002—that was agreed to by this Committee and the full House during the last Congress. The provisions in this Act are focused on enhancing the role of public diplomacy in our foreign policy and specifically place the responsibility for the formulation and execution of these programs on the Secretary of State. These provisions also authorize funding for student and other exchanges, as well as for a number of other public diplomacy programs, with a focus on countries with predominantly Muslim populations.

H.R. 1950 includes a much-needed reorganization of the decision-making processes of our international broadcasting efforts. These provisions will allow the many innovative plans for this increasingly important element of our foreign policy to be implemented more vigorously and expeditiously, which all observers agree must be a high priority.

This bill includes the request from the Broadcasting Board of Governors regarding the establishment of a separate grantee to run the new Middle East Television and Radio Network. This new network will add 24-hours-a-day TV and radio broadcasts to the Middle East and thereby greatly contribute to an enhancement of our efforts to combat the misinformation and propaganda that contribute to the rising anti-American sentiment in the region.

Constructing secure facilities for our overseas missions continues to be a top priority. To that end, we have fully funded State's requests in this area while also encouraging the establishment of a cost-sharing program. This cost-sharing program is designed to collect funds from each agency that has staff stationed at a U.S. embassy or consulate. These funds will be used to supplement the construction costs of new facilities.

Last year, the President made the decision to rejoin UNESCO. As you are aware, the U.S. withdrew from that organization nineteen years ago and refused to rejoin until UNESCO implemented a series of significant reforms designed to remedy its many abuses. Careful consideration has been given to the terms of U.S. reentry to this organization, and this bill makes well-considered recommendations to that end.

Division B of H.R. 1950 contains four titles which address defense trade and security assistance issues as well as missile proliferation policy and laws.

Concerning defense trade reform, Title eleven contains several amendments to the Arms Export Control Act (“AECA”) that will strengthen the terrorist-related prohibitions contained in that law and enhance the ability of our Government to enforce the law, should violations occur.

Together with measures designed to strengthen the effectiveness of the U.S. Government program for defense trade in Title eleven, there are also other measures, Title twelve and Title thirteen, that will improve the administration of export controls by the State Department; reflect new priorities in the U.S. defense trade system; facilitate the participation of the U.S. defense industry; and provide modifications to the AECA to implement security assistance programs.

Title fourteen incorporates an important initiative by the Ranking Democratic Member, Mr. Lantos, which I am pleased to support, aimed at curbing the proliferation of ballistic missiles that can be armed with weapons of mass destruction.

I appreciate the bipartisan cooperation we have received in developing this bill and hope that we can continue this bipartisan approach in the amendment process. We expect to be on the floor with this bill in June.

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

Mr. LANTOS. Well, let me first thank you, Mr. Chairman. Our Committee, because of your leadership, is an oasis of bipartisanship in an otherwise deeply split Congress and profoundly divided capital.

I would like to begin by commending you for the tremendous work you do to support this Committee’s leading role in shaping our nation’s foreign policy. The United States is truly blessed to have your leadership during a time of this great challenge. Mr. Chairman, based on the work you and I and our staffs have done together, I am pleased to cosponsor the critical legislation before us today, which strengthens the Department of State and improves its ability to promote the foreign policy of the United States, to pursue U.S. national-security interests, and to play the leading role in the development of our policies toward the entire world.
I am pleased that our bill fully funds the Administration’s request for the Department of State and contains many of the provisions that Secretary Powell has requested to help him better manage the department. I want to commend the Secretary for his effort to strengthen what has traditionally been one of our nation’s greatest resources, our diplomatic corps.

I am also pleased to say that, under the authority provided in this bill, the Secretary’s Diplomatic Readiness Initiative will reach its final goal in putting an additional 1,158 new professionals in place to serve our country.

Mr. Chairman, I am proud to be joining you in the continuing effort to make sure that we quickly reduce the period in which our Embassy employees are left in buildings and compounds that are vulnerable to terrorist attack. In some parts of the world, our Embassies are exposed to physical threats, which are truly dangerous. I just visited our Embassy in Amman, Jordan, which is one of the very first facilities providing maximum security for Embassy staff in a very vulnerable part of the world. We need such facilities throughout the globe.

To support the goal of Embassy security, our bill provides more than $1,300,000,000 for worldwide security upgrades. Our bill also contains a number of new initiatives that will give our Department of State the tools it needs to promote and protect our national interests in an increasingly complex world.

I am particularly proud to have had a chance to work with our distinguished colleague, Chairman of our Rules Committee, David Dreier, in crafting one such measure, the International Leadership Act of 2003, which has been folded into this bill. The leadership act is designed to give our diplomats the tools they need to ensure that America once again punches at its weight class at the United Nations. It does so by creating a Democracy Caucus to support the U.S. at the U.N. by directing the President to use our influence to reform U.N. rules so rogue regimes cannot gain leadership positions. It is a disgrace that, as we speak, Libya still chairs the Human Rights Commission. It is an absurdity, and it undermines whatever respect there has historically been for this organization. We provide in our International Leadership Act new training for our diplomats for effective, multilateral diplomacy.

An important initiative included in our legislation is the International Free Media Act of 2003, which will help the Department of State to encourage the development of sources of accurate, objective reporting in societies currently polluted by messages of propaganda and hate in state-controlled media. I am particularly pleased that this initiative includes a new, $15 million fund to support independent and ethical journalism, a concept which is nonexistent in many parts of the world.

One final measure I would like to highlight is the Missile Threat Reduction Act of 2003. This is designed to confront the alarming spread of offensive ballistic missiles for launching nuclear, chemical, and biological warheads. Our measure commits the United States to seeking a new international mechanism to restrict the trade in missiles, strengthens U.S. sanctions against missile traders, and provides assistance to countries that agree to destroy their missile arsenals.
I am very pleased that the bill authorizes all funds necessary to pay our assessed dues upon reentry to UNESCO in full and on time. When my wife, Annette, and I had the pleasure of visiting UNESCO in our longstanding effort to facilitate our reentry to UNESCO, we did not dream that our efforts would be as successful as soon as they have become, and I want to pay particular attention and respect to my friend, Congressman Leach, for his leadership on seeing to it that we reenter the United Nations Educational, Scientific, and Cultural Organization.

At this moment of military tension, Mr. Chairman, it is important to recall the founding motto of UNESCO: “It is in the minds of men that the defenses of peace must first be constructed,” and UNESCO is designed as the entity to create an intellectual and educational climate which can create a more peaceful world.

Mr. Chairman, I want to commend you once more for the extraordinary leadership in working with all Members of the Committee that you have provided in crafting this very good bill. We have tried to include here many provisions that the State Department has requested. We have tried to include, to the maximum extent possible, some of the provisions of Members on both the Republican and Democratic sides. I am sure there will be others added through the course of this markup, but throughout the process you and your staff have been cooperative and collegial, and I look forward to the consideration of our colleagues’ proposals and to the passage of this legislation before the end of the day.

Chairman HYDE. Thank you very much for your generous comments, Mr. Lantos. Without objection, any Member——

Mr. KING. Mr. Chairman, I move to strike the last word.

Chairman HYDE. Just a moment. Without objection, any Member may place his or her opening statements in the record of today’s proceedings.

Mr. King, the gentleman from New York, has asked to address the Committee briefly, so for that purpose, he is recognized.

Mr. KING. Thank you, Mr. Chairman. Mr. Chairman, I appreciate you letting me take this opportunity to engage in a colloquy with you regarding funding for the protection of foreign missions and other dignitaries.

As you are aware, the cost of providing security services since September 11th has increased significantly. For instance, New York City’s reimbursement costs for 2002 alone were approximately $35.2 million. Unfortunately, the authorization and appropriation levels for municipalities such as the City of New York to protect U.N. Assembly meetings, foreign missions, and officials under the State Department reimbursement program have not kept pace. Under current formulas, for instance, New York would receive only $8.1 million of that $35.2 million, and these costs are projected to run into future years as well.

So in order to keep up with the current costs of providing these necessary protective services and to compensate New York City’s repair shortages, I hope we can make necessary adjustments on increased levels as changes are made to this legislation. I look forward to working with you and the State Department on this important issue between now and when the legislation reaches the Floor, and, Mr. Chairman, I yield back.
Chairman HYDE. I thank the gentleman. The Chair has an amendment at the desk which all Members have before them. I offer this amendment on behalf of myself and Mr. Lantos, which contains suggestions made by 14 different Members on both sides of the aisle and the Department of State. The clerk will report the amendment.

[The amendment of Chairman Hyde follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. HYDE AND MR. LANTOS

Page 15, after line 14, insert the following new subparagraph:

(E) GEORGE J. MITCHELL SCHOLARSHIP PROGRAM.—Of the amounts authorized to be available under subparagraph (A), $500,000 for the fiscal year 2004 and $500,000 for the fiscal year 2005 is authorized to be available for the “George J. Mitchell Scholarship Program” which provides for one year of postgraduate study for American scholars at institutions of higher education in Ireland and Northern Ireland.

Page 18, line 9, strike “secondary and”.

Page 27, line 5, the second place it appears strike “$40,000,000” and insert “such sums as may be necessary”.

Page 28, line 6, strike “$618,854,000” and insert “$600,354,000”.

Page 29, line 1, strike “$11,395,000” and insert “$29,895,000”.
Page 56, after line 8, insert the following new section (and conform the table of contents accordingly):

1 SEC. 256. AUTHORIZING EAST TIMORESE SCHOLARSHIPS FOR GRADUATE STUDY.

2 Section 237 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended by inserting “graduate or” after “at the”.

Page 62, after line 21, insert the following new section:

6 SEC. 310. MERITORIOUS STEP INCREASES.

7 Section 406(b) of the Foreign Service Act of 1980 (22 U.S.C. 3966(b)) is amended by striking “receiving an increase in salary under subsection (a),”.

Page 71, line 17, insert “(a) UNITED STATES POLICY.—” before “The”.

Page 72, line 13, strike “organizations” and insert “organizations, or for membership of the United Nations Security Council”.

Page 72, after line 17, insert the following:

10 (b) REPORT TO CONGRESS.—Not later than 15 days after a country subject to a determination under section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or section 6(j) of the Export Administration Act is selected for a leadership post
in an international organization of which the United States is a member or a membership of the United Nations Security Council, the Secretary of State shall submit a report to the appropriate congressional committees on any steps taken pursuant to subsection (a)(3).

Page 88, after line 6, insert the following new section (and conform the table of contents accordingly):

SEC. 504. PILOT PROGRAM FOR THE PROMOTION OF TRAVEL AND TOURISM IN THE UNITED STATES THROUGH UNITED STATES INTERNATIONAL BROADCASTING.

(a) PILOT PROGRAM.—The Broadcasting Board of Governors, in consultation with the Department of Commerce and other appropriate Federal, State, and local agencies, shall conduct a pilot program for the promotion of travel and tourism in the United States through United States international broadcasting, particularly to regional economies that have been affected by the decrease in tourism following the events of September 11, 2001.

(b) PROGRAMMING.—The pilot program shall devote regular programming to broadcasting information on localities of the United States with the purpose of promoting travel and tourism to regional economies heavily reliant on such tourism.
(e) **Report to Congress.**—Not later than 180 days after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report detailing the actions taken by the Board in carrying out this section.

Page 96, lines 20, 22, and 23, strike “Executive”.

Page 97, line 3, strike “Executive”.

Page 102, line 20, strike “Executive”.

Page 103, line 1, strike “Executive”.

Page 105, line 7, strike “Executive”.

Page 106, lines 6 and 11, strike “Executive”.

Page 116, lines 15 and 16, strike “Executive”.

Page 122, after line 8, insert the following new paragraph (and redesignate the subsequent paragraphs accordingly):

(5) reporting foreign media that advocates national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence consistent with article 20, section 2, of the International Covenant on Civil and Political Rights and making available to the public and to the United States Agency for International Broadcasting translations of such media to the extent practicable;
Page 143, after line 9, insert the following new sections (and conform the table of contents accordingly):

1 SEC. 708. REQUIREMENT FOR REPORT ON UNITED STATES POLICY TOWARD HAITI.

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

(1) The United States has a political and economic interest and a humanitarian and moral responsibility in assisting the Government and people of Haiti in resolving the country’s problems and challenges.

(2) The situation in Haiti is increasingly cause for alarm and concern, and a sustained, coherent, and active approach by the United States Government is needed to make progress toward resolving Haiti’s political and economic crises.

(b) REQUIREMENT FOR REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report that describes United States policy toward Haiti. The report shall include the following:

(1) A description of the activities carried out by the United States Government to resolve Haiti’s po-
itical crisis and to promote the holding of free and fair elections in Haiti at the earliest possible date.

(2) A description of the activities that the United States Government anticipates initiating to resolve the political crisis and promote free and fair elections in Haiti.

(3) An assessment of whether Resolution 822 issued by the Permanent Council of the Organization of American States on September 4, 2002, is an appropriate framework for a multilateral approach to resolving the political and economic crises in Haiti.

(4) A description of the status of efforts to release the approximately $146,000,000 in loan funds that have been approved by the Inter-American Development Bank to Haiti for the purposes of rehabilitating rural roads, reorganizing the health sector, improving potable water supply and sanitation, and providing basic education, a description of any obstacles that are delaying the release of the loan funds, and recommendations for overcoming such obstacles, including whether any of the following would facilitate the release of such funds:

(A) Establishing an International Monetary Fund staff monitoring program in Haiti.
(B) Obtaining bridge loans or other sources of funding to pay the cost of any arrears owed by the Government of Haiti to the Inter-American Development Bank.

(C) Providing technical assistance to the Government of Haiti to permit the Government to meet international financial transparency and other requirements.

SEC. 709. REPORT ON THE EFFECTS OF PLAN COLOMBIA ON ECUADOR.

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

(1) Section 695 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) required the Secretary of State to submit a report to Congress on the impact of Plan Colombia on Ecuador and the other adjacent countries to Colombia within 150 days after the date of the enactment of that Act.

(2) The 150 day time period for the submission of such report has lapsed without a report being submitted to the Congress.

(3) There continues to be growing alarm concerning the spillover effect of Plan Colombia on Ecuador, a frontline state, especially in the northern
region of Ecuador which includes the Sucumbios province.

(b) REPORT TO CONGRESS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees which sets forth—

(A) a statement of policy and comprehensive strategy for United States activities in Colombia related to the impact of Plan Colombia on Ecuador and the other adjacent countries to Colombia; and

(B) the reasons for the failure of the Department of State to submit the report required by section 695 of Public Law 107–228 within the time period mandated by law.

Page 154, after line 12, insert the following new sections (and conform the table of contents accordingly):

SEC. 726. UNDER SECRETARY OF COMMERCE FOR INDUSTRY AND SECURITY.

(a) Under Secretary.—There shall be in the Department of Commerce an Under Secretary of Commerce for Industry and Security who shall serve as the head of the Bureau of Industry and Security and perform such duties as the Secretary of Commerce shall prescribe. The Under Secretary of Commerce for Industry and Security
shall be appointed by the President by and with the advice
and consent of the Senate.

(b) INCUMBENT.—The individual serving on the date
of the enactment of this Act as the Under Secretary of
Commerce for Export Administration shall serve as the
Under Secretary of Commerce for Industry and Security
until such time as a successor is appointed under sub-
section (a).

(c) COMPENSATION.—Section 5314 of title 5, United
States Code, is amended by striking “Under Secretary of
Commerce for Export Administration” and inserting
“Under Secretary of Commerce for Industry and Secu-

(d) CONFORMING AMENDMENTS.—Section 15(a) of
2414(a)) is amended—

(1) by striking the first sentence; and

(2) in the second sentence, by striking “in car-
rying out such functions” and inserting “of Com-
merce for Industry and Security in carrying out the
functions of the Under Secretary”.

SEC. 727. CONCERNING THE SPREAD OF WEAPONS OF MASS
DESTRUCTION.

(a) FINDINGS.—The Congress makes the following
findings:
(1) The proliferation of weapons of mass destruction presents a direct threat to the stability, security, and safety of nations around the globe.

(2) Combatting the spread of such weapons is a responsibility borne by all nations.

(3) United States efforts to stop the further spread of these weapons can be further enhanced by cooperative efforts between the United States and the European Union.

(4) There are many different components in this effort that require a comprehensive approach, immediate attention, and vigorous action, including the “10+10 over 10 Initiative” agreed to by the United States and many members of the European Union.

(5) Stopping the spread of weapons of mass destruction is made more difficult when states willingly participate in, or contribute to, their development or their sale or transfer to other nations.

(6) Stopping the spread of weapons of mass destruction is made more difficult when private companies willingly participate in, or contribute to, their development or their sale or transfer to other nations.
(7) United States security and safety is undermined when companies engage in such commerce.

(b) SENSE OF CONGRESS.—The Congress call on the European Union to—

(1) develop an aggressive and robust regulatory system designed to—

(A) investigate allegations of companies contributing to the development of weapons of mass destruction or their sale or transfer to other nations;

(B) isolate and condemn companies found to participate in, or contribute to, the development of such weapons or their sale or transfer to other nations; and

(C) develop a punitive response designed to punish such companies, thereby preventing further actions on their part and discouraging other companies from engaging in such actions;

(2) condemn, by name, states known to be contributing to the development or spread of weapons of mass destruction; and

(3) develop appropriate punitive measures designed to discourage further actions.
SEC. 728. COMMUNICATION OF PLANT BIOTECHNOLOGY INFORMATION.

(a) IN GENERAL.—The Department of State shall provide to other countries, as appropriate, the scientific evidence on the benefits, safety, and potential uses of agricultural biotechnology.

(b) SPECIFIC OBJECTIVES.—The Department of State shall—

(1) cooperate with efforts of other government agencies to disseminate accurate scientific information on the potential benefits of agricultural biotechnology for human and animal nutrition, the environment, food and feed production, agricultural sustainability, and bioenergy development;

(2) cooperate with efforts of other government agencies to become knowledgeable of, and disseminate scientifically-based facts regarding, the safety and regulation of biotechnology-derived food and feed products;

(3) coordinate with the United States Agency for International Development (USAID) to achieve a better understanding of the potential benefits of agricultural biotechnology to develop products that can be grown under local soil and climate conditions and better meet the health and nutritional needs of local populations; and
(4) ensure that Department personnel are knowledgeable of, and disseminate information on, the United States regulatory safeguards that assure food and environmental safety.

SEC. 729. REFUGEE RESETTLEMENT BURDENSHELING.

It is the sense of the Congress that—

(1) the Secretary of State should actively encourage the international community to accept refugees for resettlement on a more equitable basis;

(2) the Secretary of State should raise the issue of refugee resettlement burdensharing at the United Nations and other multilateral and bilateral meetings;

(3) developed countries should be encouraged to increase the percentage of the world’s refugees accepted for resettlement; and

(4) the Secretary of State should encourage developing stable countries in regions with refugee flows to accept for resettlement as many of their neighbors as possible.

Page 193, line 3, insert “(a) AUTHORIZATION OF APPROPRIATIONS.—” before “In”.

Page 193, line 10, strike “enforcement officials” and insert “enforcement, including in the interpretation of intellectual property laws”.
Page 193, line 11, strike “prosecutors” and insert “prosecutors, including in the interpretation of intellectual property laws”.

Page 193, after line 14, insert the following new subsection:

(b) Consultation with World Intellectual Property Organization.—In carrying out subsection (a), the Department of State should make every effort to consult with, and provide appropriate assistance to, the World Intellectual Property Organization to promote the integration of non-OECD countries into the global intellectual property system.

Page 197, after line 24, insert the following sections (and conform the table of contents accordingly):

SEC. 1357. ASSISTANCE FOR LAW ENFORCEMENT FORCES IN CERTAIN FOREIGN COUNTRIES.

Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420), the Administrator of the United States Agency for International Development is authorized to provide assistance for fiscal years 2004 and 2005 to—

(1) law enforcement agencies of the Government of India for the purposes of enhancing their capacity for medical-first-response and search-and-
rescue operations after a natural disaster, improving
the access of women to justice, and combating the
trafficking of persons; and

(2) the new police force of Northern Ireland for
the purpose of providing computer-based, human-
rights and other professional training, and the law
enforcement agencies of the Republic of Ireland
(ROI) for the purposes of fostering greater coopera-
tion and communication between the police force of
the Republic of Ireland and the new police force of
Northern Ireland, as recommended by the Patten
Commission.

SEC. 1358. HUMAN RIGHTS AND DEMOCRACY FUND.

Section 664(c)(1) of the Freedom Investment Act of
2002 (subtitle E of title VI of division A of Public Law
107–228; 22 U.S.C. 2151n–2(c)(1)) is amended—

(1) by striking “for fiscal year 2003” and in-
serting “for each of the fiscal years 2003 through
2005”;

and

(2) by striking “$21,500,000 is” and inserting
“$21,500,000 for fiscal year 2003, $24,000,000 for
fiscal year 2004, and such sums as may be nec-
essary for fiscal year 2005 are”.
SEC. 1359. REPORT ON MISSILE DEFENSE COOPERATION.

Not later than December 31, 2003, and December 31, 2004, the Secretary of State shall submit to the appropriate congressional committees a report on cooperative efforts that have been undertaken by the United States with foreign governments to foster the development and deployment of defenses against missile attack. Such report shall include a detailed description of such efforts on a country-by-country basis, and may be submitted in classified and unclassified form, as appropriate.

Page 215, after line 6, add the following new title (and conform the table of contents accordingly):

TITLE XV—PROMOTION OF DEMOCRACY, HUMAN RIGHTS, AND RULE OF LAW IN BELARUS

SEC. 1501. ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN BELARUS.

(a) Purposes of Assistance.—The assistance under this section shall be available for the following purposes:

(1) To assist the people of the Republic of Belarus in regaining their freedom and to enable them to join the European community of democracies.
(2) To encourage free and fair presidential, 
parliamentary, and local elections in Belarus, con- 
ducted in a manner consistent with internationally 
accepted standards and under the supervision of 
internationally recognized observers.

(3) To assist in restoring and strengthening in-
stitutions of democratic governance in Belarus.

(b) AUTHORIZATION FOR ASSISTANCE.—To carry out 
the purposes of subsection (a), the President is authorized 
to furnish assistance and other support for the activities 
described in subsection (c), to be provided primarily for 
indigenous Belarusian groups that are committed to the 
support of democratic processes.

(c) ACTIVITIES SUPPORTED.—Activities that may be 
supported by assistance under subsection (b) include—

(1) the observation of elections and the pro-
motion of free and fair electoral processes;

(2) development of democratic political parties;

(3) radio and television broadcasting to and 
within Belarus;

(4) the development of nongovernmental organi-
zations promoting democracy and supporting human 
rights;

(5) the development of independent media 
working within Belarus and from locations outside
the country and supported by nonstate-controlled
printing facilities;

(6) international exchanges and advanced pro-
fessional training programs for leaders and members
of the democratic forces in skill areas central to the
development of civil society; and

(7) other activities consistent with the purposes
of this title.

(d) Authorization of Appropriations.—

(1) In general.—There is authorized to be
appropriated to the President to carry out this sec-
tion such sums as may be necessary for fiscal years

(2) Availability of Funds.—Amounts appro-
priated pursuant to the authorization of appropri-
tions under paragraph (1) are authorized to remain
available until expended.

SEC. 1502. RADIO BROADCASTING TO BELARUS.

(a) Purpose.—It is the purpose of this section to
authorize increased support for United States Government
and surrogate radio broadcasting to the Republic of
Belarus that will facilitate the unhindered dissemination
of information.

(b) Authorization of Appropriations.—In addi-
tion to such sums as are otherwise authorized to be appro-
priated, there is authorized to be appropriated such sums
as may be necessary for each fiscal year for Voice of Amer-
ica and RFE/RL, Incorporated for radio broadcasting to
the people of Belarus in languages spoken in Belarus.

SEC. 1503. SENSE OF CONGRESS RELATING TO SANCTIONS
AGAINST THE GOVERNMENT OF BELARUS.

(a) Sense of Congress.—It is the sense of Con-
gress that the sanctions described in subsections (c) and
(d) should apply with respect to the Republic of Belarus
until the President determines and certifies to the appro-
priate congressional committees that the Government of
Belarus has made significant progress in meeting the con-
ditions described in subsection (b).

(b) Conditions.—The conditions referred to in sub-
section (a) are the following:

(1) The release of individuals in Belarus who
have been jailed based on political or religious be-
liefs.

(2) The withdrawal of politically motivated legal
charges against all opposition figures and inde-
pendent journalists in Belarus.

(3) A full accounting of the disappearances of
opposition leaders and journalists in Belarus, includ-
ing Victor Gonchar, Anatoly Krasovsky, Yuri
Zakharenka, and Dmitry Zavadsky, and the prosecu-
tion of those individuals who are responsible for
their disappearances.

(4) The cessation of all forms of harassment
and repression against the independent media, inde-
pendent trade unions, nongovernmental organiza-
tions, religious organizations (including their leader-
ship and members), and the political opposition in
Belarus.

(5) The implementation of free and fair presi-
dential and parliamentary elections in Belarus con-
sistent with OSCE standards on democratic elections
and in cooperation with relevant OSCE institutions.

(c) Denial of Entry into the United States
of Belarusian Officials.—The President should use
his authority under section 212(f) of the Immigration and
Nationality Act (8 U.S.C. 1182(f)) to deny the entry into
the United States of any alien who—

(1) holds a position in the senior leadership of
the Government of Belarus; or

(2) is a spouse, minor child, or agent of a per-
son inadmissible under paragraph (1).

(d) Prohibition on Loans and Investment.—

(1) United States Government Financing.—No loan, credit guarantee, insurance, financ-
ing, or other similar financial assistance should be
extended by any agency of the United States Government (including the Export-Import Bank and the Overseas Private Investment Corporation) to the Government of Belarus, except with respect to the provision of humanitarian goods and agricultural or medical products.

(2) **Trade and Development Agency.**—No funds available to the Trade and Development Agency should be available for activities of the Agency in or for Belarus.

(e) **Multilateral Financial Assistance.**—It is further the sense of Congress that, in addition to the application of the sanctions described in subsections (c) and (d) to the Republic of Belarus (until the President determines and certifies to the appropriate congressional committees that the Government of Belarus has made significant progress in meeting the conditions described in subsection (b)), the Secretary of the Treasury should instruct the United States Executive Director of each international financial institution to which the United States is a member to use the voice and vote of the United States to oppose any extension by those institutions of any financial assistance (including any technical assistance or grant) of any kind to the Government of Belarus, except for loans and assistance that serve humanitarian needs.
SEC. 1504. MULTILATERAL COOPERATION.

It is the sense of Congress that the President should continue to seek to coordinate with other countries, particularly European countries, a comprehensive, multilateral strategy to further the purposes of this title, including, as appropriate, encouraging other countries to take measures with respect to the Republic of Belarus that are similar to measures described in this title.

SEC. 1505. REPORT.

(a) REPORT.—Not later than 90 days after the date of enactment of this Act, and every year thereafter, the President shall transmit to the appropriate congressional committees a report that describes, with respect to the preceding 12-month period, the following:

(1) The sale or delivery of weapons or weapons-related technologies from the Republic of Belarus to any country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has repeatedly provided support for acts of international terrorism.

(2) An identification of each country described in paragraph (1) and a detailed description of the weapons or weapons-related technologies involved in the sale.
(3) An identification of the goods, services, credits, or other consideration received by Belarus in exchange for the weapons or weapons-related technologies.

(4) The personal assets and wealth of Alexander Lukashenka and other senior leadership of the Government of Belarus.

(b) FORM.—A report transmitted pursuant to subsection (a) shall be in unclassified form but may contain a classified annex.

SEC. 1506. DEFINITIONS.

In this title:

(1) OSCE.—The term “OSCE” means the Organization for Security and Cooperation in Europe.

(2) SENIOR LEADERSHIP OF THE GOVERNMENT OF BELARUS.—The term “senior leadership of the Government of Belarus” includes—

(A) the President, Prime Minister, Deputy Prime Ministers, government ministers, Chairmen of State Committees, and members of the Presidential Administration of Belarus;

(B) any official of the Government of Belarus who is personally and substantially involved in the suppression of freedom in Belarus, including judges and prosecutors; and
(C) any other individual determined by the Secretary of State (or the Secretary’s designee) to be personally and substantially involved in the formulation or execution of the policies of the Lukashenka regime that are in contradiction of internationally recognized human rights standards.
Ms. RUSH. Amendment offered by Mr. Hyde: “Page 15, after line 14, insert the following new subparagraph.”
Chairman HYDE. Without objection, further reading of the amendment is dispensed with, and without objection, the question occurs on the adoption of the manager’s amendment. All of those 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.
Are there other amendments? Mr. Leach.
Mr. LEACH. Mr. Chairman, I have an amendment at the desk.
[The amendment of Mr. Leach follows:]
AMENDMENT TO FOREIGN RELATIONS AUTHORIZATION BILL, FISCAL YEARS 2004 AND 2005
OFFERED BY MR. LEACH

In title II (relating to Department of State authorities and activities) at the end of subtitle A (relating to United States public diplomacy) insert the following new section:

SEC. ___. THE COLIN POWELL CENTER FOR AMERICAN DIPLOMACY.

Title I of the State Department Basic Authorities Act of 1956 is amended by adding after section 59 (22 U.S.C. 2730) the following new section:

SEC. 60. COLIN POWELL CENTER FOR AMERICAN DIPLOMACY.

“(a) DESIGNATION.—The diplomacy center of the Department of State, located in the Harry S Truman building, is hereby designated as the ‘Colin Powell Center for American Diplomacy’ (hereinafter in this section referred to as the ‘Center’).

“(b) ACTIVITIES.—

“(1) SUPPORT AUTHORIZED.—The Secretary of State is authorized to provide by contract, grant, or otherwise, for the performance of appropriate museum visitor and educational outreach services, in-
eluding organizing conference activities, museum
shop services, and food services, in the public exhibit
and related space utilized by the Center.

“(2) PAYMENT OF EXPENSES.—The Secretary
may pay all reasonable expenses of conference activi-
ties conducted by the Center, including refreshments
and reimbursement of travel expenses incurred by
participants.

“(3) RECOVERY OF COSTS.—Any revenues gen-
erated under the authority of paragraph (1) for vis-
itor services may be retained, as a recovery of the
costs of operating the Center, and credited to any
Department of State appropriation.

“(c) DISPOSITION OF CENTER ARTIFACTS AND MA-
TERIALS.—

“(1) PROPERTY OF SECRETARY.—All historic
documents, artifacts, or other articles permanently
acquired by the Department of State and deter-
mined by the Secretary to be suitable for display in
the Center shall be considered to be the property of
the Secretary in the Secretary’s official capacity and
shall be subject to disposition solely in accordance
with this subsection.

“(2) SALE OR TRADE.—Whenever the Secretary
makes the determination under paragraph (3) with
respect to an item, the Secretary may sell at fair
market value, trade, or transfer the item, without re-
gard to the requirements of subtitle I of title 40,
United States Code. The proceeds of any such sale
may be used solely for the advancement of the Cen-
ter’s mission and may not be used for any purpose
other than the acquisition and direct care of collect-
ions.

“(3) Determinations prior to sale or
trade.—The determination referred to in para-
graph (2), with respect to an item, is a determina-
tion that—

“(A) the item no longer serves to further
the purposes of the Center established in the
collections management policy of the Center; or

“(B) in order to maintain the standards of
the collections of the Center, the sale or ex-
change of the item would be a better use of the
item.

“(4) Loans.—The Secretary may also lend
items covered by paragraph (1), when not needed for
use or display in the Center, to the Smithsonian In-
stitution or a similar institution for repair, study, or
exhibition.”.
Chairman HYDE. The clerk will report the amendment.

Ms. Rush. Amendment offered by Mr. Leach: "In title II, relating to—"

Mr. Leach. 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.

Mr. Leach. Mr. Chairman, this amendment authorizes the establishment of a Diplomacy Museum and conference center and auditorium to be located in the Department of State's headquarters at the Harry S. Truman Building. The authorization for the center that was requested by the Administration and is contained in the version of the legislation now before the Senate.

The purpose of the center is to organize and sponsor educational outreach programs explaining the role of U.S. diplomats in American foreign policy in advancing our national interests throughout our history and throughout the world. The center is being developed through a partnership with the nonprofit, Foreign Affairs Museum Council, a 501[c][3] organization. The council has already raised approximately $750,000 privately toward the establishment of the center. In fiscal year 2002, the State Department requested and received $950,000 in appropriated funds to support the planning for the center.

Peoples and nations reaching beyond their borders to engage their neighbors is as old as civilization itself. In this pursuit, American diplomacy is unique, reflecting the complexity of the American experience and our evolving role in the world. The Diplomacy Museum will tell this often-unheralded story and inform people how diplomacy shaped our nation and the world.

In conclusion, let me just note and alert the Committee that there is one change to the Administration request, in that the center is designated the Colin Powell Center for American Diplomacy. This designation breaks from tradition, but I think it is particularly appropriate at this time given the leadership of the Secretary in revitalizing the Department of State and upgrading the Department of State's personnel practices, and because of the incredibly important role that diplomacy plays as a living instrument in world affairs today. And so I am hopeful that the Committee will give this their sympathetic consideration.

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

Mr. Lantos. Thank you very much, Mr. Chairman. I want to commend my good friend from Iowa, Mr. Leach, for his usual thoughtful initiative. The diplomatic history of the United States is replete with absolutely fascinating events that deserve special recognition, from Benjamin Franklin's mission to France during the American Revolution to U.S. efforts through President Roosevelt's prize-winning work to negotiate an end to the Russo-Japanese War to our most ambitious efforts to bring democracy to the Muslim world.

American diplomacy deserves its own museum. I think it is also appropriate that our very distinguished Secretary of State, Colin Powell, have the honor of having this important, new museum designated as the Colin Powell Museum of Diplomacy, and I urge all of my colleagues to support Mr. Leach's amendment.
Chairman HYDE. Thank you, Mr. Lantos. The Chair is prepared to accept the gentleman's amendment as a worthy addition to the bill. If anybody wishes to speak, I certainly will recognize them, but we have a very long day and lots of amendments, so brevity is to be encouraged.

All right. The question occurs on the gentleman's amendment. All of those in favor, say aye.

[A chorus of ayes.]
Chairman HYDE. Opposed, nay.

[A chorus of nos.]
Chairman HYDE. The ayes have it, and the amendment is agreed to. Mr. Crowley.

Mr. CROWLEY. Chairman Hyde and Ranking Member Lantos, I have an amendment at the desk.

[The amendment of Mr. Crowley follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. CROWLEY

Page 24, line 11, after the dollar amount, insert "(increased by $25,000,000)".

Page 24, line 12, after the dollar amount, insert "(increased by $25,000,000)".

Page 26, after line 19, insert the following new subsection:

(e) UNITED NATIONS POPULATION FUND (UNFPA).—

(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under subsection (a), $50,000,000 for each of the fiscal years 2004 and 2005 is authorized only to be available for a United States voluntary contribution to the United Nations Population Fund (UNFPA).

(2) PERMANENT GUIDELINES FOR VOLUNTARY CONTRIBUTIONS TO UNFPA.—Section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221) is amended by inserting after subsection (a) the following new subsection:

“(b)(1) For fiscal year fiscal year 2004 and each subsequent fiscal year, funds appropriated to the President or the Department of State under any law for a voluntary
contribution to the United Nations Population Fund (UNFPA) may be obligated and expended for such purpose beginning 30 days after such funds become available and only if the President certifies to the Congress that the United Nations Population Fund (UNFPA) does not directly support or participate in coercive abortion or involuntary sterilization. The certification authority of the President under the preceding sentence may not be delegated.

“(2) In paragraph (1), the term ‘directly supports or participates in coercive abortion or involuntary sterilization’ means knowingly and intentionally working with a purpose to continue, advance, or expand the practice of coercive abortion or involuntary sterilization, or playing a primary and essential role in a coercive or involuntary aspect of a country’s family planning program.”.
Chairman Hyde. The clerk will report the amendment.

Ms. Rush. Amendment offered by Mr. Crowley: “Page 24, line 11—”

Chairman Hyde. Without objection, further reading of the amendment is dispensed with, and Mr. Crowley is recognized for 5 minutes in support thereof.

Mr. Crowley. Thank you, Mr. Chairman, and thank you, Ranking Member Lantos. I am pleased to offer an amendment on behalf of myself and Congressman Lee of California.

This amendment is designed to assist the United Nations Population Fund while strengthening its requirements to doubly ensure that none of these funds will ever be used for abortions or coercive sterilizations, something that everyone on this Committee on both sides of the aisle finds morally repugnant.

While it has been proven time and time again by authorities no less than our own Secretary of State, Colin Powell, and President Bush’s own hand-picked team investigating UNFPA, that the UNFPA program does not fund abortions, abortion services, or involuntary sterilizations, I have drafted this amendment to further clarify this point to reassure every Member of this Committee and of this chamber.

Firstly, my amendment provides $50 million in annual funding for UNFPA for each year over the next 2 years.

Secondly, it clarifies Kemp-Casten to ensure that U.S. funds do not go to the promotion of abortion or involuntary sterilization, while also recognizing that UNFPA provides desperately needed supplies and services for women, men, and children around the world.

UNFPA is the largest, internationally funded source of population assistance to the developing countries. In 1969, the United States helped establish UNFPA to provide support for population programs in developing countries, and over the past 30 years, UNFPA has provided more than $4.3 billion in assistance to more than 160 countries for voluntary family planning and maternal and child health care.

Over the past 30 years, UNFPA has played a key role throughout the world, often working in countries where few other donors provide population assistance, such as Iran and Vietnam.

Make no mistake: The need for UNFPA’s services is definitely there. Nearly 600,000 women die each year from causes related to pregnancy. Ninety-nine percent of these women are in the developing world. Many of these deaths could be prevented by providing women with the means or information to choose the size and spacing of their families. This is just one of the areas UNFPA focuses on.

UNFPA’s priorities include working to increase access to reproductive-health services, improve approaches to adolescent reproductive health, promote safe pregnancy and delivery, reduce maternal mortality, provide emergency assistance to refugee situations, and prevent and treat HIV and AIDS.

UNFPA also supports research and data collection to improve population activities and activities to improve the status of women worldwide. UNFPA has provided emergency reproductive health kits, including equipment for safe deliveries and emergency contra-
ceptives for rape victims, for Kosovo refugees, earthquake victims in Turkey, cyclone victims in India, and women in East Timor.

I know this is a long list to go through, but this incredibly long and incredibly important list is why we must fund UNFPA.

Of course, it is also important to talk about what UNFPA is not and what it does not do. UNFPA provides no support for abortion. UNFPA is not a partisan issue. Secretary of State Colin Powell has publicly commended the UNFPA for its good work. Republicans and Democrats in Congress support funding UNFPA.

Following September 11th and the U.S. military response in Afghanistan, the U.S. provided an emergency grant of $600,000 for UNFPA to provide reproductive-health and safe-delivery supplies and services to Afghan refugees. President Bush initially proposed $25 million for UNFPA. He later increased the funding to $34 million.

The Administration's own blue-ribbon, assessment team sent to China to investigate family-planning programs found, and I quote:

". . . no evidence that UNFPA has knowingly supported or participated in the management of a program of coercive abortion of involuntary sterilization."

The Administration's own team recommended a full funding of UNFPA, but the unfortunate reality is that there have been inconsistent interpretations of what Kemp-Casten. My amendment would address that. It says that Kemp-Casten can be invoked if it is found that UNFPA directly supports or participates in coercive abortion of sterilization. That is what we want to protect against, and that is what my amendment provides for.

There have been growing concerns about the actions in China, and this was the justification for the President's withholding of this money in both fiscal years 2002 and 2003. While UNFPA never financed abortions or sterilization, there is some evidence that the Chinese have performed these horrific actions with their own money. Stating that, I strongly supported the fiscal year 2003 omnibus that prohibits any UNFPA assistance from being used in China just as one more firewall to ensure that these funds are used to promote families and not to promote abortions. To argue China is now to argue a red herring.

UNFPA does so much good work while not providing abortions. Again, President Bush's own task force has said this. Now it is time to free up this previously appropriated funding and pass my amendment to allow this program to continue with its core mission, promoting families. The good of UNFPA must be supported. Americans, from Secretary Powell to President Bush, have supported this good and worthwhile cause over the years, and with the exception of UNFPA funding levels, not much has changed since their outright support.

UNFPA still does not support coercive sterilization or abortion, and there is unfortunately still a massive need for UNFPA's services. My amendment deals with saving lives, those of both the mother and of her child, not the reverse, and that is why I call for the passage of my amendment, 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 rise in very strong opposition to this amendment, the Crowley Amendment. I would like to ask the maker of the amendment a very simple question. Can he explain social compensation fees as it relates to the PRC's program?

Mr. CROWLEY. Social compensation fees?

Mr. SMITH OF NEW JERSEY. Yes.

Mr. CROWLEY. No, I can't. In terms of what?

Mr. SMITH OF NEW JERSEY. The People's Republic of China's population control program; can he explain it?

Mr. CROWLEY. I am not making reference to that. No, I cannot explain——

Mr. SMITH OF NEW JERSEY. I reclaim my time. Let me just say——

Mr. CROWLEY. If the gentleman could explain it for us.

Mr. SMITH OF NEW JERSEY. Well, let me just say to my colleagues, to offer an amendment to change fundamental human rights law that has been in existence for 17 years that takes very seriously the horrific practice of coercive population control, including forced abortion and forced sterilization, and for the maker of that amendment not to know what is the integral part of the PRC's process, the population-control program, relies on what they call "social compensation fees."

Now, let me just make a couple of points. Secretary of State Colin Powell made the determination this year, pursuant to the Kemp-Casten language that says, and let me remind my colleagues what Kemp-Casten says, that none of the funds made available in this act may be 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 of involuntary sterilization.

Secretary of State Colin Powell made the determination, after a very significant, a massive, review of what is happening on the ground in China and the complicity of the UNFPA in what was going on, and made this statement, and I quote:

"The PRC has in place a regimen of severe penalties on women who have unapproved births. This regime plainly operates to coerce pregnant women to have abortions in order to avoid the penalties and, therefore, amounts to a program of coercive abortion."

The State Department put out very extensive reporting in the *Country Reports on Human Rights Practices* this year, and I commend it to the reading of my friend and colleague from New York. If you are going to offer an amendment to nullify human rights law, and that is what his amendment does, I would hope——

Mr. CROWLEY. Will the gentleman yield?

Mr. SMITH OF NEW JERSEY. No. I won't yield. I will yield at the end of my statement. I would hope that he would know in advance what a social compensation fee is. The State Department points out, after the review of what is going on in UNFPA-sponsored counties, the 32 counties where they operate,
“The PRC Government publicly establishes and enforces detailed, planned-birth policies with legal births distinguished from out-of-plan births.”

In other words, children are either legal or illegal, and the state decides those that are illegal are then destined to be killed by the state.

Fines on out-of-state births are typically severe. They are called “social compensation fees.” For example, the laws in one of the counties in which UNFPA operates expressly provide that, and I quote:

“The birth of a child which violates government family-planning policy will result in the levying of a fee of two to three times the annual income of both respective parties,”

and then it gets worse after that.

In other words, if you or I and our wives or the women who are on the Committee or anyone in this room were to have a child that was not deemed permissible by the Government of the PRC, we would lose 3 years of my salary and 3 years of my wife’s salary, 6 years, and it is called a compensation fee. That is at the core of the one-child-per-couple policy in the PRC, and UNFPA has been lauding this program since its inception back in 1979.

I would point out to my colleagues that the former executive director of the UNFPA has said, when she got an award upon leaving, to show the complicity and the hand-in-glove relationship between a U.N. agency that ought to be on the side of the oppressed but, instead, stands on the side of the oppressor—this is Dr. Sedyk talking, the executive director of the UNFPA:

“I have had the honor of being associated with China’s reproductive-health and family-planning program for more than 2 decades. I feel proud that UNFPA made the wise decision to resist external pressures,”

and read that, human rights pressures,

“external pressures in its fruitful cooperation with China.”

I would point out to my colleagues that that is standing hand in hand, shoulder to shoulder, with the oppressors of women. UNFPA has covered itself with shame, I say to my friend and colleague. The Kemp-Casten language says, get out of China, and then you will get your money. Cease this cooperation with a coercive population-control program.

I commend to my colleagues the State report this year, the Country Reports on Human Rights Practices, which is very thorough and talks about this coercive regime and the fact that the one-child-per-couple policy is implemented in the 32 counties, birth quotas are used throughout all of China.

Let me ask my friend another question. A new law went into effect in September 2002. Has he looked at it? Is he aware of it?

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

Mr. SMITH OF NEW JERSEY. I would be happy to yield.

Mr. CROWLEY. Mr. Chairman, as you know, in my statement, this bill does not refer to China in that sense. I understand the processes that take place in China. I understand the compensation
plan, having been to China in January of this year. I understand that China is not a model nation in this world, and because of that, we are saying, build the firewall and support the firewall——

Mr. Smith of New Jersey. I reclaim my time and just say to my colleague, you say you understand it. A moment ago, you didn’t even know what it was——

Mr. Crowley. Mr. Chairman.

Mr. Smith of New Jersey [continuing]. And I find that outrageous, I say to my colleague, outrageous.

Mr. Crowley. Will the gentleman yield? There is no need for the combative nature between——

Mr. Smith of New Jersey. Oh, combative. We are talking about women who are coerced.

Chairman Hyde. The Chair, for the first time in several years, calls for order.

Mr. Smith of New Jersey. I would be happy to yield.

Chairman Hyde. The gentleman from New Jersey still has a few moments left.

Mr. Smith of New Jersey. Let me just remind my colleagues that, again, in the past, in this Committee, we have not had the votes to defeat this kind of amendment, and it probably will require a Floor fight, which we would welcome, especially to bring some light and scrutiny to the abusive practices of the PRC and those who would aid and abet those abusive practices.

The UNFPA should be out in front, saying that volunteerism is the only way for family-planning and population control, that coercion, in any manifestation, in any manner, needs to be repudiated absolutely.

I commend Secretary of State Colin Powell. What you would take out of the loop in your amendment, if I read it carefully, the President cannot delegate that authority to the Secretary of State. Traditionally, over the last 17 years, that is exactly what has happened, and that is what happened last year. The Secretary of State, who is the prime fomenter and originator and implementer of our U.S. foreign policy, gathered together all of his respective people on this issue and then made a very, very insightful judgment, and I would hope that the Secretary of State would retain that authority as well.

Chairman Hyde. The gentleman’s time has expired. The gentleman from California, Mr. Lantos.

Mr. Lantos. Thank you very much, Mr. Chairman. Let me, at the outset, state that I strongly support Mr. Crowley’s amendment, and I urge all of my colleagues, with all of the emphasis at my command, to join me in that effort.

Let me also say parenthetically that our colleague, Mr. Crowley, was the Democratic leader of an important congressional delegation to the People’s Republic of China and displayed a degree of passionate commitment to human rights that was extraordinary, and I want to pay public tribute to him at this forum.

As the founding Chairman of the Congressional Human Rights Caucus, I take second place to no one in criticism of China’s horrendous human rights record, and I want to pay tribute to my good friend from New Jersey, Mr. Smith, with whom I have stood, shoulder to shoulder, for almost a quarter of a century in fighting Chi-
Chinese human rights abuses. No one has been more articulate, effective, and passionate about fighting China’s horrendous human rights record than my good friend from New Jersey, Mr. Smith.

China’s use of forced abortion and forced sterilization to control population growth is a horrendous violation of internationally recognized human rights, and the United States must make every effort to convince Chinese officials to cease these horrendous practices. What is so sad about China’s use of coercive family-planning practices is that China could accomplish the same goal, controlling its population, through active promotion of voluntary family planning. That is why it is so critically important that UNFPA operate in China and that the United States contribute financially to the work of UNFPA in China.

UNFPA’s program in China is specifically designed to demonstrate to the Chinese Government that voluntary family-planning programs, free of coercion and free of quotas, will effectively control China’s population explosion. This is exactly the approach that opponents of the Crowley Amendment should be supporting. Instead, they want to cut all U.S. funding for UNFPA, create millions of more unintended pregnancies and unsafe abortions around the world in countries that have nothing to do with China’s family-planning program.

Mr. Chairman, don’t just take my word for it. The Bush Administration sent its own team to China last year to investigate the UNFPA’s work in 32 countries in which it was operating. This delegation, which, I underscore, was hand picked by the White House, concluded that there was no evidence of UNFPA’s involvement in coercive family-planning practices in these countries. The delegation concluded that UNFPA is a positive force in China, promoting voluntary practices and greater respect for individual human rights. Most importantly, the delegation recommended that the United States’ contribution to UNFPA, held up by the Bush Administration, be released to the UNFPA.

Mr. Chairman, I do not understand why the President ignored the recommendation of his hand-picked delegation and refused to give the needed funds to UNFPA. By authorizing $50 million to the program and by clarifying the rules under which our funds are given, the Crowley Amendment, very carefully crafted, will ensure that the U.S. once again supports the exceptional and vital work of this important organization.

I strongly support Mr. Crowley’s amendment, and I urge all of my colleagues to do so.

Chairman Hyde. The gentleman from Indiana, Mr. Pence.

Mr. Pence. Thank you, Mr. Chairman. I am, as you know, Mr. Chairman, like you, a Midwesterner, meaning I am not from New Jersey or New York, so my tone will be a little different and considerably less entertaining, but I am every bit as passionate.

I have worked with everyone who has spoken so far on a variety of issues and have great respect for Mr. Crowley and his passion and the sincerity of his purpose in this amendment, but I would respectfully argue against it, not because I challenge Mr. Crowley’s sincerity but, rather, because I truly believe this is about the moral bankruptcy of the UNFPA. As we learned before this Committee in
October of the year 2001, the reality of coercive abortion and voluntary sterilization, truly a brutal human rights record on reproductive issues is the reality in China.

The testimony before this International Relations Committee, and I quote now:

“On the first day of our investigation, we interviewed women in a family-planning clinic one mile from the county office of the UNFPA. We interviewed a 19-year-old who told us she was too young to be pregnant, according to the unbending family-planning policy. She was receiving a nonvoluntary abortion in an adjacent room. Her friends told us sadly that she, indeed, desired to keep her baby, but she had no choice since the law forbid it.”

Forced abortion is the reality in China, as so many have already acknowledged.

China itself has recognized the contribution of the UNFPA. Mr. Smith, my good friend from New Jersey and co-laborer on many of these issues, pointed out the quote for Ms. Sedyk, the UNFPA executive director from 1987 to 2000, but when she spoke glowingly of the honor that she felt being associated with China's reproductive policy, she did so, accepting from the Chinese Government the International Cooperation Honorary Prize on January 12, 2002. So China certainly thinks the UNFPA has been supportive, and the UNFPA have themselves spoken very plainly.

Sven Burmister famously said, in August 2001,

“For all of the bad press, China has achieved the impossible,”

and he would say to the French press a few months later,

“China has had the most successful family-planning policy in the history of mankind in terms of quantity, and with that, China has done mankind a favor.”

Speaking of human life as quantity is deeply offensive to the sensibility, I believe, of virtually every American and certainly everyone who has spoken on this panel so far. Even Secretary of State Colin Powell, who has been alluded to already, said, in a letter to Congress, July 21, 2002,

“The UNFPA's support of and involvement in China's population-planning activities allows the Chinese Government to implement more effectively its program of coercive abortion.”

And so I respectfully would encourage my colleagues to oppose the Crowley Amendment, not because of its lack of good intention but, rather, because this is an organization that has consistently, through a variety of its leadership and through testimony before this Committee, demonstrated a level of moral bankruptcy. That we should simply continue to maintain this current prohibition on the expenditure of the funds of the American people who find these policies and any who would promote them, anyone who would speak favorable of them in the world community, deeply and morally offensive, and I yield back the balance of my time, Mr. Chairman.

Chairman HYDE. The gentleman's time has expired. The gentlelady from California, Ms. Lee.
Ms. Lee. Thank you, Mr. Chairman. Let me thank my colleague, Mr. Crowley from New York, for his hard work and his leadership in putting together this very well-crafted amendment to restore vital, life-saving, and that is what this is about, life-saving, UNFPA funds and to clarify the intent of the Kemp-Casten provision.

Today, women all over the world are suffering because of the misapplication of Kemp-Casten and the Administration's unjustified decision to unilaterally cut off UNFPA funding. The suspension of U.S. funds, to the tune of $34 million in fiscal year 2002 and $35 million in fiscal year 2003, has caused UNFPA to begin major program cuts across the globe.

Now, what kind of programs are we talking about? We are talking about HIV/AIDS prevention and treatment initiatives. We are talking about voluntary family-planning programs, maternal and child health care programs. UNFPA does not, and let me repeat this, it does not provide assistance for abortion, abortion services, or abortion-related equipment or supplies as a method of family planning anywhere in the world.

Now, what is the impact of these cuts in terms of the impact on its programs? It is estimated that the elimination of U.S. funds could result in, could result in, mind you, 552,000 abortions, over a million unintended pregnancies, over half a million wanted births, thousands of maternal and child deaths, and nearly 2.7 million women going without modern contraception.

This is not about China, Mr. Chairman. This has nothing to do with China. This has to do with UNFPA and not punishing women as a result of our cutting these funds. We must avoid these devastating consequences by restoring this funding. We must also maintain and reaffirm the protections in the Kemp-Casten while clarifying its intent, and this amendment achieves that objective by prohibiting U.S. funds from going to UNFPA only if, and the amendment says, only if it directly supports—it prohibits U.S. funds, prohibits, if it supports directly or participates in coercive abortion or sterilization.

So, Mr. Chairman, this is written into this amendment. It is very clear. So contrary to the claims that we are hearing today, UNFPA's presence in China is having, as Mr. Crowley saw this year, having really positive, not harmful, effects.

So on behalf of the unnecessary, and really unjustified, suffering of poor women all across the globe, I urge adoption of this amendment and to do it in a way that helps to save lives and helps to accomplish all of the things that I know both sides want to accomplish. Thank you, and I yield back the balance of my time.

Chairman Hyde. The Governor seeks recognition.

Mr. Janklow. Thank you, Mr. Chairman. I am going to be extremely brief in my comments.

As I read the Kemp-Casten provisions, the operative language says that the President of the United States has to determine that an organization supports or participates in the management of a program of coercive abortion or involuntary sterilization. If that is unclear, there is no way you can write anything in the English language to make it any clearer. That is as clear as language can be.
I don't care what somebody is on the abortion issue, whether they are pro-choice or pro-life, but I have met very, very few people in this country who say that they support in any way anything that participates in a program of coerced abortion or involuntary sterilization. Well, we have had involuntary sterilizations in this country where it pertained to the mentally ill. There has been a huge amount of outrage and an outcry that has come up from our citizenry.

So, to me, it is not a question of whether you are pro-choice or pro-life; it is a question of whether or not we are willing to allow our funding, taken from the taxpayers of this country, to support organizations that participate in the management of a program of coercive abortion or involuntary sterilization. That language is as clear as any language in the English language can be. Thank you.

Chairman HYDE. Thank you. The question occurs on the amendment.

Mr. ROHRABACHER. Mr. Chairman.

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

Mr. ROHRABACHER. Mr. Chairman, I have been here a long time, and I have learned to respect people on both sides of the aisle. I have learned to respect the point of view of my new friend from New York, but I have also worked many, many years with my friend, Mr. Smith from New Jersey, on this particular issue. It is pretty hard for us not to have faith in Chris Smith on this issue, although I have ample respect for my newfound friend on the other side of the aisle on this. But I think I would like to hear Mr. Smith's retorts to some of the things that have been said on this, so I yield my time to Mr. Smith.

Mr. SMITH OF NEW JERSEY. I thank my good friend for yielding and for his very kind comments.

Let me just make a couple of points again. I believe wholeheartedly that this amendment absolutely trivializes the horrific human rights abuse, a crime against humanity, that is practiced daily—it is commonplace; it is prevalent, including in the 32 counties where the UNFPA operates—and they are coercive population control, forced abortion, and ruinous, draconian fines that give a woman no other choice but to walk into that clinic. That is the situation on the ground, and I would hope that Members would be aware of it.

The UNFPA has covered itself, I say, with all due respect to my colleagues, in shame. For over 2 decades, they have provided a whitewash of these crimes against humanity—against women and against children. The one-child-per-couple policy relies, first and foremost, on a social compensation fee, and if that doesn't work, other more draconian measures are incrementally levied upon that woman until she gives up the ghost and has that abortion because she has nowhere else to turn.

We have had numerous hearings, as you know, Mr. Chairman, right here in this Committee room and have heard from women who have been coerced into having abortions. We have talked to women who have had their babies on the run, only to be finally apprehended by the family-planning cadres, and severe punishments were meted out against them.
This amendment, make no mistake about it, isn't about clarification at all. We always want to clarify. It is a nullifying amendment, pure and simple. It is clever, but it is a nullifying amendment nonetheless.

Let me just say, in response to my colleagues about this money not being used for family planning via the UNFPA. Secretary of State Colin Powell, back in July, when he tendered his letter to Congress, made it very clear that, dollar for dollar, all $34 million would be given over to reproductive-health and family-planning programs elsewhere, and that effort was blocked by those who are enamored of the UNFPA, who said, no, only the UNFPA.

So that money is sitting fallow, gathering dust. The State Department would love to provide that money to Afghanistan, to Pakistan, to help the women who are suffering right now on the ground, but that reprogramming has been blocked by the pro-abortion side of this debate. I say that with sadness. I want that money lifted and out the door and to those people who need it so badly. So when you talk about women who are in need, this money is available, but it is being blocked.

Let me also say, when we talk about the language in this bill, and this is where the “cleverness” comes in, it kind of now puts a legal intent, that they have to knowingly. The UNFPA has said there is no coercion in China for 2 decades. We are not going to have a court of law. This isn't a criminal proceeding. This is about who gets grant money that U.S. taxpayers provide via their taxes to the Federal Government.

It is grant money, and I would want our Secretary of State and our President and our State Department to have the flexibility and the law, the backdrop of a law, that says we do not want to support any organization, not just the UNFPA, any organization, that supports or participates in the management of a coercive, population-control program. Coercive, population-control programs to the women, and they are the ones who bear the most serious brunt of that kind of brutality, with forced abortion and involuntary sterilization, are crimes against women, are crimes against humanity. We don't want to in any way enable or facilitate those kinds of crimes.

So let me remind my colleagues, every dollar of the $34 million would go to family planning and reproductive health if the Administration were given the ability, which it has not been given by the pro-abortion Members, to do so.

So I strongly urge Members not to send a message to the dictatorship in the PRC that coercion doesn't matter. That is what the Crowley Amendment does. Maybe it is unwittingly because we can talk and rhetorically talk about we are against coercion, but for the woman who is suffering a coercive, population-control policy—forced abortion or forced sterilization—talking about legal intent—What did they know? When did they know it? Are they doing it? Is the consequence that the program is made more effective in its coercion or not? That is what the Secretary of State concluded. I urge opposition to the amendment.

Chairman HYDE. The gentleman's time has expired. The question occurs on the amendment offered by the gentleman from New York, Mr. Crowley. All those in favor say aye.
[A chorus of ayes.]
Chairman Hyde. Opposed, nay. No.
[A chorus of nos.]
Chairman Hyde. The Chair is in doubt and asks Ms. Rush if she
will call the roll.
Ms. Rush. Mr. Leach?
[No response.]
Ms. Rush. Mr. Bereuter?
Mr. Bereuter. No.
Ms. Rush. Mr. Bereuter votes no. Mr. Smith of New Jersey?
Mr. Smith of New Jersey. No.
Ms. Rush. Mr. Smith of New Jersey votes no. Mr. Burton?
Mr. Burton. No.
Ms. Rush. Mr. Burton votes no. Mr. Gallegly?
[No response.]
Ms. Rush. Ms. Ros-Lehtinen?
Ms. Ros-Lehtinen. No.
Ms. Rush. Ms. Ros-Lehtinen votes no. Mr. Ballenger?
Mr. Ballenger. No.
Ms. Rush. Mr. Ballenger votes no. Mr. Rohrabacher?
Mr. Rohrabacher. No.
Ms. Rush. Mr. Rohrabacher votes no. Mr. Royce?
Mr. Royce. No.
Ms. Rush. Mr. Royce votes no. Mr. King?
Mr. King. No.
Ms. Rush. Mr. King votes no. Mr. Chabot?
[No response.]
Ms. Rush. Mr. Houghton?
Mr. Houghton. Yes.
Ms. Rush. Mr. Houghton votes yes. Mr. McHugh?
[No response.]
Ms. Rush. Mr. Tancredo?
Mr. Tancredo. No.
Ms. Rush. Mr. Tancredo votes no. Mr. Paul?
Mr. Paul. No.
Ms. Rush. Mr. Paul votes no. Mr. Smith of Michigan?
Mr. Smith of Michigan. No.
Ms. Rush. Mr. Smith of Michigan votes no. Mr. Pitts?
Mr. Pitts. No.
Ms. Rush. Mr. Pitts votes no. Mr. Flake?
Mr. Flake. No.
Ms. Rush. Mr. Flake votes no. Mrs. Davis?
Mrs. Davis. Mrs. Davis votes no. Mr. Green?
[No response.]
Ms. Rush. Mr. Weller?
Mr. Weller. No.
Ms. Rush. Mr. Weller votes no. Mr. Pence?
Mr. Pence. No.
Ms. Rush. Mr. Pence votes no. Mr. McCotter?
Mr. McCotter. No.
Ms. Rush. Mr. McCotter votes no. Mr. Janklow?
Mr. Janklow. No.
Ms. Rush. Mr. Janklow votes no. Ms. Harris?
Ms. Harris. No.
Ms. RUSH. Ms. Harris votes no. Mr. Lantos?
Mr. LANTOS. Yes.
Ms. RUSH. Mr. Lantos votes yes. Mr. Berman?
Mr. BERMAN. Yes.
Ms. RUSH. Mr. Berman votes yes. Mr. Ackerman?
Mr. ACKERMAN. Yes.
Ms. RUSH. Mr. Ackerman votes yes. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Yes.
Ms. RUSH. Mr. Faleomavaega votes yes. Mr. Payne?
Mr. PAYNE. Yes.
Ms. RUSH. Mr. Payne votes yes. Mr. Menendez?
Mr. MENENDEZ. Aye.
Ms. RUSH. Mr. Menendez votes yes. Mr. Brown?
[No response.]
Ms. RUSH. Mr. Sherman?
Mr. SHERMAN. Yes.
Ms. RUSH. Mr. Sherman votes yes. Mr. Wexler?
[No response.]
Ms. RUSH. Mr. Engel?
Mr. ENGEL. Yes.
Ms. RUSH. Mr. Engel votes yes. Mr. Delahunt?
Mr. DELAHUNT. Yes.
Ms. RUSH. Mr. Delahunt votes yes. Mr. Meeks?
Mr. MEEEKS. Yes.
Ms. RUSH. Mr. Meeks votes yes. Ms. Lee?
Ms. LEE. Yes.
Ms. RUSH. Ms. Lee votes yes. Mr. Crowley?
Mr. CROWLEY. Yes.
Ms. RUSH. Mr. Crowley votes yes. Mr. Hoeffel?
Mr. HOEFFEL. Yes.
Ms. RUSH. Mr. Hoeffel votes yes. Mr. Blumenauer?
Mr. BLUMENAUER. Aye.
Ms. RUSH. Mr. Blumenauer votes yes. Ms. Berkley?
Ms. BERKLEY. Yes.
Ms. RUSH. Ms. Berkley votes yes. Ms. Napolitano?
Ms. NAPOLITANO. Yes.
Ms. RUSH. Ms. Napolitano votes yes. Mr. Schiff?
Mr. SCHIFF. Aye.
Ms. RUSH. Mr. Schiff votes yes. Ms. Watson?
Ms. WATSON. Yes.
Ms. RUSH. Ms. Watson votes yes. Mr. Smith of Washington?
Mr. SMITH OF WASHINGTON. Yes.
Ms. RUSH. Mr. Smith of Washington votes yes. Ms. McCollum?
Ms. MCCOLLUM. Aye.
Ms. RUSH. Ms. McCollum votes yes. Mr. Bell?
Mr. BELL. Yes.
Ms. RUSH. Mr. Bell votes yes. Mr. Chairman?
Chairman HYDE. No.
Ms. RUSH. Mr. Hyde votes no.
Chairman HYDE. Mr. Green of Wisconsin?
Ms. RUSH. Mr. Green is not recorded.
Mr. GREEN. No.
Mr. WEXLER. Mr. Chairman.
Ms. RUSH. Mr. Green votes no.
Chairman Hyde. Who seeks recognition?
Mr. Wexler. Wexler, Robert Wexler.
Chairman Hyde. Yes, sir.
Mr. Wexler. How am I recorded?
Ms. Rush. Mr. Wexler is not recorded.
Mr. Wexler. May I please vote yes?
Ms. Rush. Mr. Wexler votes yes.
Mr. McHugh. Mr. Chairman.
Chairman Hyde. Who is seeking?
Mr. McHugh. Mr. McHugh, John McHugh.
Chairman Hyde. Mr. McHugh?
Mr. McHugh. How am I recorded?
Ms. Rush. Mr. McHugh is not recorded.
Mr. McHugh. I vote no.
Ms. Rush. Mr. McHugh votes no.
Chairman Hyde. Have all voted who wish?
Mr. Menendez. Mr. Chairman.
Chairman Hyde. Who is seeking recognition?
Mr. Menendez. Mr. Menendez.
Chairman Hyde. Mr. Menendez?
Mr. Menendez. Mr. Chairman, how am I recorded?
Ms. Rush. Mr. Menendez is recorded as voting yes.
Mr. Menendez. Thank you.
Chairman Hyde. Ms. Lee. The gentlelady is recorded as yes. I watched very carefully. [Laughter.]
Mr. Payne. Mr. Chairman. Mr. Chairman.
Chairman Hyde. Who is seeking recognition?
Mr. Payne. I would like to know how I am recorded.
Chairman Hyde. Don't you remember, Mr. Payne? [Laughter.]
Mr. Payne. No. [Laughter.]
Chairman Hyde. The clerk will report.
Mr. Ackerman. Mr. Chairman.
Chairman Hyde. Who is trying to slow this down? Mr. Ackerman, of all people.
Mr. Ackerman. At my advanced age, I have forgotten if I voted or not. How might I be recorded?
Chairman Hyde. Tell Mr. Ackerman he voted no. No, he voted yes. I am sorry.
Ms. Rush. Mr. Ackerman?
Mr. Ackerman. Yes. How did I vote?
Ms. Rush. Yes.
Chairman Hyde. All right. The clerk will report.
Ms. Rush. On this vote, there are 23 yeses and 22 nos.
Chairman Hyde. And the amendment is agreed to. Mr. Rohrabacher.
Mr. Rohrabacher. Well, all right. [Laughter.]
Congratulations to someone and condolences to others.
I have an amendment at the desk, Mr. Chairman.
[The amendment of Mr. Rohrabacher follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. ROHRABACHER

Add at the end the following new title, and conform the table of contents accordingly:

TITLE XV—EXPORTS OF SATELLITES

SEC. 1501. EXPORT CONTROLS ON SATELLITES AND RELATED ITEMS.

Notwithstanding any other provision of law, in the case of the export of commercial communications satellites and related items to a country that is a member of the North Atlantic Treaty Organization or that is a major non-NATO ally of the United States, the President may determine to what extent, and under which provisions of law, such export may be controlled.

SEC. 1502. MANDATORY STATE DEPARTMENT REVIEW.

(a) Certain Defense Services.—The provision of defense services by United States persons, including services or assistance provided during technical interchange meetings, in connection with the launch of a satellite from, or by nationals of, the People’s Republic of China, are subject to section 38 of the Arms Export Control Act.

(b) Notification to Congress.—At least 30 days before any export license or any technical assistance agreement is approved under subsection (a), the President shall
transmit a certification with respect to such export license or technical assistance agreement in the manner provided in section 36(d) of the Arms Export Control Act, to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate. The export license or technical assistance agreement shall not be approved if the Congress, within that 30-day period, enacts a joint resolution prohibiting such approval. The provisions of section 36(d)(5) of that Act shall apply with respect to any such joint resolution, and the provisions of section 36(f) of that Act shall apply with respect to any certification submitted under this subsection.

SEC. 1503. EXPORT RESTRICTIONS NOT AFFECTED.

Nothing in this title shall be construed to—

(1) modify any restriction on exports imposed under any other provision of law, including—

(A) restrictions on exports to—

(i) any country the government of which has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism;

(ii) any country that does not adhere to the Missile Technology Control Regime; or
(iii) any other country of proliferation concern; and

(B) restrictions imposed under title IX of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991; or


SEC. 1504. DEFINITIONS.

In this title:

(1) DEFENSE SERVICE.—The term “defense service” means—

(A) the furnishing of assistance (including training) to foreign persons, whether in the United States or abroad, in the design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, modification, operation, destruction, processing, or use of a satellite or related items; and

(B) the furnishing to foreign persons, whether in the United States or abroad, of any
technical data in connection with a satellite or related items.

(2) RELATED ITEMS.—The term “related items” means the satellite fuel, ground support equipment, test equipment, payload adapter or interface hardware, replacement parts, and nonembedded solid propellant orbit transfer engines described in the report submitted to Congress by the Department of State on February 6, 1998, pursuant to section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)), as well as systems, components, parts, accessories, and associated equipment for satellites, including ground control equipment.

(3) UNITED STATES PERSON.—The term “United States person” has the meaning given that term in section 16(2) of the Export Administration Act of 1979 (50 U.S.C. 1415(2)).
Chairman Hyde. The clerk will report the amendment.
Ms. Rush. Amendment offered by Mr. Rohrabacher: “Add at the end the following new title and—”
Chairman Hyde. Without objection, further reading of the amendment is dispensed with, and the gentleman is recognized for 5 minutes in support of his amendment.
Mr. Rohrabacher. Mr. Chairman, what basically this amendment does is permit the President of the United States to set the regulatory policies toward the export of satellite technology to other countries.
Today, we have placed all of our satellite exports on the U.S. munitions list, which is very, very restrictive, and I support that restriction to countries that could be adversarial and hostile to the United States.
Chairman Hyde. Would the gentleman yield?
Mr. Rohrabacher. Yes, I would.
Chairman Hyde. We expect some Floor votes very shortly. We are certainly prepared to accept this very fine amendment, if the gentleman will take yes for an answer.
Mr. Rohrabacher. The answer is, yes, I will. If it needs further explanation, I will be happy to do so. This takes care of American security while making sure we can export to our friends while keeping restrictions on our potential enemies. Thank you.
Chairman Hyde. Mr. Faleomavaega seems to have something to say.
Mr. Faleomavaega. No. I just wanted to seek immediate——
Chairman Hyde. You were agreeing. The question occurs on the amendment offered by the gentleman from California. All of those in favor, say aye.
[A chorus of ayes.]
Chairman Hyde. Opposed, nay.
[No response.]
Chairman Hyde. The ayes have it. The amendment is agreed to.
Mr. Lantos.
Mr. Lantos. Thank you, Mr. Chairman. Mr. Chairman, I have an amendment at the desk.
[The amendment of Mr. Lantos follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. LANTOS, MR. HYDE, AND MR. ACKERMAN

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

1 TITLE XV—ISRAELI-PALESTINIAN PEACE ENHANCEMENT ACT OF 2003

2 SEC. 1501. SHORT TITLE.
This title may be cited as the “Israeli-Palestinian Peace Enhancement Act of 2003”.

3 SEC. 1502. FINDINGS.
Congress makes the following findings:

(1) The security of the State of Israel is a major and enduring national security interest of the United States.

(2) A lasting peace in the Middle East region can only take root in an atmosphere free of violence and terrorism.

(3) The Palestinian people have been ill-served by leaders who, by resorting to violence and terrorism to pursue their political objectives, have brought economic and personal hardship to their
people and brought a halt to efforts seeking a negoti-ated settlement of the conflict.

(4) The United States has an interest in a Middle East in which two states, Israel and Palestine, will live side by side in peace and security.

(5) In his speech of June 24, 2002, and in other statements, President George W. Bush outlined a comprehensive vision of the possibilities of peace in the Middle East region following a change in Palestinian leadership.

(6) A stable and peaceful Palestinian state is necessary to achieve the security that Israel longs for, and Israel should take concrete steps to support the emergence of a viable, credible Palestinian state.

(7) The Palestinian state must be a reformed, peaceful, and democratic state that abandons forever the use of terror.

(8) On April 29, 2003, the Palestinian Legislative Council confirmed in office, by a vote of 51 yeas, 18 nays, and 3 abstentions, the Palestinian Authority’s first prime minister, Mahmoud Abbas (Abu Mazen), and his cabinet.

(9) In his remarks prior to the vote of the Palestinian Legislative Council, Mr. Abbas declared: “The government will concentrate on the question of
security . . . The unauthorized possession of weapons, with its direct threat to the security of the population, is a major concern that will be relentlessly addressed . . . There will be no other decision-making authority except for the Palestinian Authority.”

(10) In those remarks, Mr. Abbas further stated: “We denounce terrorism by any party and in all its forms both because of our religious and moral traditions and because we are convinced that such methods do not lend support to a just cause like ours but rather destroy it.”

(11) Israel has repeatedly indicated its willingness to make painful concessions to achieve peace once there is a partner for peace on the Palestinian side.

SEC. 1503. PURPOSES.

The purposes of this title are—

(1) to express the sense of Congress with respect to United States recognition of a Palestinian state; and

(2) to demonstrate United States willingness to provide substantial economic and humanitarian assistance, and to support large-scale multilateral assistance, after the Palestinians have achieved the re-
forms outlined by President Bush and have achieved peace with the State of Israel.

SEC. 1504. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) peace between Israel and the Palestinians cannot be negotiated until the Palestinian system of government has been transformed along the lines outlined in President Bush’s June 24, 2002, speech;

(2) substantial United States and international economic assistance will be needed after the Palestinians have achieved the reforms described in section 620K(c)(2) of the Foreign Assistance Act of 1961 (as added by section 1506 of this Act) and have made a lasting and secure peace with Israel;

(3) the Palestinian people merit commendation on the confirmation of the Palestinian Authority’s first prime minister, Mahmoud Abbas (Abu Mazen), and his cabinet;

(4) the new Palestinian administration urgently should take the necessary security-related steps to allow for implementation of a performance-based road map to resolve the Israeli-Palestinian conflict;

(5) the United States Administration should work vigorously toward the goal of two states living side-by-side in peace within secure and internation-
ally-recognized boundaries free from threats or acts
of force; and

(6) the United States has a vital national secu-

rity interest in a permanent, comprehensive, and
just resolution of the Arab-Israeli conflict, and par-

ticularly the Palestinian-Israeli conflict, based on the
terms of United Nations Security Council Resolu-
tions 242 and 338.

SEC. 1505. RECOGNITION OF A PALESTINIAN STATE.

It is the sense of Congress that a Palestinian state
should not be recognized by the United States until the
President determines that—

(1) a new leadership of a Palestinian governing
entity, not compromised by terrorism, has been
elected and taken office; and

(2) the newly-elected Palestinian governing
entity—

(A) has demonstrated a firm and tangible
commitment to peaceful coexistence with the
State of Israel and to ending anti-Israel incite-
ment, including the cessation of all officially
sanctioned or funded anti-Israel incitement;

(B) has taken appropriate measures to
counter terrorism and terrorist financing in the
West Bank and Gaza, including the dismantling
of terrorist infrastructures and the confiscation
of unlawful weaponry;

(C) has established a new Palestinian secu-

rity entity that is fully cooperating with the ap-

propriate Israeli security organizations;

(D) has achieved exclusive authority and

responsibility for governing the national affairs

of a Palestinian state, has taken effective steps

to ensure democracy, the rule of law, and an

independent judiciary, and has adopted other

reforms ensuring transparent and accountable

governance; and

(E) has taken effective steps to ensure that

its education system promotes the acceptance of

Israel’s existence and of peace with Israel and

actively discourages anti-Israel incitement.

SEC. 1506. LIMITATION ON ASSISTANCE TO A PALESTINIAN

STATE.

Chapter 1 of part III of the Foreign Assistance Act

of 1961 (22 U.S.C. 2351 et seq.) is amended—

(1) by redesignating the second section 620G

(as added by section 149 of Public Law 104–164

(110 Stat. 1436)) as section 620J; and

(2) by adding at the end the following new sec-

tion:
“SEC. 620K. LIMITATION ON ASSISTANCE TO A PALESTINIAN STATE.

“(a) LIMITATION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, assistance may be provided under this Act or any other provision of law to the government of a Palestinian state only during a period for which a certification described in subsection (c) is in effect. The limitation contained in the preceding sentence shall not apply (A) to humanitarian or development assistance that is provided through non-governmental organizations for the benefit of the Palestinian people in the West Bank and Gaza, or (B) to assistance that is intended to reform the Palestinian Authority and affiliated institutions, or a newly elected Palestinian governing entity, in order to help meet the requirements contained in subparagraphs (A) through (H) of subsection (c)(2) or to address the matters described in subparagraphs (A) through (E) of section 1505(2) of the Israeli-Palestinian Peace Enhancement Act of 2003.

“(2) WAIVER.—The President may waive the limitation of the first sentence of paragraph (1) if the President determines and certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Re-
lations of the Senate that it is vital to the national
interest of the United States to do so.
“(b) CONGRESSIONAL NOTIFICATION.—
“(1) IN GENERAL.—Assistance made available
under this Act or any other provision of law to a
Palestinian state may not be provided until 15 days
after the date on which the President has provided
notice thereof to the Committee on International Re-
lations and the Committee on Appropriations of the
House of Representatives and to the Committee on
Foreign Relations and the Committee on Appropria-
tions of the Senate in accordance with the proce-
dures applicable to reprogramming notifications
under section 634A(a) of this Act.
“(2) SUNSET.—Paragraph (1) shall cease to be
effective beginning ten years after the date on which
notice is first provided under such paragraph.
“(c) CERTIFICATION.—A certification described in
this subsection is a certification transmitted by the Presi-
dent to Congress that—
“(1) a binding international peace agreement
exists between Israel and the Palestinians that—
“(A) was freely signed by both parties;
“(B) guarantees both parties’ commitment
to a border between two states that constitutes
a secure and internationally recognized bound-
ary for both states, with no remaining terri-
torial claims;

“(C) provides a permanent resolution for
both Palestinian refugees and Jewish refugees
from Arab countries; and

“(D) includes a renunciation of all remain-
ing Palestinian claims against Israel through
provisions that commit both sides to the “end
of the conflict”; and

“(2) the new Palestinian government—

“(A) has been democratically elected
through free and fair elections, has exclusive
authority and responsibility for governing the
national affairs of the Palestinian state, and
has achieved the reforms outlined by President
Bush in his June 24, 2002, speech;

“(B) has completely renounced the use of
violence against the State of Israel and its citi-
zens, is vigorously attempting to prevent any
acts of terrorism against Israel and its citizens,
and punishes the perpetrators of such acts in a
manner commensurate with their actions;
“(C) has dismantled, and terminated the funding of, any group within its territory that conducts terrorism against Israel;

“(D) is engaging in ongoing and extensive security cooperation with the State of Israel;

“(E) refrains from any officially sanctioned or funded statement or act designed to incite Palestinians or others against the State of Israel and its citizens;

“(F) has an elected leadership not compromised by terror;

“(G) is demilitarized; and

“(H) has no alliances or agreements that pose a threat to the security of the State of Israel.

“(d) Recertifications.—Not later than 90 days after the date on which the President transmits to Congress an initial certification under subsection (c), and every 6 months thereafter for the 10-year period beginning on the date of transmittal of such certification—

“(1) the President shall transmit to Congress a recertification that the requirements contained in subsection (c) are continuing to be met; or
“(2) if the President is unable to make such a recertification, the President shall transmit to Congress a report that contains the reasons therefor.

“(c) Rule of Construction.—A certification under subsection (c) shall be deemed to be in effect beginning on the day after the last day of the 10-year period described in subsection (d) unless the President subsequently determines that the requirements contained in subsection (c) are no longer being met and the President transmits to Congress a report that contains the reasons therefor.”

SEC. 1507. AUTHORIZATION OF ASSISTANCE TO A PALESTINIAN STATE.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as amended by section 1506, is further amended by adding at the end the following new section:

“SEC. 620L. AUTHORIZATION OF ASSISTANCE TO A PALESTINIAN STATE.

“(a) Assistance.—The President is authorized to provide assistance to a Palestinian state in accordance with the requirements of this section.

“(b) Activities To Be Supported.—Assistance provided under subsection (a) shall be used to support activities within a Palestinian state to substantially improve
the economy and living conditions of the Palestinians by,
among other things, providing for economic development
in the West Bank and Gaza, continuing to promote democ-

cracy and the rule of law, developing water resources, as-

sisting in security cooperation between Israelis and Pal-

estinians, and helping with the compensation and rehabili-
tation of Palestinian refugees.

"(c) Authorization of Appropriations.—Of the
amounts made available to carry out chapter 4 of part
II of this Act for a fiscal year, there are authorized to
be appropriated to the President to carry out subsections
(a) and (b) such sums as may be necessary for each such
fiscal year.

"(d) Coordination of International Assist-
ance.—

"(1) In general.—Beginning on the date on
which the President transmits to Congress an initial
certification under section 620K(c), the Secretary of
State shall seek to convene one or more donors con-
ferences to gain commitments from other countries,

multilateral institutions, and nongovernmental organ-
izations to provide economic assistance to Palestin-
ians to ensure that such commitments to provide as-
sistance are honored in a timely manner, to ensure
that there is coordination of assistance among the
United States and such other countries, multilateral institutions, and nongovernmental organizations, to ensure that the assistance provided to Palestinians is used for the purposes for which it was provided, and to ensure that other countries, multilateral institutions, and nongovernmental organizations do not provide assistance to Palestinians through entities that are designated as terrorist organizations under United States law.

“(2) REPORT.—Not later than 180 days after the date of the enactment of this section, and on an annual basis thereafter, the Secretary of State shall prepare and submit to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate a report that describes the activities undertaken to meet the requirements of paragraph (1), including a description of amounts committed, and the amounts provided, to a Palestinian state or Palestinians during the reporting period by each country and organization.”.
Chairman HYDE. The clerk will report.

Ms. RUSH. Amendment offered by Mr. Lantos. At the end of division B of the bill, add the following [and conform the table of contents accordingly.]

Mr. LANTOS. I ask unanimous consent that the reading be dispensed with.

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

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

Chairman HYDE. Could we have order, please? It is a very important amendment, very significant. I would like to have everyone's attention. Thank you. The gentleman is recognized.

Mr. LANTOS. Thank you very much, Mr. Chairman. Mr. Chairman, this is a time of some hope, cautious hope, in Israeli-Palestinian relations. However bright or dim that glimmer of hope may be, it is our responsibility in Congress to make sure that it shines as brightly as possible and into the right places. The amendment that I and my good friend from New York, Mr. Ackerman, are proposing will do exactly that, and I would like to explain it.

As you know, Mr. Chairman, a few days ago, I was in Ramallah, and I met with the Palestinian Prime Minister, Mahmoud Abbas, known as Abu Massin, and I had a long and very candid discussion with him. I made it clear to him that he will have the support of the Congress and the American people if, in fact, he undertakes the task of effectively terminating terrorist activities against the people of the state of Israel.

I made it clear to him that this can be done by only one method. It cannot be done by negotiating a cease fire with the terrorist organizations like Hamas or Islamic Jihad because a cease fire would give us a momentary respite, which would be received by most with euphoria, and when negotiations turned difficult, terrorism would resume with intensified fury, and the process would collapse.

The only way Abu Massin will be able to lead his people, who so richly deserve an infinitely better life than their current leadership has given them, is to destroy the terrorist mechanism, and this will clearly be possible only by confronting Hamas, Islamic Jihad by force, confiscating their weapons, arresting their leaders, and destroying their infrastructure. Unless Abu Massin is prepared to do this, we will continue to see suicide bombing and the justified retaliation and the tragic anguish of both the Palestinian and Israeli people.

Mr. Abu Massin’s words were encouraging. He wrote to me in a letter following our meeting: “I believe that terrorism is wrong, on both religious and moral grounds, because it damages our cause.” Nevertheless, Abu Massin’s and the Palestinians’ success will be determined by performance, not by statements. Abu Massin understands, and he and I discussed this at great length, that no progress can take place unless the new Palestinian Authority puts an end to terror and violence by totally dismantling the terrorist infrastructure.

Our amendment seeks to reward positive Palestinian performance. It foresees a day when the vision of two states living side by side in peace and security will be more than a dream. Our amendment makes it clear that the United States will recognize and pro-
 vide significant assistance to the Palestinian state, and it will go beyond even that. Our amendment calls on our Secretary of State to organize a vast, international assistance program for the Palestinians, based, as a first step, on an international donors conference. At the same time, our amendment ensures that the United States will undertake all of these initiatives on behalf of the government of a future Palestinian state only if it has ascertained that that state has earned those benefits.

To do so, broadly speaking, Mr. Chairman, that state shall have made permanent peace with the state of Israel, it established that it has dismantled all terrorist infrastructure, and is otherwise effectively combating terrorism. It has reformed its government along the lines set out by our President in his landmark speech of June 24, in particular, by establishing a democracy that features the rule of law, an independent judiciary, and transparency in all governmental actions. All of the criteria for U.S. recognition and assistance, set out in greater detail in our amendment, are rooted in these principles.

Our amendment is inspired by the classic, carrot-and-stick diplomacy. On the one hand, it sends a clear message to the Palestinian people that they can have no better friend than the United States Congress, but it sends an equally powerful message that they must be deserving of that friendship by terminating terrorism once and for all.

I am honored to join my good friend, Congressman Ackerman, in sponsoring this important amendment. I am deeply grateful for your support of this amendment, Mr. Chairman, and I urge all of our colleagues to join us in supporting it. It is my fondest wish that it will be an incentive for peace, that it will serve the interests and fulfill the dreams of both the Israeli and Palestinian people and that, at long last, will bring peace, stability, and a civilized life to that long-suffering part of the world. Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Lantos. Mr. Pence.

Mr. Pence. Thank you, Mr. Chairman. I want to strongly support and admire the Lantos Amendment and express my appreciation for Mr. Lantos’s extraordinary leadership in this area on behalf of the United States.

As an evangelical, Christian conservative from the Midwest, I have a passion for the dream that is Israel. It has been a dream that has been a reality this last half-century, and there are little buckboard churches that dot the landscape of my heartland district where that dream and that passion is every bit as real as the precincts that Mr. Ackerman and the esteemed Mr. Lantos represent.

Mr. Chairman, if the Palestinian militants put their weapons down today, there would be no more suicide bombings, there would be no more innocent students killed, civilians killed at sidewalk cafes. If Israel were to put its weapons down, there would be no more Israel. It is, therefore, only logical that we support the Lantos Amendment, which expresses a Palestinian’s first approach to concessions in the road map for peace that Secretary of State Powell will begin to implement when he arrives in Israel this weekend.

In some sense, Mr. Chairman, I am not entirely certain we even need a road map for peace. What we do need, as Mr. Lantos has said again and again on the national and international stage and
even to the new leadership of the Palestinian Authority, we need Palestinians to recognize the right of Israel to exist, which is a blood-bought right established with six million souls, an American and Allied military power a half-century ago.

Now, we need this approach particularly, Mr. Chairman, because Palestinian militants have made it clear that they want no part of this road map for peace. They have one goal in mind. Hamas Spokesman Abdel Aziz Rantesi has even said,

“We will strike the Zionist enemy in each and every corner of Palestine until the end of the occupation, rejecting the road map for peace.”

He even called Prime Minister Habas’s plea for an end to suicide bombings “strange and unrealistic.”

I also want to associate myself with Mr. Lantos’s call that the Prime Minister must not only crack down on terrorism, but he must also crack down on the infrastructure of terrorism within the jurisdiction of the Palestinian Authority: Hamas, Islamic Jihad, and others. If he cannot control the terrorist factions and their infrastructure from within his own people, it is difficult for this Midwesterner to see how he can possibly be able to negotiate a peaceful, long-term solution under a road map.

I support the Lantos Amendment to this Department of State authorization and strongly and urgently encourage every Member of this Committee and this institution to do the same.

Chairman Hyde. The gentleman from New York, Mr. Ackerman, a co-sponsor of the amendment.

Mr. Ackerman. Thank you very much, Mr. Chairman. I strongly support the amendment and urge all of our colleagues to do so as well. I want to express my great appreciation for Mr. Lantos and his staff, as well as Chairman Hyde and his staff, for working so diligently to come up with the language that was acceptable to all parties in this amendment.

Mr. Chairman, the victory of coalition forces in Iraq has changed the facts on the ground in the Middle East and provided the United States with a new momentum to pursue peace between Israelis and Palestinians. The Palestinians have appointed a new Prime Minister, with whom I had the opportunity to speak with over the phone last week and came away with the same very cautious degree of new optimism in this process. As we know, Abu Mazen, the new Prime Minister, appointed a new cabinet, ousted much of Arafat’s cabinet, and they together must undertake the hard and necessary work of stopping terror.

The Government of Israel has said numerous times that if terror stops, then Israel is ready to make the painful concessions for peace. Secretary Powell is on his way to the region to try to move that process forward.

Now is the time when the Congress should be heard. We should speak loudly and clearly regarding how we will help the Palestinian people when they have forever renounced terror and truly fight it, when they establish a transparent and accountable government, and when they reach peace with Israel. As President Bush has said,
“If the Palestinian people actively pursue these goals, America and the world will actively support their efforts.”

This is our opportunity to support the President’s words and his efforts.

The amendment does two basic things. First, it highlights the President’s vision of peace in the Middle East by authorizing the full range of economic and development assistance to a new Palestinian state that the United States commonly provides to other developing nations, but it does so after the Palestinian people elect new leaders not compromised by terror, after the Palestinian people create new democratic and transparent governing institutions and have reached peace with Israel.

The second thing the amendment does is further emphasize the concerns that many of us have, which were expressed in a letter sent to the President, which was signed by over 300 House Members, that the peace process remain a performance-based initiative. The amendment does this by urging the President not to recognize a Palestinian state until they have achieved the goals that he laid out in his June 24, 2002 speech.

I thank all of the Members for cooperating on this, and I urge adoption of the amendment.

Chairman HYDE. Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman. I speak in support of the amendment, and I want to commend the gentleman from California, Mr. Lantos, Mr. Ackerman, and the Chairman for their initiative.

President Bush, I think, is the first President to say we will have no peace between Palestine and Israel until we have a separate Palestinian state, and he has reiterated that on a couple of other public occasions, and I think that is exactly right.

The certification requirements that the gentleman has crafted here, I think, are entirely reasonable, responsible, and sufficiently comprehensive that it provides the carrots, the incentives, and the limitations necessary, and I just think it is an extraordinarily fine effort, and it should move us along if the parties are willing to be moved. And so I strongly support them and commend them for their effort. Thank you.

Chairman HYDE. I appreciate the efforts of the gentleman from California to work with us on this very important amendment. The idea here is to send a signal, and we hope it is a signal that won’t be ignored. What we are trying to say is if the Palestinians follow through, they will be embraced by the United States. We will provide support. We will seek support for them from others, and we are going to permit aid to flow to a provisional Palestinian state even before a final peace treaty is signed that helps the Palestinians meet the President’s and the world’s standards as expressed in the road map.

I hope we will be heard loudly and clearly and that responsible Palestinians will heed us, and I am going to ask that we do this by voice vote.

Mr. ENGEL. Mr. Chairman.

Chairman HYDE. Who is seeking recognition?

Mr. ENGEL. Engel.

Chairman HYDE. Mr. Engel.
Mr. Engel. Thank you, Mr. Chairman. I will be brief.

Chairman Hyde. Just a moment, Mr. Engel. We will adjourn, recess, to cover the vote. There are three votes on the Floor, three post offices that must be named. [Laughter.]

And so we will go over and do that, grab a bite to eat, wolf it down, and come back by, let us say—1:15 p.m.—and then we will finish this amendment and other amendments of equal import. The Committee stands in recess.

[Whereupon, a recess was taken.]

Chairman Hyde. The Committee will come to order. If we could close the doors? Thank you. That keeps out the walk-in trade, which can be disruptive.

When the Committee recessed, the Lantos amendment relating to the Israeli-Palestinian Peace Enhancement Act of 2003 was pending, and the Chair recognizes the gentlelady from Florida, Ms. Ros-Lehtinen.

Ms. Ros-Lehtinen. Thank you so much, Mr. Chairman. I commend the work that you and Mr. Lantos have done on this very important amendment, and I support the tone, the framework and the overall text of the amendment. We are all hopeful that a secure and lasting peace will become a reality and soon.

This amendment clearly sets out the conditions established by President Bush in his June 24, 2002, speech requiring an end to Palestinian terrorism as an unconditional, over arching prerequisite for a two state solution.

However, I would like to simply note some concerns that I and others have about a few of the changes made to the text prior to its submission as an amendment such as the waiver section, which is now at a lower threshold by allowing the President to waive if it is merely in the national interest rather than vital to the national security interest of the United States. However, I know that we can work on these in the coming weeks as we prepare the bill for Floor consideration.

I look forward to working closely with you, Mr. Chairman and our Ranking Member, Mr. Lantos, on these issues, and that is why I hope our Committee adopts the amendment as is, and we will move forward as we continue to draft the bill on to the House Floor consideration.

Thank you, Mr. Chairman.

Chairman Hyde. I thank the gentlelady.

The gentleman from New York, Mr. Engel?

Mr. Engel. Thank you, Mr. Chairman. I rise in support, of course, in support of this excellent and balanced amendment.

I think it really says what all of us believe—that we hope and pray that there will be peace. And there will be ultimately a two state solution and that everyone understands that terrorism cannot be used as a negotiating tool. It lays out very, very distinctly what the Palestinian side, as well as the Israeli side, has to do in order to have this kick in.

I want to emphasize that it is the sense of Congress, and I quote:

“... that a Palestinian state should not be recognized by the United States until the President determines ...

and it goes on. One is:
“A new leadership of Palestinian governing entity not compromised by terrorism,”

and talks about:

“. . . has taken appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures and the confiscation of unlawful weaponry.”

To me, the terrorism issue is key, and I believe that the Palestinian side needs to show that it is ending terrorism as a negotiating tool and proactively going after terrorists. That needs to be the bottom line that needs to happen first before the road map can be implemented. I do not think that you can have any party sitting and negotiating as long as terror is going on.

I think we have to keep in mind the many reasons why Oslo failed, and to me the primary reason why Oslo failed is because Arafat’s feet were not held to the fire. He was allowed to constantly wink and say one thing in Arabic and quite another thing in English and look the other way, and everybody so hoped for there to be a peaceful settlement that everybody did not hold his feet to the fire. We will not make that same mistake again.

There is a new Palestinian Prime Minister, and while we are all hopeful that he will follow a different path, I do not think the euphoria should happen just quite yet. I hope that he will be able to curb the violence. I hope that Mr. Arafat will not continue to undermine him, but again I want to say that we need to stop the terror first.

I also want to mention that I think the road map needs to be performance based and not time based. I think that the Palestinian statehood in 2004 and 2005 should come about again only if the Palestinians meet their obligation. You do not move from step one to step two and then from step two to step three unless step one and step two have been fulfilled, and we need to make clear that that is the situation. I think this amendment does that, and that is one of the reasons why I support it.

Again, I believe the curbing of terrorism is the key. Let us not forget that Yassir Arafat walked away from an agreement that the Israelis accepted that was negotiated under the previous Administration, which was very, very generous. It gave him 100 percent of Gaza, 97 percent of the West Bank, a Palestinian state, billions of dollars of international aid.

He walked away, did not offer a counter proposal, which showed he was not really serious about coming to a signed agreement. He then used the Intifada as a negotiating tool to perpetuate the violence to further his ways. I think we have to keep that in mind.

I think this again is an excellent amendment, and I fully support it.

Thank you, Mr. Chairman.

Chairman Hyde. Is there any further discussion?

Mr. Janklow. Mr. Chairman? Mr. Chairman?

Chairman Hyde. Mr. Janklow?

Mr. Janklow. Mr. Chairman, thank you very much. I will be extremely brief.

When the meetings were held in Oslo, everybody was excited. Everybody was enthusiastic that now the corner would been turned.
When the meetings were held in Dayton, people thought that now maybe the corner will be turned. When peace was made with Jordan and Israel, and Sadat sat down with the Prime Minister of Israel, and they were able to work out many—not all, but many—of their problems, the world was hopeful.

Now we are down to the point where once again we see certain steps being taken on the Palestinian side, and we also hear words which make us all feel that once again it is time to be hopeful. Now the time has really come to match the hopeful words with the hopeful deeds.

This proposed amendment goes right to the heart and core of what it is the government really ought to be doing, and that is to encourage other governments. I should say this Committee and this Congress. That is to encourage other governments to settle their disputes in a peaceful manner, to settle their disputes in a sensible manner.

Not long ago I was in Israel. As a Member of this Committee, we took a tour of Israel. It was just incredible that I saw a Palestinian mother and a Jewish mother sitting side by side in the basement of a shopping center filling out their forms to get free gas masks. Here were two mothers, one a Palestinian and the other a Jew, trying to figure out how to get their forms filled out so they could get free gas masks for their children. If they can sit side by side to make sure that their families are safe, they can all work side by side to figure out how to bring peace.

For too long we have lived in a world, we have really lived in a world where people are measured on the basis of their nationality or their race or their color or where they happen to come from. It is terribly important that the additional steps now be made by the right people in the Palestinian and the Israeli world to truly do what they can to bring peace.

This is a good piece of legislation, Mr. Chairman, and I am enthusiastic about being able to say that I support it and I believe in it. Thank you.

Chairman Hyde. Thank you.

Mr. Rohrabacher?

Mr. Rohrabacher. Thank you very much, Mr. Chairman. I rise in support of the amendment.

Let me note that I have not always supported different efforts that portended to be in this direction and the direction that this amendment is all about. I have not found that the only cause for the problem in the Middle East has been intransigence on the part of the Palestinians or the Arabs.

I have found there are people with hearts that are filled with hate on both sides of this conflict. I have found that in the past, just as there are certainly many Palestinians and Arabs who have suggested that the right of Israel to exist—that they denied the right of Israel to exist in the strongest of terms, but I will have to say that among my Jewish friends and Israeli supporters I have also found a commitment by many people whose hearts are hardened that the Palestinian people just do not exist, and they do not have a right to exist.

This type of notion and mind set on both sides I think has created a horrible catastrophe for the Middle East, the people of Israel
and the Palestinian people. I believe that now, after our President has made the commitment that he did months ago to free and liberate the people of Iraq and that we made ourselves activists in this region, we now, because of the success of the operation in Iraq, have a tremendous opportunity to end this impasse between the Palestinians and the Israelis.

I think this legislation is a positive step forward in trying to end that impasse. I think that in this piece of legislation, and I might add, Mr. Chairman, I did not sign onto the letter that went to the President which only stressed the things the Palestinians must do in order to end the impasse. I received some criticism because of that.

Let me note that this bill also suggests some things that Israel is expected to do and will do under certain preconditions, and the preconditions are totally justified, and that is, of course, the ending of terrorist acts, et cetera.

I would hope that nobody is waiting for the other side to move and that both sides begin to move simultaneously toward doing those things that will end this horrible blood letting and this impasse that has paralyzed that part of the world.

In this amendment, we see for the first time and I believe this will be the first time that a Committee of Congress has voted that there will be a recognition of a State of Palestinian if certain preconditions are met. As I say, I believe the preconditions are reasonable.

Also, I note in here that it mentions fulfilling a peace agreement that also is consistent with U.N. Security Council Resolution 242 and 338. These resolutions are not often quoted by supporters of Israel.

Let me note that is a tremendous step forward, and I would hope that people in the Arab states and the Palestinian people note this as a very positive step, and then we need to see from them the positive steps that are talked about from them in this bill, which is a no tolerance policy for the killing of Israeli women and children in order to try to terrorize the State of Israel into one policy or another or try to eliminate Israel from the face of the earth. What we need now is both sides, the good-hearted people on both sides, to take a step forward, and I believe this amendment is a major step forward.

One note as well. I understand that there is some possible movement on the part of Syria. I would encourage all the players in the Middle East, the Syrians and the Palestinians and the Israelis and the people from Lebanon and Egypt. All of them now should look at this as a window of opportunity to try to end the conflict and to try to establish a new order which will permit Israel to live side by side in peace and security with the rest of the countries of that region, and thus that region will prosper, and that region will be at peace.

There is no better gift than we can give to all of the people—Arabs, Muslims, Christians, Palestinians, Israelis, you name it—than to try to bring about peace in that region, and I am deeply in support of this as a step forward in that direction.

Chairman HYDE. The question occurs on the amendment offered by the gentleman from California. All those in favor say aye?
[Chorus of ayes.]
Chairman HYDE. Opposed, nay?
[No response.]
Chairman HYDE. The ayes have it unanimously, and the amend-
ment is agreed to.
Mr. SMITH OF MICHIGAN. Mr. Chairman?
Chairman HYDE. Mr. Nick Smith is recognized.
Mr. SMITH OF MICHIGAN. Mr. Chairman, I have an amendment
at the desk which I had intended to offer when the Hyde-Lantos
amendment was pending. My intention was to make clarifying
changes in that part of the amendment dealing with the inter-
national ag biotechnology program.
[The amendment of Mr. Smith of Michigan follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. SMITH OF MICHIGAN

Page 154, after line 12, insert the following new section:

SEC. 726. INTERNATIONAL AGRICULTURAL BIOTECHNOLOGY INFORMATION PROGRAM.

(a) IN GENERAL.—The Department of State shall
provide to other countries, as appropriate, the scientific
evidence on the benefits, safety, and potential uses of agricul-
tural biotechnology.

(b) SPECIFIC OBJECTIVES.—The Secretary of State
shall—

(1) chair an interagency task force comprised of
representatives of the Department of Commerce, the
Department of Agriculture, and the United States
Agency for International Development to develop
and disseminate accurate written scientific informa-
tion on the potential benefits of agricultural biotech-
technology for human and animal nutrition, the en-
vironment, food and feed production, agricultural
sustainability, and bioenergy development;

(2) coordinate the development and dissemina-
tion of scientifically-based facts regarding, the safety
and regulation of biotechnology-derived food and
feed products;

(3) instruct the United States Agency for Inter-
national Development (USAID) to develop a pro-
gram to demonstrate the potential benefits of agri-
cultural biotechnology to develop products that can
be grown under local soil and climate conditions and
better meet the health and nutritional needs of local
populations in the developing world; and

(4) ensure that personnel undertaking these ac-
tivities are knowledgeable of, and disseminate infor-
mation on, the United States regulatory safeguards
that assure food and environmental safety.
Mr. SMITH OF MICHIGAN. I apologize. I was not prepared to offer it at that time, and now I do have the text prepared. It is before the clerk, and I would ask unanimous consent to offer the amendment and that it be considered as read.

Chairman HYDE. Without objection, the gentleman is recognized, and the clerk will designate the amendment.

Ms. RUSH. Amendment offered by Mr. Smith of Michigan. Page 154, after line 12, and——

Chairman HYDE. Without objection, the amendment will be considered as read.

The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. SMITH OF MICHIGAN. Mr. Chairman, very briefly. The title has changed. Instead of the Department of State, we say the Secretary of State. Instead of cooperation, the Secretary of State is instructed to coordinate. Instead of cooperate with, make certain instructions.

If there are any questions, I would be glad to——

Mr. LANTOS. Would the gentleman yield?

Mr. SMITH OF MICHIGAN. I would certainly yield to Mr. Lantos.

Mr. LANTOS. I want to thank my friend from Michigan for yielding.

Mr. Chairman, I carefully studied the gentleman's amendment. I think it is a well thought amendment, and I strongly support it. We accept it on our side.

Mr. SMITH OF MICHIGAN. Thank you very much.

Chairman HYDE. The question occurs on the Smith amendment. All those in favor say aye?

[Chorus of ayes.]

Chairman HYDE. Opposed, nay?

[No response.]

Chairman HYDE. The ayes have it. The amendment is agreed to.

The Chair recognizes Mr. Menendez of New Jersey.

Mr. MENENDEZ. Thank you, Mr. Chairman. Mr. Chairman, I have an amendment, amendment 1, at the desk, and ask that it be——

[The amendment of Mr. Menendez follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. MENENDEZ

Add at the end of title VII the following:

SEC. 726. SENSE OF CONGRESS ON CLIMATE CHANGE.

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

(1) Evidence continues to build that increases in atmospheric concentrations of manmade greenhouse gases are contributing to global climate change.

(2) The Intergovernmental Panel on Climate Change (in this section referred to as the "IPCC") has concluded that "there is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities" and that the Earth’s average temperature can be expected to rise between 2.5 and 10.4 degrees Fahrenheit in this century.

(3) The National Academy of Sciences confirmed the findings of the IPCC, stating that "the IPCC’s conclusion that most of the observed warming of the last 50 years is likely to have been due to the increase of greenhouse gas concentrations accurately reflects the current thinking of the scientific
community on this issue” and that “there is general agreement that the observed warming is real and particularly strong within the past twenty years”. The National Academy of Sciences also noted that “because there is considerable uncertainty in current understanding of how the climate system varies naturally and reacts to emissions of greenhouse gases and aerosols, current estimates of the magnitude of future warming should be regarded as tentative and subject to future adjustments upward or downward”.

(4) The IPCC has stated that in the last 40 years, the global average sea level has risen, ocean heat content has increased, and snow cover and ice extent have decreased, which threatens to inundate low-lying island nations and coastal regions throughout the world.

(5) In October 2000, a report of the United States interagency Global Change Research Program found that global climate change may harm the United States by altering crop yields, accelerating sea-level rise, and increasing the spread of tropical infectious diseases.

(6) In 1992, the United States ratified the United Nations Framework Convention on Climate
Change (in this section referred to as the “UNFCCC”), the ultimate objective of which is the “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner”.

(7) The UNFCCC stated in part that the Parties to the UNFCCC are to implement policies “with the aim of returning . . . to their 1990 levels anthropogenic emissions of carbon dioxide and other greenhouse gases” under the principle that “policies and measures . . . should be appropriate for the specific conditions of each Party and should be integrated with national development programmes, taking into account that economic development is essential for adopting measures to address climate change”.

(8) There is a shared international responsibility to address this problem, as industrial nations are the largest historic and current emitters of
greenhouse gases and developing nations’ emissions will significantly increase in the future.

(9) The UNFCCC further stated that “developed country Parties should take the lead in combating climate change and the adverse effects thereof”, as these nations are the largest historic and current emitters of greenhouse gases. The UNFCCC also stated that “steps required to understand and address climate change will be environmentally, socially and economically most effective if they are based on relevant scientific, technical and economic considerations and continually re-evaluated in the light of new findings in these areas”.

(10) Any future, binding treaty on climate change must not result in serious harm to the United States economy, and should not cause the United States to abandon its shared responsibility to help reduce the risks of climate change and its impacts. Future international efforts in this regard should focus on recognizing the equitable responsibilities for addressing climate change by all nations, including commitments by the largest developing country emitters in a future, binding climate change treaty.
(11) While the United States has elected against becoming a party to the Kyoto Protocol to the UNFCCC at this time, it is the position of the United States that it will not interfere with the plans of any nation that chooses to ratify and implement the Kyoto Protocol.

(12) United States businesses need to know how governments worldwide will address the risks of climate change. By committing themselves to reducing their greenhouse gas emissions, leading companies in the United States and worldwide are doing more than addressing the problem of climate change—they are also improving their competitive positioning. More than 30 major corporations, most with operations in the United States, have specifically committed themselves to reducing their greenhouse gas emissions.

(13) The United States benefits from investments in the research, development, and deployment of a range of clean energy and efficiency technologies that can reduce the risks of climate change and its impacts and that can make the United States economy more productive, bolster energy security, create jobs, and protect the environment.
(b) Sense of Congress.—It is the sense of the Congress that the United States should demonstrate international leadership and responsibility in reducing the health, environmental, and economic risks posed by climate change by—

(1) taking responsible action to ensure significant and meaningful reductions in emissions of greenhouse gases from all sectors;

(2) creating flexible international and domestic mechanisms, including joint implementation, technology deployment, tradable credits for emissions reductions, and carbon sequestration projects that will reduce, avoid, and sequester greenhouse gas emissions;

(3) participating in international negotiations, including putting forth a proposal to the Conference of the Parties to the UNFCCC, with the objective of securing United States participation in a future binding treaty on climate change in a manner that protects the economic interests of the United States, is consistent with the environmental objectives of the UNFCCC, and recognizes the shared international responsibility for addressing climate change, including developing country participation; and
(4) establishing a bipartisan observer group of Members of the House of Representatives, designated by the chairman and ranking member of the Committee on International Relations of the House of Representatives, to monitor any international negotiations on climate change.
Chairman Hyde. The clerk will designate the amendment.

Ms. Rush. Amendment offered by Mr. Menendez. Add at the end of title VII the following. Section 726——

Chairman Hyde. Without objection, further reading of the amendment is dispensed with.

The gentleman from New Jersey is recognized for 5 minutes in support of his amendment.

Mr. Menendez. Thank you, Mr. Chairman. Mr. Chairman, my amendment is a simple, yet important, proposition. The United States, the nation with the most at stake in climate change, should lead in climate change, not shrink from the issue, which in time will only become more prominent and its effects more pronounced.

Now, President Bush is fond of saying that we should lead in the world. I agree, and I ask my colleagues what are we afraid of in terms of leading on climate change? I say let us be responsible. Engage and lead. Let us re-engage in good faith in international climate change negotiations.

The resolution before you is similar to the one I sponsored and passed in this Committee as an amendment to the Foreign Relations Authorizing Act in 2001. It was subsequently included in the bill passed by the House. It is also similar to amendments that the Senate Foreign Relations Committee accepted unanimously in 2001 and again just a few weeks ago in its markup of this bill.

Mr. Chairman, I do not need to impress upon you the importance of addressing global climate change. The National Academy of Sciences, in a special report requested by President Bush, has confirmed the overwhelming scientific consensus that human activities are steadily warming our planet. If allowed to continue, this warming trend poses grave consequences to both the environment and the economy of the United States.

In a report last year to the United Nations, the Bush Administration described the potential impact of climate change on various regions of our country—greater storm surges along our coast, reduced snow pack and water supplies in the west, declining water levels in the Great Lakes, stronger hurricanes, more extreme weather events and greater risk of both flooding and drought.

Now let me make it clear. I am not here to advocate the Kyoto protocol. Other nations are moving forward on that agreement—Japan, Canada, the European nations. Virtually every one of our closest allies has ratified the protocol, but the President has made it clear he has no intention of submitting the protocol to our colleagues in the Senate, and I take the President at his word.

Rejecting Kyoto in no way absolves the United States of its responsibility to work with other nations to address climate change. If anything, it makes it all the more incumbent upon the United States to show leadership and creativity in forging a truly effective, long-term response.

Mr. Chairman, we should not forget that the first President Bush helped launch the international effort against climate change nearly a dozen years ago when he signed the Framework Convention on Climate Change and submitted it to the Senate where it was swiftly ratified. This landmark treaty was a start, but it was only a start. It is our job now to help lead the world further down the path of climate protection.
What happens after Kyoto? The commitments taken on by other nations under the protocol run only from 2008 to 2012. Negotiations toward a new round of commitments are to begin the year after next. These negotiations present a critical opportunity to build a fair and effective long-term agreement.

Will the United States be a leader in those negotiations, or will it sit on the sidelines or, worse yet, be an obstacle? Will the United States bring ideas to the table for reducing emissions and encouraging strong, sustainable prosperity, expanding growth worldwide?

Climate change, of course, poses risk not only to the United States, but to every other nation as well. Similarly, the greenhouse gas emissions that cause global warming do not originate from just one country. They arise from fossil combustion and deforestation and a host of other activities around the globe.

In these and other ways, Mr. Chairman, climate change is quintessentially a global challenge, and this challenge will be met only when we and other nations agree on an effective, long-term global response.

A vote for my amendment is a vote for active U.S. leadership toward a treaty that truly addresses climate change, protects the economic interests of the United States and recognizes a responsibility of all countries in meeting this profound challenge.

It is in line with the Administration's own report. It is in line with the Administration's own comments. It has been supported by this Committee in the past, unanimously in the Senate, ultimately in the last reauthorization, and I believe we should continue on the course again. I urge my colleagues to support this amendment.

Chairman HYDE. The Chair yields himself 5 minutes in opposition to the amendment.

Lest the impression persist that we are doing nothing—having rejected Kyoto, I would cite last month's CBO study, *The Economics of Climate Change, A Primer*, where on page 49 it says,

"The Bush Administration, having withdrawn the United States from subsequent protocol negotiations, has largely continued the previous Administration's level of climate related expenditures. The President's budget for fiscal year 2003 proposed $4.5 billion of climate related spending with $1.7 billion dedicated to climate science."

That ought to be taken note of.

Over the next several weeks, the energy bill will be debated in the Senate, and several amendments are expected on the issue of global climate change. This, in my view, is the appropriate place to consider changes to our current energy related policy.

Inclusion of the Menendez amendment now pending is not only unnecessary, but I think it is unwise. A climate change provision of this type will jeopardize the enactment of this bill. Two years ago, a similar provision was removed from our pending State Department measure at the insistence of House leadership. This bill is too important and its provisions too timely to put at risk, especially in the consideration of an extraneous measure that will be fully debated and considered by other appropriate Committees.

Furthermore, the President has made clear he is opposed to the Kyoto protocol. Why should we pass this amendment that would
seek to have the U.S. engage in yet another binding treaty on climate change?

There are enormous costs associated with any proposals like the Kyoto agreement to sharply cut greenhouse gas emissions as high as $400 billion for the U.S. alone. To meet the goals set under the Kyoto protocol, it has been estimated that Illinois, my State, alone would have to spend at least $1 billion per year, and the Illinois Government would stand to lose up to $6.5 billion each year in tax revenue as a result of slower economic growth.

Since the adoption of the Kyoto agreement, many nations have admitted they will not be able to meet the amendments to emissions reductions. At a time of global recession and budget reductions, let us not put the U.S. on a track of negotiating yet another failed treaty and in the same position as many nations who cannot live up to their commitments, so I respectfully urge the defeat of this amendment.

Does anyone else wish to——

Mr. LANTOS. Mr. Chairman?

Chairman HYDE. Mr. Lantos?

Mr. LANTOS. Mr. Chairman, I have a lengthy statement which, due to the pressure of many additional amendments, I will not read. I would merely like to commend my good friend from New Jersey for proposing his sense of the Congress language. I support him in this.

I think it is reasonable for us to urge the Administration to make good on its own commitment to work with the international community to tackle the threat of global climate change, and I urge all of my colleagues to support the Menendez amendment.

Chairman HYDE. Is there further discussion?

[No response.]

Chairman HYDE. If not, the clerk will call the roll.

Ms. RUSH. Mr. Leach?

Mr. LEACH. Aye.

Ms. RUSH. Mr. Leach votes yes.

Mr. Bereuter?

Mr. BEREUTER. No.

Ms. RUSH. Mr. Bereuter votes no.

Mr. Smith of New Jersey?

Mr. SMITH OF NEW JERSEY. Yes.

Ms. RUSH. Mr. Smith of New Jersey votes yes.

Mr. Burton?

[No response.]

Ms. RUSH. Mr. Gallegly?

[No response.]

Ms. RUSH. Ms. Ros-Lehtinen?

[No response.]

Ms. RUSH. Mr. Ballenger?

[No response.]

Ms. RUSH. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. RUSH. Mr. Rohrabacher votes no.

Mr. Royce?

Mr. ROYCE. No.

Ms. RUSH. Mr. Royce votes no.
Mr. King?
Ms. RUSH. Mr. King votes no.
Mr. Chabot?
Mr. CHABOT. No.
Ms. RUSH. Mr. Chabot votes no.
Mr. Houghton?
[No response.]
Ms. RUSH. Mr. McHugh?
[No response.]
Ms. RUSH. Mr. Tancredo?
[No response.]
Ms. RUSH. Mr. Paul?
Mr. PAUL. No.
Ms. RUSH. Mr. Paul votes no.
Mr. Smith of Michigan?
[No response.]
Ms. RUSH. Mr. Pitts?
Mr. PITTS. No.
Ms. RUSH. Mr. Pitts votes no.
Mr. Flake?
[No response.]
Ms. RUSH. Mrs. Davis?
[No response.]
Ms. RUSH. Mr. Green?
Mr. GREEN. No.
Ms. RUSH. Mr. Green votes no.
Mr. Weller?
Mr. WELLER. No.
Ms. RUSH. Mr. Weller votes no.
Mr. Pence?
Mr. PENCE. No.
Ms. RUSH. Mr. Pence votes no.
Mr. McCotter?
Mr. MCCOTTER. No.
Ms. RUSH. Mr. McCotter votes no.
Mr. Janklow?
Mr. JANKLOW. No.
Ms. RUSH. Mr. Janklow votes no.
Ms. Harris?
[No response.]
Ms. RUSH. Mr. Lantos?
Mr. LANTOS. Aye.
Ms. RUSH. Mr. Lantos votes yes.
Mr. Berman?
[No response.]
Ms. RUSH. Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. RUSH. Mr. Ackerman votes yes.
Ms. RUSH. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Yes.
Ms. RUSH. Mr. Faleomavaega votes yes.
Mr. Payne?
Mr. PAYNE. Yes.
Ms. RUSH. Mr. Payne votes yes.
Mr. Menendez?
Mr. MENENDEZ. Yes.
Ms. RUSH. Mr. Menendez votes yes.
Mr. Brown?
Mr. BROWN. Yes.
Ms. RUSH. Mr. Brown votes yes.
Mr. Sherman?
Mr. SHERMAN. Yes.
Ms. RUSH. Mr. Sherman votes yes.
Mr. Wexler?
[No response.]
Ms. RUSH. Mr. Engel?
Mr. ENGEL. Yes.
Ms. RUSH. Mr. Engel votes yes.
Mr. Delahunt?
[No response.]
Ms. RUSH. Mr. Meeks?
[No response.]
Ms. RUSH. Ms. Lee?
Ms. LEE. Yes.
Ms. RUSH. Ms. Lee votes yes.
Mr. Crowley?
Mr. CROWLEY. Yes.
Ms. RUSH. Mr. Crowley votes yes.
Mr. Hoeffel?
Mr. HOEFFEL. Yes.
Ms. RUSH. Mr. Hoeffel votes yes.
Mr. Blumenauer?
Mr. BLUMENAUER. Aye.
Ms. RUSH. Mr. Blumenauer votes yes.
Ms. Berkley?
Ms. BERKLEY. Yes.
Ms. RUSH. Ms. Berkley votes yes.
Ms. Napolitano?
[No response.]
Ms. RUSH. Mr. Schiff?
Mr. SCHIFF. Aye.
Ms. RUSH. Mr. Schiff votes yes.
Ms. Watson?
[No response.]
Ms. RUSH. Mr. Smith of Washington?
Mr. SMITH OF WASHINGTON. Aye.
Ms. RUSH. Mr. Smith of Washington votes yes.
Ms. McCollum?
[No response.]
Ms. RUSH. Mr. Bell?
Mr. BELL. Yes.
Ms. RUSH. Mr. Bell votes yes.
Mr. BALLenger. Mr. Chairman, how am I recorded? Mr. Ballenger.
Chairman HYDE. The rollcall has not been completed. Would the gentleman withhold?
Ms. RUSH. Chairman Hyde?
Mr. BALLenger. I am sorry.
Chairman HYDE. No.
Ms. RUSH. Chairman Hyde votes no.
Chairman HYDE. Mr. Ballenger?
Mr. BALLenger. I would vote no.
Ms. RUSH. Mr. Ballenger votes no.
Mr. BURTON. Mr. Chairman?
Chairman HYDE. Mr. Burton?
Mr. BURTON. Mr. Burton votes no, Mr. Chairman.
Chairman HYDE. Thank you. Mr. Delahunt?
Mr. DELAHUNT. Aye.
Ms. RUSH. Mr. Delahunt votes yes.
Chairman HYDE. Mr. Berman?
Mr. Berman. Aye.
Ms. RUSH. Mr. Berman votes yes.
Chairman HYDE. Have all voted who wish?
Mr. FLake. Mr. Chairman?
Chairman HYDE. Mr. Flake?
Mr. FLake. No.
Ms. RUSH. Mr. Flake votes no.
Mr. McHugh. Mr. Chairman?
Chairman HYDE. Mr. McHugh?
Mr. McHugh. No.
Ms. RUSH. Mr. McHugh votes no.
Chairman HYDE. If all have voted let us announce the roll.
Ms. RUSH. On this vote there are 20 yeses and——
Mr. TANCREDO. Mr. Chairman?
Chairman HYDE. Mr. Tancredo?
Mr. TANCREDO. Mr. Chairman, how am I recorded?
Ms. RUSH. You are not recorded as voting.
Mr. TANCREDO. Mr. Chairman, I would like to vote no.
Ms. RUSH. Mr. Tancredo votes no.
Chairman HYDE. Now let us announce the roll.
The clerk will withhold announcing. Ms. McCollum?
Chairman HYDE. You are excused.
Ms. RUSH. Ms. McCollum votes yes.
Mr. LANTOS. And forgiven.
Chairman HYDE. Lock the doors, please.
Ms. RUSH. On this vote there are 21 yeses and 18 noes.
Chairman HYDE. And the amendment is agreed to.
Mr. Royce?
Mr. ROYCE. Thank you, Mr. Chairman. I wanted to commend you
and the Ranking Member for your work on this legislation. I am
particularly pleased to see the bill's emphasis on U.S. international
broadcasting. I am offering with Mr. Schiff an amendment that will
complement these efforts.
Our amendment expresses the sense of Congress that Radio Free
Asia's broadcast to North Korea be increased to 24 hours each day,
and because of the problem of access to suitable radios in North
Korea, this amendment requests a report detailing the steps that
the U.S. Government is taking and needs to take, including the
provision of radios, to maximize North Korea's access to foreign
broadcasts like Radio Free Asia.
[The amendment of Mr. Royce follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. ROYCE AND MR. SCHIFF

Page 88, after line 6, insert the following:

SEC. 504. RADIO FREE ASIA BROADCASTS INTO NORTH KOREA.

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

(1) North Korea’s development of nuclear weapons and missile delivery systems poses one of the gravest security threats to the United States in the world.

(2) The Kim Jong Il regime in North Korea has one of the worst human rights records in the world. On April 16, 2003, the United Nations Commission on Human Rights passed a resolution, “expressing its deep concern about reports of systemic, widespread and grave violations of human rights” in North Korea.

(3) In order to ensure its survival, the Kim Jong Il regime makes extensive efforts to control the flow of information in North Korea.

(4) In 2002, a survey found that five of twelve “elite” defectors from North Korea had listened to Radio Free Asia.
(5) Radio Free Asia broadcasts only 4 hours each day into North Korea.

(6) Many North Korean citizens lack radios capable of receiving Radio Free Asia broadcasts.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that the Broadcasting Board of Governors should ensure that Radio Free Asia increases its broadcasting with respect to North Korea to 24 hours each day.

(c) **REPORT TO CONGRESS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, after consulting with other agencies of the United States government, shall submit a report, in classified form, on specific measures currently being undertaken and measures necessary, including the provision of adequate radios, to maximize North Korean citizen access to Radio Free Asia and other foreign broadcasts to the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.
Mr. Royce. As you know, Mr. Chairman, I chair the U.S.-Republic of Korea Interparliamentary Exchange, and over the April recess, Mr. Schiff and I, along with other colleagues, traveled to Seoul to hold the exchange with our South Korean counterparts in the National Assembly. This amendment was developed from that trip, which included a visit to RFA facilities in Seoul.

What is clear is that North Korea’s development of nuclear weapons and missile delivery systems poses a grave threat to the U.S. and our allies in Asia, and it is also clear that North Korea currently has the worst human rights record in the world, so the stakes on the peninsula are great.

I just thought I would share with you a former North Korean military officer’s story of one of the official policy meetings there where during a debate one member of their cabinet shouted to another,

“You must listen to the radio coming from the outside world because if you do, then you will know that we have been living like frogs in a well. North Koreans have been living with blinders on.”

This is an opportunity, frankly, to get information in to the policymakers in that regime and to the people because, in order to ensure his survival, Kim Jong Il has put an iron grip on all information in North Korea. Control of information is absolutely crucial because the system is based on lies, and the propaganda is so great that defectors report that they believed that their country was wealthier than South Korea, even though they had close to 3,000,000 people starving to death there.

We are making progress. Last week, NPR interviewed Chinese ethnic Koreans who had recently traveled into North Korea. They reported that there is a gradual change inside North Korea. Not everyone is continuing to believe the regime’s propaganda. Even some party officials now say they know their own government of Kim Jong Il is responsible for their woes.

Surveys are indicating that North Korean defectors are listening to the minimal broadcasts that we have today. There are cracks in the armor. It is surely time that we multiply our broadcasting effort, that we learn from what Vaclav Havel and Lech Walesa have told us, and that is that the biggest factor in changing attitudes behind the Iron Curtain was the ability to listen to Radio Free Europe’s broadcasts. This will give a similar type of coverage and at a critical period on the Korean Peninsula.

In wrapping up, I would just say Mr. Chairman, that Radio Free Asia is a key tool to bring about change. We are not sufficiently using it enough. This amendment lays the groundwork for an effective broadcasting strategy to North Korea.

I ask my colleagues for their support, and I would yield the balance of my time.

Chairman Hyde. Mr. Lantos?

Mr. Lantos. Thank you, Mr. Chairman. I strongly support the Royce initiative to increase U.S. international broadcasting into North Korea. I want to compliment my good friend for his long-standing leadership in this general field.
The United States has provided hope to captive people throughout the globe through the Voice of America, Radio Free Europe, Radio Free Asia and all of our other broadcasting efforts. We can and must apply the same successful formula to North Korea, whose people suffer and are under a brutal Stalinist regime.

I urge all of my colleagues to strongly support this initiative, and I thank you, Mr. Chairman.

Chairman Hyde. The question occurs on the Royce Amendment.

Mr. Schiff. Mr. Chairman? Mr. Chairman?

Chairman Hynde. Mr. Schiff?

Mr. Schiff. Move to strike the last word, Mr. Chairman.

Chairman Hyde. The gentleman is recognized for 5 minutes.

Mr. Schiff. Mr. Chairman, Members, I want to speak also in support of this amendment.

During the codel with Chairman Royce, Xavier Becerra and Madeleine Bordallo, we had the opportunity to sit down with North Korean defectors, some ordinary citizens of North Korea who managed to escape during the winter over the frozen Yalu River, as well as a relatively high ranking North Korean defector. All of them provided chilling accounts of the nature of the North Korean regime and life in the north. It is probably the most insular nation in the world, the most cut off from the outside world, the most repressive regime anywhere.

To the degree that we can penetrate that hermetic seal around that country and spread information to the people of North Korea of life outside the north, it will have enormous benefit in educating the North Koreans that there is a better way of life. The fact of the disparity between North and South Korea has to be the most graphic example of both the success of one form of government and the failure of the other.

To have one people under two very separate forms of government, one prospering, one democratic, one an economic powerhouse, the other stagnant, starving. There are three groups of North Koreans—the members of the military who are fed first, the third of the population that is a member of the party that is fed second, and then the other third, the potential subversives who are fed third, if at all.

I compliment my colleague for his initiative for years now in support of this effort and want to add my voice to those of others who recognize that information is probably the most powerful weapon we have in changing the nature of the regime in North Korea and improving the life of North Koreans and, over the long term, in diminishing the likelihood of any kind of nuclear escalation on the peninsula.

I yield back the balance of my time.

Mr. Ackerman. Mr. Chairman?

Chairman Hyde. Mr. Ackerman?

Mr. Ackerman. Yes, Mr. Chairman. I am going to support this amendment because of the tremendously good intentions of the sponsors who are on the right track emotionally.

I think I might be the only Member of the Committee that has actually been to North Korea. I may be mistaken about that, but I think that is so. I can verify what they are saying about all the
bad things in North Korea. It is probably a lot tougher than they have described.

The reality is there are very few people that have electricity, let alone radios, and the people who have it are basically, you know, a dozen or so party officials. We are going to have to think through how we are really going to do this. This is the sense of the Congress resolution. We are not really spending money broadcasting 24 hours a day to nobody who is listening except the people in South Korea who are the defectors and the South Koreans who can hear us on regular radio.

We are going to have to figure out a way if we are going to really penetrate that hermit nation and the isolation they have built around themselves to figure out how to actually get radios in. It is very difficult to even make contributions.

Mr. ROYCE. Would the gentleman yield?

Mr. ACKERMAN. I would be delighted to.

Mr. ROYCE. You are right on the point here. This amendment requests a report detailing the steps that the U.S. Government is taking and needs to take, including the provision of radios to maximize that coverage.

Let me add one thing. Right now, across the border between China and North Korea, there is a vibrant trade in smuggling radios. The percentage of defectors who have listened to radio broadcasts have gone up markedly in the last 2 years.

The other point I was going to make is that key policy makers within the administration in North Korea, within that regime, are all listening to these broadcasts, and one of the reasons you have the high ranking level of defections that you have had, and I have now talked to a number of senior military as well as civil servant defectors, is because they have listened to these broadcasts, and they are discussing internally in much the way that Boris Yeltsin or Vaclav Havel in the party used to talk about whether these broadcasts could be true? Are people living better on the outside? Are these lies they are telling us about what is going on in our country?

Not only are they beginning to reach the countryside because of the efforts of groups to smuggle radios across that Chinese border, but also you have the mid and upper level civil servants and military now listening to the broadcasts. Does everyone listen to them? Certainly no, but the percentage of population has tripled that are now monitoring these conversations.

Part of this legislation is not just the 24 hour broadcasts, but it is to develop a plan to figure out how we get more radios across that border and other ways to get that information through. One might be——

Mr. ACKERMAN. Just reclaiming my time. Leave me 30 seconds. You can have the rest.

Thank you very much. I agree with everything you are saying. The number of radios will increase exponentially at the beginning. That is still not even, you know, a real number. It is a very limited number of people.

The 24 hour broadcasting in your amendment is part of the sense of the Congress aspect of it, so we are really spending no money on that, and I think wisely so, until what you do require in the bill
as law should this be an amendment that passes, and I hope that it does, is that report.

I think what we have to do is sit down together, analyze that report, all of us, and try to figure out a way how to effect if we are going to be broadcasting and how to get radios to the people that are going to be listening to those broadcasts.

Mr. ROYCE. If the gentleman would yield again?

Mr. ACKERMAN. Certainly.

Mr. ROYCE. These are transistor radios, so in that sense they do not——

Mr. ACKERMAN. So there is an after market here?

Mr. ROYCE. Exactly.

Mr. ACKERMAN. I like that.

Mr. ROYCE. Secondly, the power outages in the north have made it very, very difficult for the north to jam the broadcasts as they used to do. Our technological advances make it a lot easier for us to overcome those jammings than they do in China, for example.

Everything points to the fact now with this massive movement of transistor radios across the Chinese border, and the desire for information in the north that this is an opportune time to move this legislation.

I would just close by asking my colleagues to support it. Thank you.

Chairman HYDE. The question occurs on the Royce amendment. All of those in favor say aye?

[Chorus of ayes.]

Chairman HYDE. Opposed, nay?

[No response.]

Chairman HYDE. The ayes have it. The amendment is agreed to.

The Chair recognizes Mr. Hoeffel.

Mr. HOEFFEL. Thank you, Mr. Chairman. I move the strike the last——

Chairman HYDE. The gentleman is recognized for 5 minutes.

Mr. HOEFFEL. Thank you, Mr. Chairman.

I had intended to offer an amendment today. I had really wanted to offer an amendment today to establish a modern day Marshall Plan for Eurasia and the Middle East. I have been persuaded by the bipartisan leadership of the Committee that this may not be the right time to do it, so I will not offer the amendment. I would like to make a few comments about the need for a modern day Marshall Plan.

I think all of us on this Committee recognize that the reality of significant poverty and corruption and human rights instances in areas such as Eurasia and the Middle East pose a tremendous threat not only to the peace and well being of people living there, but to our own national security. The threat of terror that can arise when there is not just poverty, but an absence of hope and utter hopelessness among a population, is obviously a very real problem for us.

The Marshall Plan following World War II was America’s finest hour, a full contribution that we made to fight the prevention or the spread of communism and to stimulate growth in western Europe and those regions after World War II. The Marshall Plan recognized a direct link between economic growth and political sta-
bility, and that is a direct link that we need to remember today. We have the power to do something about the economic growth and opportunity in these parts of the world, and some day soon we need to do it.

The Marshall Plan understood the importance of the recipient nations being part of the planning process, determining a plan of action to recover their economies that they had to put into place before assistance was granted. We ought to do the same thing for Eurasia and the Middle East.

Now, the amendment that I was going to offer had an appropriation of $50 billion. That may be one reason why the leadership asked me not to push forward. $50 billion.

Mr. LANTOS. Are you accusing us of being pecuniary in our orientation?

Mr. HOEFFEL. I am acknowledging that wiser heads have prevailed.

The $50 billion figure would grow our foreign aid to the .7 percent of GDP that 30 years ago the United Nations suggested countries earmark for their foreign aid. We give about $10 billion right now in outright foreign aid grants, which is .1 percent of our GDP. We are not getting the job done, and we need to think about this.

I will not offer this amendment. I will be offering it as a bill. I am sure we will have a chance in the future to talk about this. I really do thank both the Chair and the Ranking Member for their cooperation and forbearance.

Mr. BROWN. Would the gentleman yield for 20 seconds?

Mr. HOEFFEL. I would be delighted to yield.

Mr. BROWN. I would add, and I thank Mr. Hoeffel for offering the idea of this. I would add that Kofi Annan had asked the wealthy nations of the world to devote .7 percent of their GDP to anti-poverty and infectious disease efforts around the world.

Only four nations reached the \( \frac{3}{50} \) of 1 percent of GDP. They were, I believe, Denmark, the Netherlands, Norway and Sweden I am pretty sure. The United States was last among the 20 some countries that—somewhat less than .1 percent, \( \frac{1}{10} \) of 1 percent of our GDP.

I think Mr. Hoeffel makes a very good case that we need to look in a different direction.

I yield back.

Chairman HYDE. The Chair would just like to comment about the last colloquy, which is quite interesting and has merit, but whenever we are painted as being cheap in terms of foreign aid I always wonder if you added in the nuclear umbrella—protecting Japan and Germany and the rest of the world, the military maintenance that we, because nobody will do it, maintain. Add all those things in. Add in Food for Peace and all the other programs.

I think we are a pretty generous country. It makes an interesting topic for a seminar sometime.

Mr. HOEFFEL. Would the gentleman yield?

Chairman HYDE. Yes, surely.

Mr. HOEFFEL. I thank the Chair, and I completely agree with the Chair regarding the wonderful contributions we make through our military security and national security efforts around the world.
We do deserve great credit for that. Unfortunately, I do not think that addresses that sense of hopelessness and so forth that economic aid also needs to do.

I thank the Chair. He has been very cooperative today. I hope we will keep talking about this in this Committee. This is the right forum. If we do not address this stuff, nobody else will.

Chairman Hyde. Well, we certainly have an ample supply of sensitivity here on these issues.

Mr. Chris Smith is recognized.

Mr. Smith of New Jersey. Thank you very much, Mr. Chairman.

Mr. Chairman, I have an amendment at the desk that I am offering on behalf of myself and Mr. Berman, and I would ask unanimous consent that the amendments be considered en bloc. They are the refugee amendments.

[The amendments of Mr. Smith of New Jersey follow:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. SMITH OF NEW JERSEY

Page 49, after line 19, insert the following section
(and conform the table of contents accordingly):

SEC. 229. ENHANCING REFUGEE RESETTLEMENT AND
MAINTAINING THE UNITED STATES COMMIT-
MENT TO REFUGEES.

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

(1) The United States has a longstanding tradi-
tion of providing refugee assistance and relief
through the Department of State’s migration and
refugee assistance account for refugees throughout
the world who have been subjected to religious and
other forms of persecution.

(2) A strong refugee resettlement and assist-
ance program is a critical component of the United
States’ strong commitment to freedom.

(3) The United States refugee admissions pro-
gram has been in decline for much of the last five
years, resulting in a chronic inability of the United
States to meet the ceiling on refugee admissions that
has been set by the President each year.
(4) Refugee applicants have always undergone rigorous security screenings. The September 11, 2001, terrorist attacks on the United States has rightfully increased the awareness of the need to ensure that all aliens seeking admission to the United States would not endanger the United States.

(5) Private voluntary organizations and non-governmental organizations (NGOs) have and continue to provide valuable information to State Department officials for refugee processing, and along with Embassy personnel, can be utilized to assist in the preliminary screening of refugees so that State Department officials can focus to a greater extent on security.

(6) Currently there are 15 million refugees worldwide. In order to meet the ceiling set by the Administration, which has been 70,000 in recent years, a broader cross-section could be considered for resettlement in the United States if the Department of State were to expand existing refugee processing priority categories in a reasonable and responsible manner. Expansion of refugee selection should include the expanded use of both the existing category reserved for refugees of special interest to
the United States as well as the existing categories reserved for family reunification.

(b) PURPOSE.—It is the purpose of this section to provide the Department of State with tools to enable it to carry out its responsibilities with greater efficiency with respect to the identification and processing of refugee applicants.

(c) ENHANCEMENT OF REFUGEE IDENTIFICATION AND PROCESSING.—

(1) In addition to traditional agencies currently used in the processing of refugees for admission to the United States, where applicable, the Secretary shall develop and utilize partnerships with voluntary resettlement organizations that permit such organizations to assist in the identification and referral of refugees.

(2) In addition to traditional agencies currently used in the processing of refugees for admission to the United States, where applicable, the Secretary shall utilize private voluntary organizations with ties to domestic constituencies in the overseas processing of refugees.

(3) In addition to traditional agencies currently used in the processing of refugees for admission to
the United States, where applicable, the Secretary
shall establish refugee response teams.

(A) Establishment of Refugee Response Teams.—In order to make the proc-
essing of refugees more efficient and effective,
 enhance the quality of refugee resettlement pro-
grams, and to augment the capacity of the
United States government to identify, process,
assist, and counsel individuals for eventual ad-
judication by the Department of Homeland Se-
curity as refugees, where applicable, the Sec-
etary shall establish and utilize the services of
Refugee Response Teams, (in this section re-
ferred to as “RRTs”). RRTs shall be coordi-
nated by the Assistant Secretary of State for
Population, Refugees, and Migration, or the As-
sistant Secretary’s designee.

(B) Composition of the RRTs.—RRTs
shall be comprised of representatives of non-
governmental organizations and private vol-
untary organizations that have experience in
refugee law, policy and programs.

(C) Responsibilities of the RRTs.—
RRTs shall be responsible for—
(i) monitoring refugee situations, with a view toward identifying those refugees whose best durable solution is third country resettlement;

(ii) preparing profiles and documentation for resettlement consideration by the United States Government;

(iii) augmenting or establishing an overseas operation, especially in response to urgent developments requiring quick responses or more staff resources than are available in the existing processing entities;

(iv) assisting with training and technical assistance to existing international organizations and other processing entities; and

(v) such other responsibilities as may be determined by the Secretary of State.

(D) RESPONSIBILITIES OF THE SECRETARY.—The Secretary shall establish appropriate training seminars for RRT personnel and make use of RRTs in situations where existing mechanisms are unable to identify and process refugees in a timely manner.
(d) Performance Standards.—In consultation with private voluntary organizations and NGOs, the Secretary shall establish performance standards to ensure accountability and effectiveness in the tasks carried out in subsection (c).

(e) Consideration of Various Groups.—To ensure that there is adequate planning across fiscal years and that both the Department of State's planning and processing operations result in adequate numbers of travel-ready refugees to fulfill the admissions goals set forth in the determinations on refugee admissions required by sections 207(a) and 207(b) of the Immigration and Nationality Act (8 U.S.C. 1157(a) and (b)), the Secretary of State shall work to ensure that—

(1) those refugees in special need, including long-stayers in first countries of asylum, unaccompanied refugee minors, urban refugees, and refugees in women-headed households be given special attention for resettlement processing;

(2) attempts are made to expand processing of those refugees of all nationalities who have close family ties to citizens and residents in the United States, including spouses, unmarried children, or parents of persons lawfully admitted to the United States, regardless of their country of nationality,
country of habitual residence, or first country of asylum, as well as grandparents, grandchildren, married sons or daughters, or siblings of United States citizens or other persons lawfully admitted to the United States;

(3) attempts are made to expand the number of refugees considered who are of special concern to the United States; and

(4) expanded access is provided to broader categories of refugees seeking admission to the United States, thus reducing instances of relationship-based misrepresentation by persons who are bona fide refugees but who resort to such misrepresentation merely as a way to be interviewed for refugee status.

(f) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to Congress that includes information concerning the following:

(1) Efforts of the Secretary to utilize NGO’s in refugee identification, utilize private voluntary organizations in processing refugees, establish and utilize RRTs, and an explanation of the rationale for not using such organizations and agencies in situations where the Secretary has made such a determination, as described in subsection (e).
(2) Efforts of the Secretary to implement performance standards and measures as described in subsection (d) and the success of NGO's and private voluntary organizations in meeting such standards.

(3) Efforts of the Secretary to expand consideration of various groups for refugee processing as described in subsection (e).

(4) Efforts to ensure that there is planning across fiscal years so as to fulfill the refugee admissions goals set forth by the President in his annual presidential determinations on refugee admissions.
AMENDMENT TO H.R. 1950
OFFERED BY MR. SMITH OF NEW JERSEY

Page 23, line 4, strike “$760,197,000” and insert “$927,000,000”.

Page 23, line 5, strike “$813,197,000” and insert “$957,000,000.”
Chairman HYDE. The clerk will designate the amendments.

Ms. RUSH. Amendment offered by Mr. Smith. Page 49, after line 19—

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

Chairman HYDE. Without objection, so ordered, and the gentleman's motion to consider the amendments en bloc is also granted.

The gentleman is recognized for 5 minutes.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman and Members of the Committee.

Last week, the House responded to one of the most serious humanitarian situations the world has ever seen by passing a $15,000,000 bill designed to alleviate the suffering of over 30,000,000 people in our world living and dying from HIV/AIDS and to stop the spread of that dreaded disease.

The amendment to this bill is designed to address another world crisis that often does not get the kind of visibility it deserves, and that is the plight of the 15,000,000 refugees around the world, many whom have fled some of the same egregious persecution—religious, political and otherwise—in their home countries and today who suffer amidst poor conditions of squalor in refugee camps. There is no doubt whatsoever, Mr. Chairman, that there is a significant shortfall in terms of the donor nations and the money that is available to alleviate this suffering for those who are living in refugee camps around the world.

As a matter of fact, I would ask my friends and colleagues to look at a briefing note put out by the U.S. Committee for Refugees in which they cite some 60 examples, many of those examples in Africa, some in Latin America, in Asia, but most of them in Africa, where there is food shortages, medical shortages, shelter shortages in one camp in one country after another. As a result, obviously many children and women and men are living lives that are deprived of these basic necessities.

Let me just point out to my colleagues that this amendment has three major components. The first would require the State Department to solicit the support of non-governmental organizations and private voluntary organizations to assist in refugee identification and preliminary processing.

The amendment simply says where applicable, the State Department should utilize the resources of well-respected NGOs and private voluntary organizations who have extensive experience in dealing with refugees who meet the areas that the State Department has classified P–2s, P–3s and the like, people who are of concern who right now because of the overburdened UNHR status they do not have enough people that can do this work so that this job can be done by other competent people.

Secondly, the amendment calls on State to expand the processing of refugees in the situations of greatest need, and, finally, the amendment does increase the program's authorization to a level of $927,000,000, $580,000,000 of which would go or would be envisioned in going directly to the camps and to the refugee situations around the world.

The concern there is that there is just far too little money available now. The need can be demonstrated. There is no doubt about
that. I have spoken over the years many times both in Geneva and here, as well as in site visits to refugee camps, and the shortfall is appalling. The per capita spending, for example, for African refugees falls far below that which is compared to other refugees. That can be ameliorated; maybe not solved with this amendment, but at least we can provide some additional funding for it.

I would hope the Members could support it, and I yield back the balance of my time.

Chairman HYDE. Is there any further discussion? Mr. Berman?

Mr. BERMAN. Yes, Mr. Chairman. Very quickly, first once again the gentleman from New Jersey has demonstrated with this amendment an enduring commitment to America as a refuge for the refugees for the people persecuted for political reasons around the world without regard to region or area. I want to commend him, and I am happy to be associated with him. He has done tremendous work in this area.

Secondly, the present situation has become, I do not think out of any malice, but for a variety of reasons, a number of which Mr. Smith just made reference to, scandalous. The notion that at a time when there are tremendous refugee needs our authorized limit is down to $70,000, which in and of itself can be challenged as inadequate to do the job. It is significantly lower than it was a number of years ago.

More importantly, even out of that $70,000 I believe in the first 6 months of this fiscal year that we are now in, less than 9,000 refugees have been admitted. Now, September 11 increased scrutiny in terms of security. All of these understandably played a role in the initial days after September 11, but the notion that this has continued on 18 months later for a variety of reasons, many of which have no relationship to security checks, is scandalous.

What Mr. Smith here is doing is saying we have NGOs around the world committed, dedicated to going through this process of processing, of interviewing, of qualifying people. We should take advantage of those resources to try and come to even our stated commitment, which, as I mentioned before, may be less than adequate to do the job right now.

I think it is a very important amendment. It authorizes resources. It authorizes bringing in wonderfully qualified groups to help the rule that the UNACR and the overseas processing entity now engage in to try and do this job. I think a lot of people’s lives will be tremendously improved, and America will have done well to adopt this amendment and implement this with its additional resources. I urge its adoption.

Chairman HYDE. The question occurs on the Smith amendment. All those in favor?

Mr. BERREUTER. Mr. Chairman?

Chairman HYDE. Mr. Bereuter?

Mr. BERREUTER. Thank you very much, Mr. Chairman. I can support the amendment of the gentleman from New Jersey. As I do this, however, I think it is important to recognize that he has clarified a few positions and issues related to jurisdiction of the Committees and agencies, and that is a very helpful step on his part.

Of course, we have the reduction in the refugees primarily because of security concerns post 9/11, and so while we are hoping
to enhance the kind of personnel capability that would be available to the Secretary for refugee relief, the PBOs and the VROs, of course, have special responsibility to assure that they are fully mindful and respect the security requirements and that the kind of processing that they do is adequate to assure that there will be no abuse because of the additional manpower that we are bringing to bear here. That is the warning or the admonition to the PBOs and the VROs that might be involved. The Secretary, of course, has the discretion because it is always there where applicable.

With that kind of concern expressed and admonition to the VROs and PBOs and assurances to the Secretary that he has full authority to scrutinize these organizations rather carefully to see if they have the competence, I am supportive of the gentleman’s effort, and I urge support of it.

Mr. PAYNE. Mr. Chairman?

Chairman HYDE. Mr. Payne?

Mr. PAYNE. Thank you very much. I will be very brief. I tried to speak on several others. I figured I better speak up a little louder.

I would like to commend the gentleman from New Jersey for this amendment. I think that there are tremendous opportunities for us to increase the number of refugees coming into the country. I hear about the scrutiny of the PBOs and all the rest, and I think that is important.

However, I do not know if people have been to refugee camps. They are usually people who come over a border with practically no clothes on, barefooted, starving, sick, many times fearful and afraid, and probably you have the least opportunity of any people who are subversive and out to get us type of mentality.

I think that we need to be concerned that we are not allowing people who may be a part of an undesirable organization that dislikes our country, but I would just like to say that if you have traveled around refugee camps like I have done for the last 25 or 30 years, you find people who are really in need and so I think that that is less of a problem than those who come in under normal, you know, business type, the sort of folks that we saw on 9/11 who were wealthy, educated persons who just had the al-Qaeda awful mentality. I would hope that we keep that in mind.

I yield back. Thank you, Mr. Chairman.

Chairman HYDE. Thank you. Mr. Rohrabacher?

Mr. ROHRABACHER. I need to have a few points clarified before I can vote on this.

Mr. Smith, does this in any way increase the number of people who will be legally entitled to enter the United States of America?

Mr. SMITH OF NEW JERSEY. I would answer my friend that no, that is not, frankly, under the jurisdiction of this Committee.

Every year in a collaboration between the Executive Branch and Congress, and that is usually done through the Judiciary Committee, that number is picked.

Mr. ROHRABACHER. Okay.

Mr. SMITH OF NEW JERSEY. Right now it is 70,000.

Mr. ROHRABACHER. So this bill would not in any way——

Mr. SMITH OF NEW JERSEY. No. This has to do with additional monies for refugee protection, coupled with an enhanced effort to
try to identify and assist those people who would be eligible for refugee status.

As Mr. Berman pointed out, the number year to date is 9,000, far below the 70,000 ceiling which, if we butt up against, obviously we would not——

Mr. ROHRABACHER. All right. We need to make sure that that is understood; that we are not talking about an increase in the legal number of immigrants coming into the United States.

Mr. SMITH OF NEW JERSEY. Would the gentleman further yield?

Mr. ROHRABACHER. Go ahead.

Mr. SMITH OF NEW JERSEY. And I know he knows this, but so it is absolutely clear this has nothing to do with immigration flows. The overwhelming majority of the people who come into the U.S. are immigrants, as opposed to refugees.

Mr. ROHRABACHER. Yes.

Mr. SMITH OF NEW JERSEY. Traditionally it is less than 10 percent.

Mr. ROHRABACHER. Reclaiming my time, let me just note that for the average American citizen the difference between a refugee and an immigrant is pretty well indiscernible. It is someone from another country who has now come here who now legally resides in the United States.

Let me note that I have so often heard this equation about how the United States is not generous enough, as we heard a few moments before. Let me note that never takes into consideration, as the Chairman noted, the price of stability in the world, which the United States contributes hundreds of billions of dollars more than anyone else on the planet in terms of our military's ability to step in and create stability, which enhances peace and enhances prosperity.

Also, which fits into the discussion of what we are talking about here, we have an enormous amount of legal immigration into our country. We permit more legal immigration into the United States of America than all the other countries of the world combined. If that does not indicate some sort of charity and some sort of good heart, I do not know what does.

On top of that, of course, there are probably 2,000,000 to 3,000,000 illegal immigrants pouring into our country, if not more, every year, and that, too, is not taken into the equation of those who would paint us as a cold-hearted country. I think we are a very warm-hearted country.

I will be supporting the amendment. It is aimed at helping the most——

Mr. Berman. Will the gentleman yield?

Mr. ROHRABACHER. Certainly I will.

Mr. Berman. Some of us do not view the regulations governing legal immigration as charity. We think of it as part of building the strength of our own country.

Mr. ROHRABACHER. I think there is a dual purpose, and I am voting for this amendment because it does reach to those people who are living in hopeless conditions.

Chairman HYDE. The question occurs on the amendment of the gentleman from New Jersey. All in favor say aye?

[Chorus of ayes.]
Chairman HYDE. Opposed, nay?
[No response.]
Chairman HYDE. The ayes have it. The amendment is agreed to. Without objection, the Chairman is authorized to seek consideration of H. Con. Res. 160 relating to the removal of economic sanctions against Iraq in the House under suspension of the rules, and the amendment in the nature of a substitute which the Members have before them is considered adopted, and the preamble and title are amended. It is without objection.
[H. Con. Res. 160 and the amendment in the nature of a substitute follow:]
Expressing the sense of Congress that the United Nations should remove the economic sanctions against Iraq completely and without condition.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2003

Mr. Smith of Michigan (for himself, Mr. Smith of New Jersey, Mrs. Miller of Michigan, Mr. Barrett of South Carolina, Ms. Ginny Brown-Waite of Florida, Mr. Terry, Mr. Ballenger, Mr. Pence, and Mr. Pitts) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress that the United Nations should remove the economic sanctions against Iraq completely and without condition.

Whereas United Nations Security Council Resolution 661 established sanctions as a result of Saddam Hussein’s unprovoked, illegal aggression against the sovereign Arab State of Kuwait;

Whereas United Nations Security Council Resolution 687 continued the sanctions, intended to deprive the government of Saddam Hussein of maintaining or acquiring the means to threaten other states or peoples, or to continue to oppress his own people, until that government unconditionally accepted the destruction, removal, or rendering
harmless of its chemical weapons, biological weapons, and ballistic missiles with a range of more than 150 kilometers;

Whereas United Nations Security Council Resolution 687 further required the government of Saddam Hussein to end any research programs aimed at developing such weapons, to destroy any material associated with such programs, and to change its behavior toward its own people;

Whereas the United Nations Security Council, through the oil-for-food program, allowed for humanitarian goods to flow to Iraq while maintaining the sanctions regime and control over Iraq’s oil revenue;

Whereas the Coalition that liberated Iraq poses no risk to other states or peoples, and there is no reason to believe that the people of Iraq, liberated from the tyrant Saddam Hussein, pose such a risk;

Whereas the people of Iraq are now ready to rebuild their nation after over 30 years of tyranny;

Whereas the sanctions established by United Nations Security Council Resolutions 661 and 687 prohibit the importation of goods necessary for the Iraqi people to rebuild their country;

Whereas these sanctions restrict the trade of Iraqi goods, by and on behalf of the Iraqi people, necessary to allow expeditious rebuilding of Iraq and recovery from the tyranny of Saddam Hussein; and

Whereas continuing the sanctions imposed on the government of Saddam Hussein punishes the people of Iraq for the actions of a brutal tyrant who no longer rules them: Now, therefore, be it:

HCON 160 IH
Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the United Nations should immediately act
to lift the economic sanctions imposed by United
Nations Security Council Resolutions 661 and 687;
and

(2) member states of the United Nations should
allow and encourage their nationals to trade with
Iraq.

○
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Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the United Nations should immediately act to lift the economic sanctions imposed by United Nations Security Council Resolutions 661 and 687; and

(2) member states of the United Nations should allow and encourage their nationals to trade with Iraq.
Chairman Hyde. In order to ensure completion of the measure tomorrow, I ask unanimous consent that all Members submit any further amendments to the Committee by 5 p.m. today. Without objection, so ordered.

Next, Mr. Faleomavaega?

Mr. Faleomavaega. Thank you, Mr. Chairman. Mr. Chairman, I have two amendments.

[The amendments of Mr. Faleomavaega follow:]
Page 143, after line 9, insert the following (and conform the table of contents accordingly):

SEC. 708. REPORT ON ACTIONS TAKEN BY PAKISTAN.

For each of fiscal years 2004 and 2005, the President shall prepare and transmit to the appropriate congressional committees a report that contains a description of the extent to which the Government of Pakistan—

(1) has closed all known terrorist training camps operating in Pakistan and Pakistani-held Kashmir;

(2) has established serious and identifiable measures to prohibit the infiltration of Islamic extremists across the “Line of Control” (LoC) into India; and

(3) has ceased the transfer of weapons of mass destruction, including any associated technologies, to any third country or terrorist organization.
AMENDMENT TO H.R. 1950
OFFERED BY MR. FALEOMAVAEGA

Page 154, after line 12, insert the following (and conform the table of contents accordingly):

SEC. 726. SENSE OF CONGRESS RELATING TO VICTIMS OF NUCLEAR TESTS IN KAZAKHSTAN.

(a) FINDINGS.—Congress finds the following:

(1) In 1991, immediately after achieving independence, Kazakhstan closed and sealed the world's second largest nuclear test site in Semipalatinsk which had been inherited from the former Soviet Union and at which more than 500 nuclear tests had been conducted from 1949 to 1991.

(2) The cumulative power of explosions from those tests, conducted above ground, on the ground, and underground is believed to be equal to the power of 20,000 explosions of the type of bomb dropped on Hiroshima, Japan, in 1945.

(3) More than 1,500,000 people in Kazakhstan suffered because of the global aspirations of the two competing ideologies of the Cold War.

(4) A horrifying array of disease will continue to destroy the lives of hundreds of thousands and
their descendants for many generations to come as a result of these tests.

(5) Since its independence, Kazakhstan has constructed a stable and peaceful state, voluntarily disarmed the world’s fourth largest nuclear arsenal, joined the Strategic Arms Reduction Treaty (START), and became an example of responsible nonproliferation of such weapons.

(6) Kazakhstan is also doing its best to help those who were exposed to the horrific nuclear experiments of the 20th century but it faces daunting challenges.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should work to establish a joint working group with the Government of Kazakhstan to assess the environmental damage caused by the nuclear test site in Semipalatinsk and to assist the people of Semipalatinsk.
Mr. Faleomavaega. I ask for unanimous consent that they can be considered en block.

Chairman Hyde. Without objection, so ordered.

Mr. Faleomavaega. Mr. Chairman, the——

Chairman Hyde. Let the clerk designate the amendments.

Ms. Rush. Amendment en block offered by Mr. Faleomavaega. Page 143, after line 9——

Chairman Hyde. Without objection, further reading of the en block amendment is dispensed with, and the gentleman is recognized for 5 minutes.

Mr. Faleomavaega. Thank you, Mr. Chairman. Mr. Chairman, this is in reference to our country’s relationship with Pakistan. Mr. Chairman, like many of my colleagues, I am concerned about cross border terrorism and the threat of nuclear proliferation in South Asia.

Although we are appreciative of Pakistan’s post September 11 assistance in the war against terrorism, tensions in the region are still rising. Only 6 days after the Bush Administration declared on March 14 that it had “carefully reviewed the facts relating to the possible transfer of nuclear technology from Pakistan to North Korea.” Only 4 days after President Bush exercised his sanctions waiver authority to remove coup-related sanctions as assistance to Pakistan for FY 2003, the Pakistani Foreign Minister made a declaration that this war that we waged against Iraq was unjustified and vowed to oppose it in any way.

Shortly thereafter, on March 23, some 200,000 Pakistanis took to the streets in Lahore to demonstrate in opposition to the U.S. led attack on Iraq. The day after, Pakistan and China signed a memorandum of understanding for the construction of a second Pakistani nuclear power plant. The same day, some 24 Hindu villagers were shot and killed by Muslim extremists in India Kashmir.

On March 26, Pakistan and India tested and fired short range ballistic missiles. On the same day, Prime Minister Jamali said that Pakistan and China will strengthen their defense ties. On March 30, again some 200,000 Pakistanis once again took to the streets in Peshawar to demonstrate opposition to the U.S. led attack on Iraq.

Mr. Chairman, in April of this year the U.S. State Department announced that on March 24 the U.S. imposed nonproliferation penalties on Konn Research Laboratories, a Pakistani entity. Two year penalties ban all U.S. trade with KRL for having received missile technology from a North Korean entity.

As a result of increasing tensions in the region, the State Department recently advised all but essential U.S. diplomats in Pakistan to depart the country. Although the State Department modified its travel advisory in mid April, Deputy Secretary Richard Armitage is en route to Pakistan to begin the high level diplomatic discussions.

In the interim, Mr. Chairman, we are authorizing aid to Pakistan with no strings attached. I know I am not alone when I say that I have deep reservations about U.S. foreign policy in South Asia. I want to once again reiterate that I believe Pakistan should be commended for assisting our country in its efforts to hunt down
al-Qaeda and Taliban fugitives and for allowing the U.S. military to use bases within its country.

But we cannot turn a blind eye to the fact that Pakistan has not closed all known terrorist training camps operating in Pakistan. We cannot turn a blind eye to the fact that Pakistan has not prohibited the infiltration of Islamic extremists across the line of control into Indian Kashmir. We cannot turn a blind eye to the fact that General Musharraf promised Deputy Secretary Armitage that infiltration would cease, and the fact is it has not ceased.

Since 1989, more than 60,000 men, women and children have died in Kashmir’s feud. Since the September 11 catastrophe, Islamic militants from Pakistan have crossed the line of control and claimed the lives of innocent men, women and children not once, not twice, but three times, committing egregious acts of cross border terrorism on each and every occasion.

Mr. Chairman, I submit India has not crossed the line of control since 1972. In fact, India has exercised incredible restraint in not waging full scale war to defend itself against these terrorist acts.

Although I believe we are fortunate that neither country has not yet resorted to the use of nuclear weapons, we also should be very concerned that both Pakistan and India test fired short range missiles on March 26 of this year, which, incidentally, is the same day that Prime Minister Jamali said that Pakistan and China will enhance their defense ties.

Given the seriousness of this situation, I am offering this amendment, Mr. Chairman. It simply requires the Secretary of State or the President to prepare and transmit to Congress a report that contains a description of the extent to which the Government of Pakistan has closed all known terrorism camps operating in Pakistan and Pakistan held Kashmir, establish a serious and identifiable measure to prohibit the infiltration——

Chairman HYDE. Mr. Faleomavaega, your time has expired. We are prepared to accept your amendment——

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

Chairman HYDE [continuing]. If you will accept our acceptance.

Mr. FALEOMAVAEGA. I fully accept it with the indulgence of my colleagues.

Chairman HYDE. May I make a request that you withdraw the one amendment having to do with Kazakhstan? We have not had a chance to look at it. We will look at it, but we are not prepared to accept that yet. We accept the other one on Pakistan.

Mr. FALEOMAVAEGA. Mr. Chairman, I gladly will.

Chairman HYDE. We will look at Kazakhstan.

Mr. FALEOMAVAEGA. Thank you very much, Mr. Chairman. We will continue——

Chairman HYDE. Do you ask unanimous consent to withdraw your amendment?

Mr. FALEOMAVAEGA. I will now ask unanimous consent to withdraw my amendment on Kazakhstan pending further consultation with the distinguished Chairman and my colleagues of the Committee.

Chairman HYDE. Without objection, so ordered.

A question occurs on the amendment offered by Mr. Faleomavaega. All those in favor say aye?
[Chorus of ayes.]
Chairman HYDE. Opposed, nay?
[No response.]
Chairman HYDE. The ayes have it. The amendment is agreed to. There are three votes pending on the Floor, an hour's worth of votes I am told, so we will recess until 10 a.m. tomorrow morning. Thank you.
[Whereupon, at 2:40 p.m. the Committee was adjourned, to reconvene at 10 a.m. on Thursday, May 8, 2003.]
FOREIGN RELATIONS AUTHORIZATION ACT
FOR FISCAL YEARS 2004 AND 2005
(STATE DEPARTMENT AUTHORIZATION); AND
THE SENSE OF CONGRESS THAT THE
U.N. SHOULD REMOVE THE ECONOMIC
SANCTIONS AGAINST IRAQ
COMPLETELY AND WITHOUT CONDITION
(CONTINUED)

THURSDAY, MAY 8, 2003

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

The Committee met, pursuant to call, at 10:17 a.m. in Room
2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chair-
man of the Committee) presiding.

Chairman HYDE. The Committee will come to order. When the
Committee recessed, we were considering H.R. 1950, and no
amendments were pending. Does anyone seek recognition for pur-
pose of offering an amendment?

Mr. SMITH OF NEW JERSEY. Mr. Chairman.

Chairman HYDE. Mr. Smith.

Mr. SMITH OF NEW JERSEY. Mr. Chairman, I have an amendment
at the desk.

[The amendment of Mr. Smith of New Jersey follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. SMITH OF NEW JERSEY

Page 154, after line 12, insert the following:

SEC. 726. SENSE OF CONGRESS CONCERNING UNITED STATES ASSISTANCE TO PALESTINIAN REFUGEES.

The Congress—

(1) recognizes the importance of United States humanitarian assistance to Palestinian refugees as an essential component to the peace process in the Middle East;

(2) acknowledges the hardships endured by many innocent Palestinian refugees in the West Bank and Gaza Strip and in other neighboring countries;

(3) notes that the United Nations High Commission for Refugees (UNHCR) is the international body that seeks to find “lasting solutions” to the plight of refugees throughout the world, with the sole exception of the Palestinians, for whose exclusive benefit a special agency, the United Nations Relief and Works Agency (UNRWA), was established in 1950 and which makes no effort to permanently resettle Palestinian refugees, even those who reside
under the jurisdiction of the Palestinian Authority, in order to ensure the perpetuation of the problem of Palestinian refugees;

(4) recognizes that the United States has been the world’s leading donor to UNRWA, having provided over $2,500,000,000 to UNRWA since 1950, including the provision of $110,000,000, in fiscal year 2002, and that such organization has provided important humanitarian assistance to the Palestinian people;

(5) notes that the United States contribution to UNRWA is nearly 10 times that of the entire Arab world, and calls on Arab states to assume a greater share of the burden for financing UNWRA;

(6) expresses its outrage over credible reports that UNRWA facilities have been used for terrorist training and bases for terrorist operations, with little attempt by the UNRWA to stop or oppose such attacks or alert relevant law enforcement authorities about such terrorist activities;

(7) expresses deep concern over the textbooks and educational materials used in the UNRWA educational system that promote anti-Semitism, denial of the existence and the right to exist of the state
of Israel, and exacerbate stereotypes and tensions between the Palestinians and Israelis;

(8) strongly urges the Secretary General of the United Nations to immediately take steps to comprehensively reform the UNRWA so that it actively works to oppose terrorist attacks and actively works to promote reconciliation and understanding between the Israelis and Palestinians;

(9) strongly urges UNRWA to meet the requirements, in letter and spirit, of section 301(c) of the Foreign Assistance Act of 1961, including by comprehensively ensuring that no UNRWA assistance is rendered to anyone who has been involved with terrorism at any time and that all UNRWA beneficiaries be informed at the earliest possible time, and at regular intervals thereafter, that anyone involved with terrorism thereafter will be ineligible for UNRWA benefits;

(10) strongly urges the Secretary of State to make UNRWA reforms a priority at the United Nations by actively campaigning within the United Nations to support such reforms, including comprehensive and independently verifiable audits of UNRWA activities and educational reform that would remove from the curriculum all textbooks and educational
materials that promote hatred of Jews and Israel
and denial of Israel’s right to exist and replace them
with teaching materials that promote Israeli-Palestinian reconciliation and mutual understanding; and

(11) notes the GAO audit required by section
580 of the FY 2003 Foreign Operations Appropriations Act (Public Law 108–007), and strongly encourages the GAO to conduct, as part of this audit, an investigation and inspection of all recent United States assistance to UNRWA to ensure that taxpayer funds are being spent effectively and are not
directly or indirectly supporting terrorism, anti-Semitic or anti-Jewish teachings, or the glorification or
incitement of violence.
Chairman Hyde. The clerk will report the amendment.

Ms. Rush. We have East Timor, scholarships——

Mr. Smith of New Jersey. UNRWA. Right?

Ms. Rush [continuing]. And assistance to Palestinian——

Mr. Smith of New Jersey. That is it, the Palestinian one.

Chairman Hyde. The clerk will report.

Ms. Rush. Amendment offered by Mr. Smith of New Jersey:

“Page 154, after line 12, insert the following——”

Chairman Hyde. Without objection, further reading of the amendment is dispensed with, and the gentleman from New Jersey is recognized for 5 minutes in support of his amendment.

Mr. Smith of New Jersey. Thank you very much, Mr. Chairman. I offer this amendment on behalf of myself and Mr. Lantos and would ask that the Members wholeheartedly support this amendment. It is a sense of the Congress urging continued reforms at the United Nations Relief and Works Agency, often referred to as “UNRWA,” for Palestinian refugees.

The amendment complements existing State Department efforts designed to bring pressure and diplomacy to bear on this important but deeply troubled United Nations agency. I would point out that the amendment seeks to expand an existing GAO investigation of U.S. assistance to UNRWA so that we can more closely examine issues which the current GAO analysis is not exploring.

The issue really comes down to this: We are, without a doubt, the prime providers of finances to UNRWA. Since 1950, we have provided some $2.5 billion. In Fiscal Year 2002, we provided $110 million. The resolution notes that the United States’ contribution to UNRWA is nearly 10 times that of the entire Arab world, so we are truly committed to the well being and the welfare of Palestinian refugees. But meanwhile, we have got make sure that the textbooks do not contain antisemitic, inflammatory, and hate-filled diatribes that have been carried in the past.

Incitement is a very important issue. We want to ensure, to the greatest extent possible, and, hopefully, that means in totality, that these camps, as well as the schools and the curriculum employed by those schools, are not used to poison another generation of young children. We know for a fact there have been instances in the past where the venue of an UNRWA compound or facility has been used to praise suicide bombers, Hamas, and acts of terrorism, and that is absolutely unconscionable, and it is totally unacceptable. These need to be areas where reconciliation, hope and tolerance are practiced, not where this kind of thing happens.

So, finally, the bottom line of what the resolution does: It sends a clear message that we want more reforms in UNRWA. We want to make sure that the GAO report, so that we get more factual data, points out or discovers, one way or the other, whether or not U.S. assistance to UNRWA is being spent effectively and is not directly or indirectly supporting terrorism, antisemitic or anti-Jewish teachings or the glorification or incitement to violence. I yield back the balance of my time.

Chairman Hyde. Mr. Lantos.

Mr. Lantos. Thank you very much, Mr. Chairman. Mr. Chairman, let me begin by paying tribute to my good friend and distin-
guished colleague, Chris Smith, for this important amendment, which I am delighted to co-sponsor.

I have long been concerned about aspects of UNRWA's mission as well as the manner in which it carries out that mission. Last year, I wrote to my personal friend, Secretary General Kofi Annan, expressing my deep unease that UNRWA may be, and I quote from my letter to Kofi Annan,

“UNRWA may be perpetuating rather than ameliorating the situation of Palestinian refugees.”

No doubt, Mr. Chairman, UNRWA does much good. As the second-largest employer of Palestinians in the West Bank and Gaza, it makes an important economic contribution. Nevertheless, one must ask, how high is the cost in terms of increased tensions in Israeli-Palestinian relations and in terms of the overall health of the Palestinian society? Some of UNRWA's problems are performance related and potentially correctable, such as its all-too-frequent indifference to terrorism, even to the exploitation of its own facilities for terrorist purposes or its use of textbooks that promote hatred of Jews and denial of Israel's right to exist.

Others of UNRWA’s problems are structural and impervious to change, except in the face of the most thoroughgoing reform. Here, I have in mind, Mr. Chairman, the culture of dependency UNRWA breeds and the fact that UNRWA, by the very terms of its mission, incubates and politicizes the Palestinian refugee problem rather than resolving and ending it.

For all of these reasons, I strongly urge the U.N. Secretary General and our own Secretary of State, Colin Powell, to pursue comprehensive reform of UNRWA, as called for in the Smith-Lantos Amendment, particularly such reform as puts UNRWA clearly on the side of Israeli-Palestinian reconciliation and mutual understanding. I, likewise, urge the GAO to pursue a wide-ranging investigation of the uses to which UNRWA puts U.S. taxpayers' dollars, which account for some 30 percent of UNRWA's budget.

More broadly, it may be time to consider carefully the benefits to ourselves, to the Middle East, and to the Palestinians themselves of our continuing to bankroll an organization that . . ., if I may again quote my letter to Kofi Annan,

“. . . perpetuates rather than ameliorates the lowly status of millions of refugees.”

I hope all of our colleagues will join Chris Smith and me in supporting this amendment and sending a powerful message to UNRWA, now in its 2nd half-century of its existence, that it must actively and unequivocally oppose terrorism and finally get its house in order. Otherwise, it risks losing the goodwill and the support of its primary benefactor, the Congress of the United States and the American people. I urge all of my colleagues to support this amendment.

Chairman HYDE. Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. I support the Smith Amendment calling for an audit of U.S. assistance to Palestinian refugees provided through the United Nations Relief and Works Agency. The activities of this agency linking it to ter-
rorism and those of its personnel have been a concern of many Members of this Committee for some time now.

Last Congress, we attempted to address this issue in a joint International Operations and Human Rights and Middle East and South Asia Subcommittee oversight hearing on the issue. Letters were sent out outlining our grave concerns, and recently I had the opportunity to raise this issue with UNRWA representatives in my recent trip to Israel.

For the last 50 years, UNRWA camps have become bastions of terror and represent a clear and present threat to civil society. I would like to stress that in the West Bank and Gaza, because those in Jordan, for example, are significantly different due to the behavior and the commitment of the Jordanian Government. And while we continue to pour millions of dollars into UNRWA, this agency has failed to solve the Palestinian refugee problem.

Concurrently, many of its facilities have become safe havens of anti-Israeli and antisemitic incitement, breeding violence and terror against the Israeli people. And I would like to stress that we are not debating the benefits and whether it is efficient use to extend humanitarian assistance to Palestinians or not; that is not the issue. What we are debating are the operations of a U.N. agency, and the representatives of UNRWA will argue that they cannot monitor what textbooks are being used or who is doing what. That has been their defense. However, I am sure that we can all agree that that is a blatant attempt to avoid any responsibility over its operations. If they are not exerting oversight over what is taking place in the institutions run by the agency, then the U.S. must offer its contributions to this agency.

When the Commissioner General of UNRWA attempts to justify anti-Semitic materials, it reflects an unspoken tolerance of such deplorable behavior, and this does not do justice to the Palestinian people, nor to anyone. Rather than promoting tolerance and acceptance of their Israeli neighbors, UNRWA is perpetuating attitudes and policies that run contrary to peace. This cannot continue. This agency must be reformed, and, accordingly, I urge my colleagues on the Committee to support the very important Smith Amendment this morning. Thank you, Mr. Chairman.

Chairman HYDE. The question occurs on the amendment offered by the gentleman from New Jersey. All in favor, say aye.

[A chorus of ayes.]

Chairman HYDE. Opposed, nay. The ayes have it. The amendment is agreed to. The Chair recognizes Ms. Berkley.

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

[The amendment of Ms. Berkley follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MS. BERKLEY

Page 154, after line 12, insert the following new section:

SEC. 726. SENSE OF CONGRESS RELATING TO TRAVEL ADVISORIES TO ISRAEL.

The Congress—

(1) recognizes that the Department State performs a valuable function for United States citizens by issuing travel advisories and country reports;

(2) recognizes that the first priority of travel advisories is to protect the health and safety of United States citizens traveling abroad;

(3) acknowledges the economic plight of the State of Israel and the negative impact of reduced tourism to that country as a result of violent and terrorist actions in the Middle East region;

(4) finds that the State Department travel advisory for Israel also incorporates the West Bank and Gaza strip;

(5) notes that certain regions within the State of Israel are significantly more safe for tourists than the West Bank, the Gaza strip, or other highly pop-
2

ulated areas that have been subject to terrorist at-

tack;

(6) acknowledges that a travel advisory that in-
cludes all the regions of Israel and the West Bank
and Gaza Strip dramatically affects the entire econ-
omy of the State of Israel, including regions that
have never been subject to terrorism; and

(7) calls on the Department of State to try to
find ways to differentiate between the regions of
Israel, and their relative level of threat, for the pur-
poses of travel advisories.
Chairman Hyde. The gentlelady’s amendment will be——

Ms. Rush. Amendment offered by Ms. Berkley: “Page 154, after line 12, insert the following——”

Chairman Hyde. Without objection, further reading of the amendment is dispensed with, and the gentlelady is recognized for 5 minutes in support of her amendment.

Ms. Berkley. Thank you, Mr. Chairman. I understand that there is an agreement to include my concerns in the report language, so I will offer this amendment and withdraw it, if that meets with your approval.

Chairman Hyde. It certainly does.

Ms. Berkley. Two days ago, I met with the Israeli minister for tourism and members of his staff. They shared with me the economic devastation done to the Israeli economy by the dramatic drop in tourism. As a Representative who has Las Vegas in her district, I can assure you, I know something about the devastating effects of a downturn in tourism.

The frustration expressed to me by the Israeli officials was that the United States State Department travel advisories for Israel are overly broad. While the West Bank and the Gaza strip might be the subject of the highest level of caution by the State Department, and rightly so, there are whole regions of Israel that have been practically untouched by violence. This would be analogous to the entire United States suffering from a devastating drop in tourism because there has been evidence of recent terrorist activity in one major city. It would be unnecessary and ill advised to issue travel restrictions or advisories for every State in that case.

My amendment reaffirms the importance of a travel advisory and recognizes its purpose, to protect the health and safety of Americans traveling abroad. However, my amendment also recognizes that it is too easy to give in to overly cautious mentality where the State Department simply issues unnecessarily high threat assessments for unnecessarily broad swaths of geography.

I believe there must be a more sophisticated model for travel advisories, and I believe that it is incumbent that the State Department investigate the possibility of models with a deeper nuance. My amendment expresses the sense of Congress that there may be a better, more sophisticated model for issuing travel advisories and calls on the State Department to investigate these possibilities.

Israel has been devastated economically, militarily, and I think it is time that we help ease these restrictions so that in the safer areas of Israel people can travel and feel and be safe. Thank you, Mr. Chairman.

Chairman Hyde. I thank the gentlelady. Mr. Lantos.

Mr. Lantos. Mr. Chairman, I just want to express my strong support for the initiative of my good friend from Nevada. This is a very serious problem. Having been there just last week, I realize how absurd these travel advisories, in fact, are. As a matter of fact, several of the neighboring countries are suffering from this. The country of Jordan is desperately dependent on foreign aid. Conditions in much of Jordan are perfectly peaceful. The Jordanian Government is in need of tourist income, and certainly the Government of Israel desperately needs its tourism industry revived.
I join her in calling on the State Department to be far more sophisticated in its issuance of travel advisories than has been the case in recent times. Thank you, Mr. Chairman.

Ms. BERKLEY. Mr. Chairman, can I reclaim a moment of my time? Do I have a moment?

Chairman HYDE. You certainly get a whole full moment.

Ms. BERKLEY. Thank you, Mr. Chairman. To add some texture to my request, 2 years ago, I helped lead a congressional trip to Israel. We originally had 13 Members of Congress going to Israel. By the time we departed from JFK, because of the concern of terrorism in the Middle East, and particularly in Israel, only 5 of the 13 Members that originally signed up for the trip went. We returned on September 4th. A week later, we experienced the hellacious attack on our country in the World Trade Center.

So it doesn't matter where you are, and I think it brought home to me the fact that I was safer in Israel than I would have been in New York at the World Trade Center at that time. Thank you.

Chairman HYDE. Does the gentlelady wish to withdraw her amendment?

Ms. BERKLEY. If you give me permission to do so.

Chairman HYDE. I don't think it is necessary, but——

Ms. BERKLEY. Then I ask unanimous consent.

Chairman HYDE. That is not necessary either.

Ms. BERKLEY. What is necessary?

Chairman HYDE. Just state that you wish to withdraw your amendment.

Ms. BERKLEY. I wish to withdraw my amendment.

Chairman HYDE. Very well. It is so ordered.

Mr. BEREUTER. Mr. Chairman. Mr. Chairman.

Chairman HYDE. Mr. Bereuter.

Mr. BEREUTER. I ask unanimous consent to speak out of order for 1 minute.

Chairman HYDE. Without objection, so ordered.

Mr. BEREUTER. Thank you, Mr. Chairman. I am pleased to inform the Committee that the Senate, by a unanimous vote of 96 to 0, has approved the ratification changes to bring in seven new members of NATO: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, Slovenia. And now they have joined Canada and Norway, by their respective procedures, to bring in these seven new members. Now, the seven, plus the earlier three of Hungary, Poland, and the Czech Republic, of course, constitute an erasure of the lines drawn across Europe at Yalta.

This is a bipartisan success story. It involves effort by the Clinton and Bush Administrations. I think the House took actually the leading role in the world in initiating the first round, and I want to thank all of you for the support that you gave to the Europe Subcommittee in the process of advancing our own legislation last year in this respect. These 7, really 10, countries, having lived under totalitarian rule for 50 years, understand the importance of freedom, and they have pledged themselves to continued improvement and, in fact, to the protection of the existing 19 under the Mutual Security Pact.

So it is a great day, and it comes on the 58th anniversary of Victory in Europe Day. Thank you, Mr. Chairman.
Chairman HYDE. The Chair recognizes the gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Mr. Chairman, I have an amendment at the desk.

[The amendment of Mr. Smith of New Jersey follows:]

**AMENDMENT TO H.R. 1950**

**OFFERED BY MR. SMITH OF NEW JERSEY REGARDING EAST TIMORESE SCHOLARSHIPS**

Page 16, line 21, strike "$500,000" and insert "$1,000,000".

Page 16, line 22, strike "$500,000" and insert "$1,000,000".

Chairman HYDE. The clerk will report the amendment.

Ms. RUSH. Amendment offered by Mr. Smith of New Jersey regarding East Timor scholarships: "Page 16, line 21, strike 500,000—"

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

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman. A few years ago, I first met Chenana Guzmau when he was in a Jakarta prison, and he now is the President, as we all know, of East Timor. What a remarkable change has occurred in that country, although it has been ravaged by war. It is believed that a billion dollars in damage was done during the course of that war, and thousands died.

The amendment that I am offering today is an attempt to double, to go from $500,000 to a million, still a very modest amount of money, for scholarships for East Timorees applicants for both undergraduates as well as post graduates. We all know this has been a limited success story primarily because it has been very hard during the course of this transition to democracy to get those candidates, although some have gone to the East-West Center in Hawaii and gotten an excellent education.

It seems to me that right now, as this emergent democracy is on the verge of breaking out, we should do what we can do to help education, and President Guzmau has asked repeatedly—he needs help in the area of education. There was a 2002 UNDP assessment, a report, that found that East Timor's education standards are among the lowest in the world. They need help. This is not a budget buster. Perhaps it even should be more, but at least it is a step in the right direction to say, if we want to help a country matriculate into democracy and to have a robust economy, certainly investments in education are a very important step in that direction. So I would hope that Members could support the amendment.

Chairman HYDE. Any further discussion?
Mr. Faleomavaega. Mr. Chairman.
Chairman Hyde. Mr. Faleomavaega.
Mr. Faleomavaega. Mr. Chairman, I want to add my fullest support to the gentleman’s proposed amendment concerning offering scholarships to students from East Timor. It was my privilege in the past to personally visit East Timor and see the terrible experience that these people have had under the colonial rule of the Indonesian Government. Some 200,000 East Timorees were tortured and murdered by the Indonesian military.
East Timor now is a fully independent nation, and I cannot emphasize enough what my good friend from New Jersey has mentioned, the fact that the salvation of any society, and especially with this government that has just barely started, that education is the salvation of these people, and we sincerely hope that providing scholarships for the students from East Timor will be an added feature in their development toward greater self-development in various areas that are needful for this government to survive.
I might also add that the former staff director of one of our Committees, chaired by my good friend from New Jersey, is now Ambassador to East Timor, Mr. Reese, and I am sure that this is going to be a real added measure of help, giving assistance to this sorely needed area for development for the East Timor Government, and, again, I want to thank the gentleman for bringing this to our attention.
Chairman Hyde. The question occurs on the amendment offered by the gentleman from New Jersey. All of those in favor, say aye.
[A chorus of ayes.]
Chairman Hyde. Opposed, nay. The ayes have it. The amendment is agreed to, Mr. Payne of New Jersey.
Mr. Payne. Thank you, Mr. Chairman. Let me, first of all, commend you for the portrait unveiling yesterday, last night. I think it was a very handsome picture. I thought it would be hanging over us today, but I guess it will be coming up soon.
Chairman Hyde. I hope so.
Mr. Payne. So, therefore, I suppose my amendment will be in good shape. [Laughter.]
I have an amendment at the desk.
[The amendment of Mr. Payne follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. PAYNE

Page 56, after line 8, insert the following:

SEC. 256. GRANTS TO THE AFRICA SOCIETY.

(a) GRANTS TO THE AFRICA SOCIETY.—For any fiscal year, the Secretary of State is authorized to make grants to the Africa Society to carry out programs and activities that advance United States interests and values in Africa through public and private partnerships that facilitate the continent’s political transition to more open democratic societies, support equitable economic growth through trade and investment, support efforts to promote transparency and openness through the public and private sectors, encourage civil society growth and development, and promote awareness of all Americans about Africa, consistent with a grant agreement under such terms as the Secretary of State considers necessary and appropriate.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $1,000,000 for the fiscal year 2004 and such sums as may be necessary for the fiscal year 2005.
Chairman HYDE. The clerk will designate the amendment.

Ms. RUSH. Amendment offered by Mr. Payne: “Page 56, after line 8, insert the following—”

Chairman HYDE. Without objection, further reading is dispensed with, and the gentleman from New Jersey is recognized for 5 minutes in support of his amendment.

Mr. PAYNE. Thank you, Mr. Chairman. This amendment is a grant to the Africa Society, a private, nonprofit corporation which is the outgrowth of the National Summit on Africa, which was an unprecedented effort to increase understanding to Americans of all ages and walks of life about Africa.

In February 2000, the summit’s dialogue and celebration of Africa resulted in the largest, most diverse gathering of Africa-interest individuals in the history of the United States. Over 8,000 delegates and participants representing every state and territory—and a network of over 25,000 Americans and others—engaged in bringing this dialogue to fruition because the dialogue began in each of the individual states.

The Africa Society, formed in 2002, following the Summit on Africa and building on its momentum, galvanized an active constituency here in the United States that would create and would help this new relationship between the United States and Africa. It would reinforce already existing ones, and give exposure to African leaders of various sectors. The mission of the Africa Society is to enhance awareness of all Americans on Africa and to create linkages between the two, whether they be educational, business, or trade related.

The primary programs and activities of the Africa Society are national interdisciplinary programs for K through 12 and also to the university levels; conferences, seminars, and private meetings on critical topics; exchange programs for legislators, business, and civil society participating; focusing on leadership and development; programs that encourage people-to-people collaboration concerning U.S.-Africa relations; and public policy research that provides succinct and reliable policy analysis in support of policy-making toward Africa; publication and information dissemination through both electronic and print media; and a national data base of persons interested in U.S.-Africa affairs.

The society also partners with media organizations in developing balanced and positive programs that more accurately depict the continent of Africa. They work to promote free and democratic institutions throughout Africa, facilitate private sector initiatives, and facilitate nongovernmental participation and exchanges between Africa and the United States.

The activities of this organization have done a great deal toward building a strong constituency for Africa in the United States, which is absolutely essential to getting more support for Africa here in Congress. Their work has helped to inform Americans about this vast, rich, complex continent, which gets such a bad rap sometimes, and would help create a more balanced image of Africa, one that is more fair and accurate than what is usually depicted.

The Africa Society needs financial support for their invaluable work to strengthen and broaden their activities in the areas of education and culture, research, and provisions of Africa related to in-
formation, public outreach, and communications. This amendment would give this stellar organization the necessary funds to carry out the mission.

As you know, Africa is becoming one of our top oil producers. We think that, with the work of the Africa Society, we will be able to help countries ward off fundamentalism, which is growing in some of the African countries. As you know, the continent supplies up to perhaps 20 percent of the oil imported by the United States, with new finds in places and gold in other places that produce a tremendous amount of oil.

We think it is in our national interest, and we have gotten support from many people: Secretary Colin Powell, before he was Secretary of State; Jack Kemp; Andy Young, former Ambassador, and many others. So I would urge that we support this amendment, and with that, I will yield back.

Chairman Hyde. Thank you. Mr. Lantos.

Mr. Lantos. Mr. Chairman, first, I want to commend my dear friend and our distinguished colleague from New Jersey for taking this initiative. He has devoted decades of his life to improved U.S.-Africa relations in an extremely sophisticated and substantive fashion.

This is an extremely good proposal. We have been supporting key NGOs in other portions of the world. The Asia Foundation has done useful work in promoting civil society, the rule of law, democracy, the creation of fundamental human rights and better governance in Asia. This is a parallel entity, and I strongly urge all of my colleagues to support Mr. Payne's initiative.

Chairman Hyde. The question occurs on the amendment offered by the gentleman from New Jersey——

Ms. Watson. Mr. Chairman.

Chairman Hyde. I am sorry. Ms. Watson is recognized.

Ms. Watson. Thank you, Mr. Chairman. I want to register my strong support for Mr. Payne's amendment that would provide funding to the Africa Society. I have had the opportunity to attend functions and seminars sponsored by the society and have been highly impressed.

The mission of the Africa Society is to educate all Americans about Africa and its people and to build bridges of understanding and communication between the United States and the African continent. It is a nonprofit and nonpartisan think tank and public organization that has already created a number of impressive partnerships, including the World Affairs Council, UCLA, Discovery Communications, the Ralph Bunche International Center at Howard University, and the State University of New York at Albany.

While many still view Africa as a marginalized continent, its economic and strategic importance to the United States has actually grown immensely since the events of 9/11. The United States military has increased its presence in the strategic port of Djibouti and other regions of the continent which are in close proximity to the Persian Gulf.

New discoveries of strategic oil reserves in Africa, particularly off the shore of the Gulf of Guinea, may offer a significant alternative to oil in the volatile Middle East. As many of you know, the Admin-
istration is actively exploring alternatives to reliance on Middle East oil, and Africa perhaps offers the best alternative.

Moreover, just as we realize that nation building and democracy building are important to the stability and combating terrorism in the Middle East, so should we realize that the African continent has a significant Muslim population, many of whom are young and live in either failed or marginal states. The Africa Society will create and offer important lines of communication between the African continent and the concerned educators, diplomats, and private citizens.

It is critical that we do not forget this important region of the world as we combat terrorism and political instability around the globe. The amount of the request for funding for the Africa Society, by an standard, is modest, whose return on investment, I believe, will be in the multiples of millions of dollars. I encourage my colleagues to support this amendment.

Mr. MEEKS. Mr. Chairman.

Chairman HYDE. Oh, Mr. Meeks.

Mr. MEEKS. Thank you, Mr. Chairman. I want to also thank the gentleman from New Jersey for this amendment, and very briefly, if there is any continent that is probably misunderstood or not known about at all in the nature that it should be, it is the continent of Africa. And, indeed, the world that we currently live in is much smaller than it was 40, 50 years ago. We have a global economy; therefore, we need global understanding. And what this society, the Africa Society, will do is to help promote that global understanding.

When we look at the public educational curriculum, or any educational curriculum, for that matter, most of the time what is left out is the continent of Africa, so, therefore, that leads to misunderstanding and leads to the United States not being focused on trade and the trade opportunities that we can have there as well.

So this bill, and what the Africa Society will be promoting, is not only beneficial for the Africans; it is beneficial for those of us here in America so that we can see that the opportunities that present themselves there and, therefore, creating opportunity and hope for people there by having a better global understanding. As indicated by the gentlelady from California, it is a method of where we can find oil and other natural resources so that we are not depending upon oil from other places.

It is a bill that I think, with this modest amount, will go a long, long way to improving relations and having a great opportunity for the betterment of both Africa and the United States of America, and I yield back.

Chairman HYDE. Thank you. Is there any further discussion?

[No response.]

Chairman HYDE. If not, the question occurs on the amendment offered by Mr. Payne. All in favor, say aye.

[A chorus of ayes.]

Chairman HYDE. Opposed, no. The ayes have it. The amendment is agreed to. Mr. Tancredo.

Mr. TANCREDO. I have an amendment at the desk.

[The amendment of Mr. Tancredo follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. TANCREDO

Page 154, after line 12, insert the following (and conform the table of contents accordingly):

SEC. 726. SENSE OF CONGRESS CONCERNING THE ISSUANCE OF ALIEN IDENTIFICATION CARDS BY FOREIGN GOVERNMENTS.

(a) FINDING.—Congress finds the following:

(1) Several foreign governments, through their consular and diplomatic offices in the United States, have undertaken efforts to influence State and local governments and their political subdivisions to accept matricula consular cards as proof of identity for their nationals living in the United States.

(2) The primary beneficiary of this activity are people living in the United States illegally.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should engage in direct discussions with those foreign governments involved in activities described in subsection (a) and request that these governments refrain from using their consular and diplomatic offices in this manner.
Chairman Hyde. The clerk will report the amendment.

Ms. Rush. Amendment offered by Mr. Tancredo: “Page 154, after line 12, insert the following—”

Chairman Hyde. Without objection, further reading of the amendment is dispensed with.

Mr. Berman. Mr. Chairman, could I reserve a point of order on this amendment?

Chairman Hyde. The gentleman wishes to reserve a point of order. It shall be reserved. Without objection, further reading of the amendment is dispensed with, and Mr. Tancredo is recognized for 5 minutes.

Mr. Tancredo. Thank you, Mr. Chairman. Mr. Chairman, in the last year and a half or so, a peculiar development has arisen in our relationship with several countries, particularly with Mexico, over the issue of the matricula consular. This is a card that is issued by foreign governments to their nationals. Certainly, every country has the right to use such a document and to issue it to their nationals. This is nothing that is new.

However, what is new is that in the last, as I say, year and a half or so, the Mexican Government has charged the Mexican consuls in the United States, the consular officials living here, 41 or 2 of them, with the responsibility of going out and lobbying State and local governments in order to get them to accept the matricula consular issued by the Mexican Government to its nationals living in the United States.

Now, they are very clear about exactly what it is they want to accomplish. Several members of the Mexican Government have stated on many occasions, and very publicly, that the purpose of doing this, the purpose of using their consular offices in the United States to lobby State and local governments in the United States, is to essentially get around the problem that they face in trying to obtain an amnesty for people living here illegally, for Mexican citizens living here illegally.

In fact, not too long ago, Roberto Hernandez, the General Director of Consular Affairs for the Mexican Foreign Ministry, said in the paper,

“We all know that there will be no migration agreement soon, but we must look for alternatives so that Mexicans already here . . . .”

meaning in the United States,

“. . . can live in a better manner. It is necessary to push the agreement at all levels,”

he said.

“A little lobbying—pushing for Mayors up to the Governors, then going through congressional Representatives; it is worth the effort,”

he says.

“If there is an accord between the two countries, then it must go to Congress, so why not do this in reverse? We work first with the States and cities, and then it will be easier to push forward with an agreement. In the long run—I don’t know if
it will be 1 year or 2 years or 10 years—we are going to have a migration agreement because it is a reality. It has already happened,”

he says. And we have many other statements of a similar nature by members of the Mexican Government. They agree. They state publicly that they are trying to use the consuls to lobby State and local governments to get them to aid people to break the law of the land.

Now, I wonder, Mr. Chairman, what would happen if it were in reverse. What would happen if an American consular official would go to a state in Mexico and say, “You know, I would like you to help us do something that would violate the national law,” because, in fact, really the only people in the United States of America, the only foreign national in the United States that needs the matricula consular for identification purposes are people who are living here illegally.

If you have come into this country legally, there is, of course, a document that you get from us, you know, a visa, a green card, or whatever. You do not need anything issued by a foreign government, and certainly no entity of the United States, no State or locality, should be accepting these for identification purposes.

They can fraudulently be made. We have already arrested someone in Colorado who had three of these cards in his possession, three of them with his picture on them, but, of course, a different name for every card.

So when we are told that we should accept these things because they are valid forms of identification for people who are living here illegally, that is patently untrue. It has one purpose and one purpose only. It is to obtain amnesty for people who are living in the United States and to do so because they cannot get it through the Congress of the United States. They say this is exactly what their purpose is.

So my amendment simply instructs the Secretary of State, through a sense of Congress, that the Secretary of State should engage in “direct discussions with those governments involved in activities described in this section and request that the governments refrain from using their consular and diplomatic offices in this manner,” and I reserve the balance of my time. I am not sure if I can reserve.

Mr. MENENDEZ. Mr. Chairman.
Chairman HYDE. Who seeks recognition?
Mr. MENENDEZ. Mr. Menendez.
Chairman HYDE. Mr. Menendez.
Mr. MENENDEZ. Thank you, Mr. Chairman. Mr. Chairman, I am not surprised by my colleague from Colorado offering this amendment. However, I think that his arguments are really maybe for the Judiciary Committee, where immigration issues are generally held, but the specifics of his arguments are misfounded. First of all, every country has the right to issue to its nationals identification, and now we want to tell the Government of Mexico, and I guess we will begin on a long list of countries, that, no, you do not have the right to issue to your nationals identification, specifically an ID that tells us who this person is.
It seems to me that, for even security purposes, it makes eminent sense that instead of not knowing who the person is, that, in fact, we would know who the person is and that we would have the wherewithal to be able to communicate with that government should this person run afoul of the law in a way in which we would be concerned, but that, in essence, would be an ability for law enforcement to be able to identify this person and pursue their background.

Lastly, most of what this is actually used for is for purposes of opening up a simple bank account. It is for the purposes of instead of having this money in this economy outside of a legal source, to be able to have money in this economy through registered bank accounts, which inures not only to the benefit of those financial institutions but to this country in general, and people are able to pay their taxes legally and otherwise meet their obligations.

This is not about amnesty, and everyone knows that any form of legalization of undocumented immigrants in this country can only come through congressional legislation and ultimately the signature of a President. However, it is about treating those who are clearly inside of this country with a certain degree of dignity. It is about security. It is about identifying individuals. It is about having a way in which, clearly, all of those people who Mr. Tancredo would seek to punish, all of those people who are making beds in hotels, all of those people who are putting food and vegetables on our tables, all of those who pick the poultry in Arkansas, all of those who are doing the construction industry in North Carolina, all of those who are in the service industry in California and the East and West Coasts, and many, many others. It is to punish them.

Now, this Administration must come to a conclusion. Does it seek to engage Mexico, as the President has said so many times, in a legalized and regularized form of immigration to this country where the dignity, worth, as well as the interests of both countries are served, or do we simply wish to punish those for which we take advantage each and every day? That is the real issue.

So, therefore, I really urge, if this amendment ends up being an order, to have our colleagues vote against the amendment.

Mr. GALLEGLY. Would the gentleman yield? Mr. Menendez, would the gentleman yield?

Mr. MENENDEZ. Sure. I would be happy to yield to the gentleman.

Mr. GALLEGLY. I would just like a clarification. I understood Mr. Tancredo to say in this issue, and for those of us that have had concerns about the matricula consular, that there is no effort to prohibit the Mexican Government or any other government from producing the document. The issue is whether we would accept a formal document, a document for formal identification purposes, inside the United States issued by a foreign government, other than a passport, that could be used for services or benefits or whatever without any control over the method which they were produced.

Mr. MENENDEZ. Reclaiming my time, the fact of the matter is that there is no Federal entity that recognizes or accepts it, and if a State or a locality chooses to do so, since we believe that the States know best, which I know our Republican colleagues have al-
ways told us, the States know best, and we should leave it up to their discretion. It is up to the State or local municipality to make that decision, but there is no Federal entity that accepts it, and obviously no Federal entity could unless an act of Congress took place.

So this is really about punishing millions of Mexicans who are in this country who we say we want to work with the Mexican Government to legalize and regularize their status, but this is really about punishing them.

Chairman Hyde. Mr. Gallegly, seek recognition?

Mr. Gallegly. Yes. Strike the last word.

Chairman Hyde. The gentleman is recognized for 5 minutes.

Mr. Gallegly. If I could follow up and enter into a colloquy with Mr. Menendez. Mr. Menendez, very simply put, could you explain to me and to our colleagues who, other than an illegal immigrant, an international terrorist, or a criminal seeking another form of identification, needs matricula consular as a source of identification in the United States? Is there any other individual or group that would have the need for that document?

Mr. Menendez. Well, your question is like did you beat your wife today? To suggest that a terrorist is going to be given a matricula consular is insulting to the process and to the Mexican people. Also, the fact of the matter is you could be here pending status, waiting for your adjustment of status, and need to have an ID in the process. So there are people in walks of life in different processes that might need a matricula consular.

Mr. Gallegly. Reclaiming my time, let us rephrase my question, then. I did not mean to offend Mr. Menendez or the Mexican Government or the Mexican nationals in this country. Let us forget about international terrorists or criminals seeking another form of identification. Is there any group, other than someone that is currently illegally in the United States, that would have a need for the use of this document, Mr. Menendez?

Mr. Menendez. You could, in fact, be a United States permanent resident. You could, in fact, be even a United States citizen of Mexican descent and seek to have a matricula consular for other purposes, including purposes within Mexico—travel, business, other purposes. So there is a perfectly legal reason for the Government of Mexico to give such identification to people, should they choose to do so.

Mr. Gallegly. Reclaiming my time, the issue really isn’t the issuance of the document. The issue is of who needs the document for purposes of use within the United States.

Mr. Tancredo. Would the gentleman yield? Would the gentleman yield?

Mr. Gallegly. Mr. Tancredo.

Mr. Tancredo. I thank the gentleman for yielding. Once again, I draw your attention to the actual amendment. The amendment does not discuss, in any way, shape, or form, whether a country should offer its citizens a matricula consular. That is none of our business. Countries do. We all recognize that. This amendment has nothing to do with the offering. It actually has nothing to do with who is benefitted by it.
I happen to agree completely with Mr. Gallegly that really the only people, or certainly the largest number of people, who could possibly benefit by the use of the matricula in the United States are those people living here illegally. Otherwise, you have identification that this government offers to you when you come in. But this amendment doesn’t deal with that issue.

All it says is that we ask the Secretary of State to please register our concern with those governments who are using their consular offices here to go to States and localities to lobby them to get them to take the matricula, accept the matricula. That is the only purpose of this amendment. It has got nothing to do with governments offering them or whether or not people should have them. Those are debates we can and should certainly have, but that has got nothing to do with this amendment. I yield back to the gentleman.

Mr. GALLEGLY. The gentleman from California, Mr. Berman.

Mr. Berman. I will seek my own time.

Mr. GALLEGLY. Okay. I would return the balance of my time.

Mr. GALLEGLY. Would the gentleman yield, the gentleman from California?

Mr. LANTOS. I will be happy to yield.

Mr. GALLEGLY. Mr. Lantos, you mentioned the fact, and we are both Californians, and we have lived there for a major part of our lives, a long time—I am a native Californian. Would you not say that one of the real reasons the relationship with our friends and neighbors to the south in Mexico, one of the principal reasons that that relationship is strained is by the fact that there are probably, depending on whose numbers you use, somewhere between nine and 13 million people illegally in the country, and in the State of California probably there is half of that number, or at least a third of those in California? Would you say that that may be one of the major reasons that the relationship is somewhat strained with our friends?

Mr. LANTOS. If my friend will yield.

Mr. GALLEGLY. Yes.

Mr. LANTOS. Or did I yield to you? We will yield to each other.
I might say to my friend from California that there is a whole complex set of reasons why relations between the United States and Mexico are strained as we speak, and it would take a long seminar of a whole day to, at least, begin to explore the complexity of that relationship.

My point is a different one. I take it from my friend's comments that he agrees with me that relations between the United States and Mexico at the moment are extremely strained. If they are strained for the reason my friend indicates, I don't see nine or 13 million, or whatever your figure is, people suddenly disappearing. So we are dealing with a fact of life.

My purpose is to attempt to ameliorate relations between the United States and Mexico and not to aggravate them. Approving this amendment would clearly be a very negatively perceived action, and while I think there are many complex factors in U.S.-Mexico relations, there is no reason at this moment, gratuitously, to add yet another aggravating fact to an already difficult relationship, and I again urge my colleagues to reject this amendment.

Chairman Hyde. The Chair would like to deal with the point of order earlier reserved by Mr. Berman. The point of order really should be and would be sustained. However, the author could offer his original version, which was filed before 5 o'clock, I am told, yesterday, which is in order, and then a colleague could offer the pending amendment as a substitute. So we could get from here to there using that route, and rather than waste time, the Chair would urge the gentleman from California to withdraw his point of order.

Mr. Berman. Could I also get recognized to speak against the amendment at the same time?

Chairman Hyde. You can get recognized any time you want.

Mr. Berman. I would like to be recognized, Mr. Chairman.

Chairman Hyde. The Chair recognizes the gentleman from California.

Mr. Berman. I withdraw my reservation, although I do point out that, under the scenario that Mr. Tancredo would have to use in order to get to this point, were I to insist on my point of order, it would require him to find another colleague willing to offer this amendment, and I am not sure he would be able to. But notwithstanding that, I withdraw my point of order.

I would like to speak very strongly against the amendment for a number of different reasons on the substance and then one political observation. Mr. Tancredo says this isn't about the merits of this card. This isn't about who the primary beneficiary is of this card. This is about, in a sense, the outrage that the Mexican Government is using its consular and diplomatic resources to lobby State and local governments to authorize the utilization of these cards for certain particular purposes.

He says, how would the Mexicans feel if we spent our resources asking Mexican entities to adopt certain measures? Well, as a Congressman from California in Los Angeles County who has had the District Attorney of Los Angeles, the Sheriff of Los Angeles and representatives of the State legislature come to me to try and get our State Department to lobby the Mexican Government and its officials to extradite prisoners. The Mexican Constitution says they
cannot extradite anybody to a jurisdiction where that person might get the death penalty or life imprisonment without the possibility of parole, I would suggest that every day we are trying to get our State Department to use its resources to lobby the Mexican Government and entities within Mexico to change the situation so that Mexico will not shield people accused of the most heinous kinds of crimes from being brought to justice in this country.

There is nothing outrageous about it. It is totally appropriate, and——

Mr. TANCREDO. Will the gentleman yield?

Mr. BERMAN. Not yet, but I will at the end.

Secondly, who is the primary beneficiary of this? Mr. Tancredo, while saying his resolution isn’t concerned about that, states that the primary beneficiary of this activity are people living in the United States illegally. Well, the process for getting one of these cards is that the Mexican Government checks the applicant for one of these cards, goes to find his birth records in Mexico, verifies that, in fact, these are the birth records, and this is where this person is from, and that this card reflects that person’s true identity.

Who benefits from that information? Local law enforcement agencies all over this country, who want to know when someone complains about a crime who that person is and wants the true identity of that person. This is one way, one readily available way, of confirming the true identity of that person, which means that many people who are victims of crimes or are witnesses to crimes are more willing to come forward to local law enforcement and provide information about the crimes, so law enforcement benefits from it.

Our security interests benefit from it because we are sure a heck of a lot better off when people reveal their true identities than when they give the phony Social Security cards and the phony documents to the employers in Mr. Tancredo’s district who are picking crops and maintaining services and providing hospitality services and tourism services using the efforts of undocumented people in this country and undocumented workers. So our security interests are enhanced by the existence of this card.

The banking industry, which now knows the true identity of a person seeking to take an account out and use the banking services rather than the usurious loan sharks who are charging incredible amounts of money to cash the pay checks of many of these hard-working people in order to provide remittances back to the home country and to just afford the basic necessities of life, they are primary beneficiaries of this card.

There are a lot of important and legitimate interests and institutions in the United States, many of them governmental, which benefit from the existence of this card.

Now, the partisan part of me would like to have this come to a vote, and there will be a rollcall vote on it if it does, to see what the majority party wants to do on an issue like this where a card that is not used by Federal agencies and not recognized but is only utilized by State and local agencies that have decided that it is in their interest, that they are better served by doing this. We are going to pass a resolution telling the Mexicans we don’t trust our State and local governments to make wise decisions, and they have
to stop their lobbying activity to get them to make those decisions because these easily manipulated agencies don’t know what they are doing.

Chairman Hyde. The gentleman’s time has expired.

Mr. Berman. I yield back.

Mr. Paul. Mr. Chairman.


Mr. Paul. Thank you, Mr. Chairman. I would like to speak in favor of the amendment, and I would like to also inform the Committee that if we had been forced to follow the point of order and had the original amendment introduced, I would have been glad to offer this amendment to the amendment.

I support this because it doesn’t seem to be overwhelming in that it is merely asking our officials to discuss this and hopefully influence them away from talking to the State and local governments about using these cards. So, to me, it seems rather modest, and I do think the immigration problem is out of control. So, therefore, I am going to vote for this, and I don’t think it is quite as extreme as it is being painted. As a matter of fact, I think at times there seems to be some distortion of what it really does, and at this time, I would like to yield to the gentleman from Colorado.

Mr. Tancredo. I thank the gentleman for yielding.

It is completely appropriate for one government to lobby another government to get them to change their law in the case that my colleague has just cited, especially in terms of extradition treaties, perfectly appropriate. No one is arguing that. What I feel is inappropriate is for one government to use its consular officials to try and get other States and localities to help them avoid the law, to help people break the law, and that is exactly what is happening here.

There is a law that says you cannot come into this country——

Mr. Lantos. Will the gentleman yield for a moment?

Mr. Tancredo. No. I will not yield. There is a law that says that you have to get the permission of the United States to come into this country legally. If you do so in any other way, you are violating the law. When you reward someone for doing that by accepting a card given to them by their government for purposes of identification, then, of course, I think it is inappropriate. It is especially inappropriate for consular officials to be going into States and localities, as they do, and as they admit to doing, for purposes of obtaining that kind of arrangement.

It is also important to understand that these are not verifiable, that these are documents that are sometimes handed out in vans parked in certain localities. You can go up to the van, in relatively few minutes, and you show them some sort of documentation to say you are so-and-so. They will provide you with a card within a very short period of time. It is not verifiable. It is not something so foolproof that all of these organizations and police departments should have any comfort in taking.

We, as I mentioned earlier, already arrested someone in Colorado that had three of these cards, all of them with his picture on but all with different names, and all issued by the Mexican Consulate
in Denver. So there is certainly nothing that would make me feel comfortable about the validity of the card.

And it also important to reiterate, because we keep talking about the issue of matricula in and of itself and the issue of illegal immigration and all the rest of it, which is certainly an issue I like to talk about. I like to get involved in a good, healthy debate, but it is really not connected to this particular amendment. This has got to do with the propriety of using the resources of the Mexican Government in the United States, their consular offices, to act in a way which I think is totally improper. And when, by the way, I brought this to the attention of the Secretary of State when he was here in front of our Committee, he indicated that he had a concern about it. We have written him about it. There is a concern about using that in this way. I yield back.

Mr. PAUL. Okay. Thank you for yielding back, and I yield to the gentleman from California.

Mr. GALLEGELY. Thank you, Mr. Paul. I find it interesting because there appears to be kind of a partisan bend to this, but I would like to remind my colleagues that the City of New York, New York City—and Mr. Crowley might correct me if I am wrong, but I still think that it is the largest city in the Nation—voted by a large margin to not accept this document for all of the reasons that have been expressed in this meeting, and I don't think that the City of New York is known as a bastion for conservative politics. I yield back the balance of my time.

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

Ms. WATSON. Thank you so much, Mr. Chairman, and thank you to the Ranking Member for understanding what a dangerous amendment this is. To ask the Secretary of State to involve himself in discussions with a foreign government and their way of supplying identification for those who intend to go to the United States treads in a very tenuous area.

I have heard illegal, illegal, illegal. If there is an issue whether people coming into the United States from over our southern border are illegal, this is an INS issue.

What people need in California, where we have the largest number of Spanish-speaking people outside of Mexico, is a way to identify themselves. You can't get on a plane. Forget about driving a car. Today, we need ID, whether they are here legally or illegally.

What this bill should be doing is encouraging the INS, and I don't know if it is the province of this Committee or not, to look into these issues, not to ask our Secretary of State to go to foreign governments and ask them not to use an identification that will assist their people. I think this is the wrong place for this, and it is going in the wrong direction.

As a former Ambassador, these issues are the province of our United States if we issue them and the province of another government. If there is something illegal, we should go to the INS on this issue.

So I would ask Mr. Tancredo if he would please withdraw this particular amendment. It sends the wrong message, and if you want to stop illegals, this is not the way to do it. But we need identification for people who are within our country and on our streets.
And so I would request that, Mr. Tancredo, you withdraw this amendment. Thank you, Mr. Chairman.

Mr. DELAHUNT. Would the gentlelady yield? Would the gentlelady yield?
Ms. WATSON. I am finished.
Mr. DELAHUNT. Would you yield your remaining time?
Ms. WATSON. Yes. I certainly would.
Mr. DELAHUNT. I thank the gentlelady for yielding. I just want to say I am really stunned by the statement, and maybe it was a misinterpretation by myself, but that the Mexican Government is intentionally advocating—its advocacy in behalf of its citizens in this country is intended to violate United States law.

Mr. TANCREDO. You heard it right.
Mr. DELAHUNT. I heard it right. Well, I am glad I heard that publicly because I would presume that the Government of Mexico would find that very insulting.

I have served on the Committee on the Judiciary, as the Chair knows, since I arrived here in Congress some 7 years ago. The findings, and clearly they have jurisdiction of this particular issue, the findings that the primary beneficiary of this activity are people living in the United States illegally has never been addressed by that Committee that I am aware of, and maybe Mr. Berman has other information. There is absolutely no data, no evidence other than anecdotes related by the gentleman from Colorado.

I would urge my colleagues to defeat this amendment. It is wrong, and I will yield back.

Chairman HYDE. Ms. Napolitano.

Ms. NAPOLITANO. Thank you, Ms. Watson. I sit here in awe because I have heard the rhetoric over and over again as a Representative from California that lives with this every day, as do my California colleagues, and now many other Representatives from throughout the United States are dealing with the same issues: Identification. We have spoken to the California Sheriff's Department, to highway patrol, to banks, and, without exception, all of them are in accord. They want people identified so that they can follow through whenever the issue comes up before them.

In the Los Angeles area, we were informed by the Mexican Consulate that they have been issuing matriculas for over 4 decades and have yet to have law enforcement have one complaint on the issuance of those, the types of forms that have been used; in other words, whether or not it has been used illegally.

Now, insofar as they are being replicated and misused, that happens with Social Security, driver's license. You can just go on. In fact, if INS puts out a card, within 10 days, I can assume that the fraudulent perpetrators are going to duplicate it. The fairness of it is no fairness.

My concern is that we are talking about a group of people, and as my colleagues have stated before, they have no way of being identified within society today that requests their identification for any kind of move you make, any kind of purchase. If it is a car you are going to purchase, they want identification.

In our own area, we heard that some 90,000 cases of INS applications were destroyed by INS. How about those people? What are they going to do? They refile. In the meantime, there is no way to
identify themselves other than matriculas. And for the information—I am sure that Mr. Tancredo already understands—that they have a long process. They ask for the birth certificate, whether they have done their service in Mexico. They ask for the baptism records. These are thoroughly checked by the Mexican Government and not issued willy-nilly, if you will.

Now, banks have, just within the last couple of years, found out that this is a boon. If they accept the matriculas, they are getting millions of dollars deposited in their bank accounts, and yet we are saying, no, don't do it. Well, I can tell you, if I am in a car, and I get in an accident with an immigrant, I will be glad to have law enforcement look at his matriculas to find out where he lives and an ID because it does carry a thumb print on it.

So the arguments are, again, as my colleague, Mr. Menendez has stated, they are punitive. It is only aimed at Mexico. It is only aimed at matriculas, and it is only aimed at people who are trying to help this United States of ours become an even greater country.

Thank you, Mr. Chairman.

Mr. Faleomavaega. Mr. Chairman.

Chairman Hyde. Mr. Faleomavaega.

Mr. Faleomavaega. Mr. Chairman, while I commend my good friend, the gentleman from Colorado, for offering his amendment, I don't believe that the consequences of this amendment are going to be positive. I yield my time to my good friend, the gentleman from California, Mr. Berman.

Mr. Berman. Mr. Chairman, is the State Department represented at the hearing today?

Chairman Hyde. I see some suspicious-looking people. [Laughter.] Mr. Berman. I, myself. Do they have ID, Mr. Chairman? [Laughter.] Would I be allowed, would it be permitted, would it be acceptable to you to ask them a question on this issue?

Chairman Hyde. The staff is objecting. [Laughter.] Mr. Berman. I withdraw my request, well, because I don't want the Chairman to have to choose between me and the staff.

Chairman Hyde. I need them. I don't need—— Mr. Berman. I understand. [Laughter.] You said you needed me like a hole—no. In any event, where is that portrait? [Laughter.]

I just want to make one point regarding my comments earlier. I don't want to make light of the underlying issue that Mr. Tancredo is raising here. Even though he says it is not the underlying issue, I believe it is the underlying issue, which is the issue of people coming into this country illegally.

I just suggest that the more sensible sense of Congress resolution to pass at this particular point, if one wanted to address that issue here rather than in the Judiciary Committee or rather than through the Department of Homeland Security, would be to do the things we need to do to make it as difficult as possible to enter this country illegally. For example, to have our State Department and other Federal officials working with the Mexican Government and other governments, particularly, on the migration issues that were heralded in the original Bush-Fox talks. They should come to an
agreement that allowed different work force issues to be met through the use of legal, temporary workers to come to a sensible recognition of the fact that there are eight to 10 or 11 million undocumented people in this country, that many parts of our economy are dependent on them, that for the most part, they are a group of people who are abiding now with U.S. laws, paying taxes, and working hard, making very essential contributions. We should find a sensible process to deal with that rather than seeking to go after one little manifestation of this issue, which has so many beneficial effects in terms of our law enforcement interests, in terms of the financial interests. I think that would be a better approach than the approach taken by this resolution, and I would urge the Committee to defeat the resolution, a sense of Congress.

Chairman Hyde. I am going to suggest that we move to a vote. We are going to have several votes very shortly on the Floor, and then we want to come back here. We will skip lunch, if we can. Grab it on the run, if you must, but there is a Subcommittee meeting at 1:30 that some of you must attend, and we would surely like to finish this bill this afternoon. So I would appreciate expedition from here on in.

So the question arises on Mr. Tancredo's amendment. All those in favor, say aye.

[A chorus of ayes.]
Chairman Hyde. Will the clerk call the roll?
Ms. Rush. Mr. Leach?
Mr. Leach. I pass.
Ms. Rush. Pass. Mr. Bereuter?
[No response.]
Ms. Rush. Mr. Smith of New Jersey?
[No response.]
Ms. Rush. Mr. Burton?
[No response.]
Ms. Rush. Mr. Gallegly?
Mr. Gallegly. Yes.
Ms. Rush. Mr. Gallegly votes yes. Ms. Ros-Lehtinen?
Ms. Ros-Lehtinen. No.
Ms. Rush. Ms. Ros-Lehtinen votes no. Mr. Ballenger?
Mr. Ballenger. Yes.
Ms. Rush. Mr. Ballenger votes yes. Mr. Rohrabacher?
[No response.]
Ms. Rush. Mr. Royce?
Mr. Royce. Yes.
Ms. Rush. Mr. Royce votes yes. Mr. King?
Mr. King. No.
Ms. Rush. Mr. King votes no. Mr. Chabot?
Mr. Chabot. Yes.
Ms. Rush. Mr. Chabot votes yes. Mr. Houghton?
[No response.]
Ms. Rush. Mr. McHugh?
[No response.]
Ms. Rush. Mr. Tancredo?
Mr. Tancredo. Yes.
Ms. Rush. Mr. Tancredo votes yes. Mr. Paul?
Mr. Paul. Yes.
Ms. Rush. Mr. Paul votes yes. Mr. Smith of Michigan?
Mr. Smith of Michigan, yes.
Ms. Rush. Mr. Smith of Michigan votes yes. Mr. Pitts?
Mr. Pitts. Yes.
Ms. Rush. Mr. Pitts votes yes. Mr. Flake?
Mr. Flake. Yes.
Ms. Rush. Mr. Flake votes yes. Mrs. Davis?
[No response.]
Ms. Rush. Mr. Green?
Mr. Green. Yes.
Ms. Rush. Mr. Green votes yes. Mr. Weller?
[No response.]
Ms. Rush. Mr. Pence?
Mr. Pence. Yes.
Ms. Rush. Mr. Pence votes yes. Mr. McCotter?
Mr. McCotter. Yes.
Ms. Rush. Mr. McCotter votes yes. Mr. Janklow?
Mr. Janklow. Pass.
Ms. Rush. Mr. Janklow votes passes. Ms. Harris?
Ms. Harris. Yes.
Ms. Rush. Ms. Harris votes yes. Mr. Lantos?
Mr. Lantos. No.
Ms. Rush. Mr. Lantos votes no. Mr. Berman?
Mr. Berman. No.
Ms. Rush. Mr. Berman votes no. Mr. Ackerman?
Mr. Ackerman. No.
Ms. Rush. Mr. Ackerman votes no. Mr. Faleomavaega?
Mr. Faleomavaega. No.
Ms. Rush. Mr. Faleomavaega votes no. Mr. Payne?
Mr. Payne. No.
Ms. Rush. Mr. Payne votes no. Mr. Menendez?
Mr. Menendez. No.
Ms. Rush. Mr. Menendez votes no. Mr. Brown?
Mr. Brown. No.
Ms. Rush. Mr. Brown votes no. Mr. Sherman?
[No response.]
Ms. Rush. Mr. Wexler?
Mr. Wexler. No.
Ms. Rush. Mr. Wexler votes no. Mr. Engel?
Mr. Engel. No.
Ms. Rush. Mr. Engel votes no. Mr. Delahunt?
Mr. Delahunt. No.
Ms. Rush. Mr. Delahunt votes no. Mr. Meeks?
[No response.]
Ms. Rush. Ms. Lee?
Ms. Lee. No.
Ms. Rush. Ms. Lee votes no. Mr. Crowley?
Mr. Crowley. No.
Ms. Rush. Mr. Crowley votes no. Mr. Hoeffel?
Mr. Hoeffel. No.
Ms. Rush. Mr. Hoeffel votes no. Mr. Blumenauer?
[No response.]
Ms. Rush. Ms. Berkley?
Ms. Berkley. No.
Ms. RUSH. Ms. Berkley votes no. Ms. Napolitano?
Ms. NAPOLITANO. No.
Ms. RUSH. Ms. Napolitano votes no. Mr. Schiff?
Mr. SCHIFF. No.
Ms. RUSH. Mr. Schiff votes no. Ms. Watson?
Ms. WATSON. No.
Ms. RUSH. Ms. Watson votes no. Mr. Smith of Washington?
[No response.]
Ms. RUSH. Ms. McCollum?
Ms. McCOLLUM. No.
Ms. RUSH. Ms. McCollum votes no. Mr. Bell?
Mr. BELL. No.
Ms. RUSH. Mr. Bell votes no. Chairman Hyde?
Chairman HYDE. Yes.
Ms. RUSH. Chairman Hyde votes yes.
Mr. BURTON. Mr. Chairman.
Chairman HYDE. Mr. Burton.
Mr. BURTON. I vote yes, Mr. Chairman.
Ms. RUSH. Mr. Burton votes yes.
Mr. LEACH. Mr. Chairman.
Chairman HYDE. Mr. Leach.
Mr. LEACH. I vote no.
Ms. RUSH. Mr. Leach votes no.
Chairman HYDE. Mr. Faleomavaega? Mrs. Davis.
Mrs. DAVIS. I vote yes.
Ms. RUSH. Mrs. Davis votes yes.
Chairman HYDE. Mr. Smith of Washington.
Mr. SMITH OF WASHINGTON. I vote no.
Ms. RUSH. Mr. Smith of Washington votes no.
Chairman HYDE. Have all voted who wish?
[No response.]
Chairman HYDE. The clerk will report.
Mr. JANKLOW. Mr. Chairman.
Chairman HYDE. Hold that. Mr. Janklow.
Mr. JANKLOW. Janklow votes no.
Ms. RUSH. Mr. Janklow votes no.
Mr. JANKLOW. Excuse me. Yes. Janklow votes yes.
Ms. RUSH. Mr. Janklow votes yes.
Chairman HYDE. The clerk will report.
Ms. RUSH. There are 17 ayes and 23 nos.
Chairman HYDE. And the amendment is not agreed to.
The Committee will stand in recess until right after the final vote, and I ask you to return promptly. We have more work to do, and I would appreciate the Committee’s attention. We stand in recess.

[Whereupon, at 11:38 a.m., a recess was taken.]
Chairman HYDE. The Committee will come to order. The Chair recognizes Mr. Delahunt. Do you have an amendment?
Mr. DELAHUNT. Yes, I do, Mr. Chairman. I have an amendment at the desk.
[The amendment of Mr. Delahunt follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. DELAHUNT

Page 143, after line 9, insert the following:

SEC. 708. REPORT ON DEMOCRACY IN THE WESTERN HEMISPHERE.

(a) FINDINGS.—Congress finds the following:

(1) Although 34 out of 35 countries in the Western Hemisphere have held elections for civilian leaders of national, regional, and local governments, many of these countries have failed to successfully develop independent democratic institutions, transparent and accountable governance, and effective means of guaranteeing the rule of law, which are key components of a fully functioning democracy.

(2) The rule of law, independent democratic institutions, and transparent, accountable governance are essential for guaranteeing human rights, especially civil, political, and labor rights.

(3) The rule of law, independent democratic institutions, and transparent accountable governance are also necessary for promoting successful economic development and reliable trading and investment mechanisms.
(4) In part because of the lack of these three factors, progress on human rights and economic development has lagged or been uneven in much of the Western Hemisphere, leading some to question the benefits of democracy itself as a path for improving the lives of individuals in the hemisphere.

(5) For democracy to continue in many of these countries, for human rights to improve, and for regional economic integration to be successful, the rule of law, independent democratic institutions, and transparent accountable governance must be strengthened.

(6) As a strong supporter of democracy and human rights and as an advocate of regional economic integration, it is in the interests of the United States to enhance its efforts to promote a deepening of democracy in the Western Hemisphere, particularly through strengthening the rule of law, independent democratic institutions, and transparent accountable governance.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the heads of other Federal departments and agencies as necessary, shall prepare and submit to the appropriate congressional committees a report on the state of democ-
racy in each country in the Western Hemisphere (other than the United States and Canada). For each such country, the report shall provide the following:

(1) A description of its system of government, including schedule of elections, manner of judicial appointments, and responsibilities of each branch of government.

(2) An assessment of—

(A) the state of the rule of law;

(B) the power and independence of each branch of government and institutions;

(C) the transparency and accountability in governance; and

(D) the effect on human rights, particularly civil and political rights, caused by the presence (or lack thereof) of any of the factors in subparagraphs (A) through (C); and

(E) the effect on economic development caused by the presence (or lack thereof) of any of the factors in subparagraphs (A) through (C).

(3) A description of efforts to strengthen the rule of law, independent institutions, or transparent governance in the country, whether through local efforts or through efforts funded or implemented by
the United States, the Organization of American States (OAS), or others.
Chairman HYDE. The clerk will report the amendment.

Ms. RUSH. Amendment offered by Mr. Delahunt: “Page 143, after line 9, insert the following—”

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

Mr. DELAHUNT. I thank the Chair. Mr. Chairman, this amendment would require a one-time report on the state of democracy and democratic institutions in the countries of the Western Hemisphere, with the exception of the United States and Canada. A description and evaluation of current democracy-promotion efforts would also be mandated.

I offer this amendment because I am becoming increasingly disturbed by the lack of attention to the region, a sentiment that was recently expressed by several Senators at a Senate Foreign Relations Committee hearing. I should note that this also included the Chair of the Senate Committee, Senator Lugar.

The reality is that not only are we confronting an unprecedented wave of anti-American sentiment, but the situation in Latin America continues to deteriorate, and doubts about the benefits of democracy are increasing among the people of that region.

We boast that all of our neighbors, except Cuba, are democracies since they have elected civilian governments. But elections alone do not ensure genuine, healthy democracies. Transparent, accountable governance and respect for the rule of law; without these, the benefits of democracy are not realized. That is the case today in Latin America.

As the President's special envoy to Latin America, Otto Reich, recently noted, more than one-third of the people in Latin America earn less than two dollars per day and are poorly housed, poorly fed, and poorly educated.

By these criteria, many of our neighbors fall short. We frequently hear of the abject poverty in Haiti and the political deadlock there. The deep divisions in Venezuela and the stresses on that democracy are reported frequently. But it should also be noted that the middle class in Argentina has all but disappeared. That Paraguay has been a one-party state since 1947. In Nicaragua, there has been a recent report of a government takeover of a political party radio station. In Peru, the Toledo Government has concluded an agreement with campesinos to end coca-eradication efforts. Guatemala has been decertified. It is considered a drug traffickers' haven. Respect for human rights is deteriorating, and there is increased activity of clandestine criminal groups in that particular country. Demonstrators protesting government policy in Bolivia were recently fired upon, and some 30 people were killed.

In fact, there are few countries in the region that are stable and that are meeting the needs of their people. More and more people are speaking of the good old days of the populous caudillo.

To reverse this backsliding, the development of institutions must be an urgent priority. As a recent GAO report indicated, democracy-promotion efforts in Latin America have, and I quote, “yielded modest results.” In part, according to this report, this is because there is no strategic approach to the issue, so there is often no long-term sustainability to these efforts.
While the Administration speaks almost exclusively to its priority of a free-trade area of Americas, there is no complementary, comprehensive effort to promote and deepen democracy and democratic institutions in the hemisphere. Unless there is a truly democratic area of the Americas, a real free trade area of the Americas will never exist.

We have had a school of hemispheric militaries, the so-called “School of Americas,” but there is no equivalent school for hemispheric democrats, which, I would submit, sends a disturbing message to a region with a history of coups and juntas.

I intend to introduce legislation in the near future, along with other Members, to create a School for Democracy in the Americas. It will focus on educating civilian leaders in developing and nurturing democratic institutions and encourage a healthy exchange of ideas. I would envision having a campus, a faculty, a board of trustees, a regular schedule of classes that would be year round and permanent, and it should be developed in coordination with our neighbors so that they have a stake in it from the beginning, and we do not make our old mistake of telling them what to do and how to manage their affairs.

As I said, it would be a permanent, lasting institution, a functioning symbol of our nation’s long-term commitment to promoting genuine democracy, and this amendment is a first step in that regard. The information it will generate, I have no doubt, will help flesh out the School of Democracy for the Americas concept. It is a simple step but, I believe, one that is critical to the future of this hemisphere, and I urge its adoption, and I yield back.

Chairman Hyde. Is there further discussion?

Mr. Menendez. Mr. Chairman.

Chairman Hyde. Mr. Menendez.

Mr. Menendez. Thank you, Mr. Chairman. Mr. Chairman, I want to speak in favor of Mr. Delahunt’s amendment. As the Ranking Democrat on the Western Hemisphere, Mr. Delahunt is one of our most active Members on the Western Hemisphere Subcommittee, and his interest for the hemisphere is incredibly refreshing. It is something that we try to get more of our colleagues to focus on, and he has done so.

This report is really very timely. We spent millions, actually billions, of dollars in Central America, for example, trying to fight communism and promote democracy, and after we won those efforts, we walked away. We look at Latin America in the context of troubles, but we don’t look to take the seeds of democracy that we have planted and nurture them so that they grow and strengthen.

In many parts of this hemisphere right now, I believe that we are losing the effort to convince that democracy, open markets, trade will ultimately bring a better quality of life and is ultimately the way that people should vote for. And I think that, when you look at the combinations of what is happening in Venezuela, in Colombia, what is happening in Ecuador, what is happening in so many of the countries, some of which Mr. Delahunt has already mentioned very eloquently, we have a real concern, right here in our own front yard, about what is happening.

And I think that when we look at all of the issues that Americans care about, whether it is about legal immigration, whether it
is about health care—we have looked at some issues along the border in which we had eradicated certain health care challenges, and today we face them again—whether we look at biodiversity, whether we look at energy, whether we look, of course, at narcotics; so for all of those reasons, I think this is a very timely amendment, and I really urge the Committee's adoption of it.

Chairman HYDE. Is there further discussion?

Mr. BALLenger. Mr. Chairman,

Chairman HYDE. On the right. Mr. Ballenger.

Mr. BALLenger. Thank you, sir, and I am glad I am recognized on the right.

Chairman HYDE. Yes, sir.

Mr. BALLenger. Mr. Delahunt, I have traveled with him many times, and we have discussed this old idea of teaching the countries of the Western Hemisphere about democracy, and I would like to throw an example in. When Ms. Chimaro became President of Nicaragua, she kept talking to us about there was no way to educate their children, that every time a plane came in from Cuba or from East Germany, they were taking their children back and educating them about communism and dictatorship and so forth, and nobody was talking about democracy. And so she said, Is there any likelihood you could help us out?

And so Congressman Houghton and I volunteered, and we said that the first thing you have to do is give us students that will speak English and that won't fail, and so she did, and Congressman Houghton took 10 students and sent them to community college. I took two girls and sent them to universities in North Carolina. We educated them. They are both back. My two are back in Nicaragua founding their own business, being very successful.

And I would just like to say that the idea of somehow educating the people of Central and South America on the values of democracy and the values of the human rights that have been so neglected in many cases down here, I think, is a very positive thing.

Thank you, sir.

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Mr. Chairman, Mr. Delahunt has been a mover on Western Hemisphere issues ever since he came to this body. This is another one of his serious, carefully thought-through ideas. I think it deserves strong support, and I am delighted to endorse it.

Chairman HYDE. Is there further discussion?

[No response.]

Chairman HYDE. I would just like to ask Mr. Delahunt a question. Mr. Brown. I am sorry.

Mr. BROWN. Thank you, Mr. Chairman. I will be brief. I rise in support of the amendment. Just 2 days ago, I believe, or yesterday, actually, May 7th, in Haiti—this is a country that has had its ups and downs certainly. It has had a series of elections where a President three different times has been elected in the last 10 years and where peaceful transfer of power is something that did not happen in that country. There has been a coup in the last 10 years and it has dismantled its military, has continually had sort of paramilitary violence.

As I was saying, just yesterday, there were two security guards at the hydroelectric plant in the central highlands not too far from
the village of Pelegre and not too far from Canje, where there is the most important, largest health clinic in the country. Two security guards were killed at the hydroelectric plant by men dressed in fatigues, likely paramilitary people that have opposed the Aristid regime, then soon after, they kidnapped a group of health care workers that were on their way to the clinic in the highlands in Canje.

I think it is important that Delahunt, that his efforts are timely, especially in light of that and in light of the comments from my friend, Mr. Menendez. I think it makes sense that we move in that direction, that we especially support those countries where there are democratic elections. Haiti was the second independent country in the Western Hemisphere after the United States in 1804. Our history with them is checkered, but I think that support from our Government and a continued move toward democracy in Haiti is obviously the right way to go, and I support the amendment and yield back my time, Mr. Chairman.

Chairman HYDE. The question occurs on the amendment offered by——

Mr. DELAHUNT. Mr. Chairman, if I may, for unanimous consent, request, on page three, on line 22, it reads, “a description of efforts.” I would like to just simply add, “a description and assessment of efforts.”

Chairman HYDE. Without objection, the modification is accepted.

Mr. DELAHUNT. Thank you.

Chairman HYDE. The question occurs on the Delahunt Amendment, as amended by Mr. Delahunt. All those in favor, say aye.

[A chorus of ayes.]

Chairman HYDE. Opposed, nay. The ayes have it, and the amendment is agreed to.

Mr. Flake of Arizona.

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

[The amendment of Mr. Flake follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. FLAKE
AND MR. DELAHUNT

Page 88, after line 6, insert the following section:

1 SEC. 504. REPEAL OF TELEVISION BROADCASTING TO
2 CUBA ACT.
3 (a) REPEAL.—Effective September 30, 2003, the
4 Television Broadcasting to Cuba Act (22 U.S.C. 1465aa
5 et seq.) is repealed.
6 (b) AUTHORIZATION OF TRANSFER OF FUNDS.—
7 After September 30, 2003, any funds appropriated to TV
8 Marti that remain available are authorized to be trans-
9 ferred and made available for Radio Marti.
Chairman HYDE. The clerk will report the amendment.

Ms. RUSH. Amendment offered by Mr. Flake: “Page 88, after line 6, insert the following section—”

Mr. FLAKE. 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. FLAKE. Mr. Chairman, I need not tell anybody on this Committee that we have a horrible situation in Cuba. At the moment, more than 80 human rights protestors, peaceful, democracy advocates, have been thrown into prison and sentenced to, in many cases, prison terms up to 28 years. Three hapless hijackers for a Cuban ferry were executed. I think the only surprise is that anybody is surprised by this behavior. It has been going on for 40 years now.

The problem is Fidel Castro has the only microphone in Cuba, or one of the problems. Americans aren’t allowed to travel there unless you are a politician or unless you are a movie star or a director like Oliver Stone. Unless you wear Armani or rose-colored glasses, it is tough to get there from here, and so too few Cubans actually know the situation and what is going on, and too few Americans realize what is going on. So we have that situation.

The backdrop is we have tried to allow for that, or help that situation out, by creating an institution, Radio and TV Marti, that, in the tradition of Voice of America and many of our other radio and television programs, can help inform ordinary Cubans of the situation in their country and alternatives and to help them out, just to give them information.

The problem is that that institution that we have created isn’t working very well. After spending about $160 million over the past 12 years, not one Cuban has ever watched 1 minute of TV Marti, yet we continue to spend the money and create a show that nobody can watch because it is easily blocked, easily scrambled, and because of other international broadcast agreements, we can only broadcast between the hours of 3 a.m. and 8 a.m., I believe. So we desperately need a change there.

Radio Marti reaches some people, but the programming is so bad that the market share has slipped to virtually nothing, and we need to revamp that program as well.

The purpose of this amendment is to move the money we are currently spending on TV Marti over to Radio Marti, where at least some good can be done with it, because no good is being done at the moment.

Since I introduced this amendment or filed it, I have had discussions with Members of this Committee, in particular, the gentlelady from Florida. She has a long-held commitment to improve the situation at Radio and TV Marti. I would like to work with the Administration on this to see what can be done. In that light, I yield a few minutes to the gentlelady from Florida.

Ms. ROS-LEHTINEN. Thank you so much. I thank the gentleman from Arizona. It is always a pleasure to work with him, and I thank him for highlighting the fact that the unfortunate reality that Castro has sentenced 80 dissidents to 15, 20, 25 years in jail, shot by firing squad, 3 people who tried to escape from Cuba.
This was just his recent acts in a long list of atrocities, but I will tell the gentleman that I look forward to working with him, if he withdraw his amendment, to having Mr. Ballenger, and he has agreed to hold a hearing, perhaps on May 20th of this year, where we can talk about the improvements in Radio and TV Marti. We have a new Director, a new Broadcasting Board of Governors.

The Administration has put forth proposals to improve the jamming of TV Marti, and we know if we would eliminate TV Marti, he would then just jam Radio Marti. But we look forward to working with the gentleman of Arizona on this proposal and on this hearing, and we will bring up the witnesses to tell us what plans they have, concrete plans, to eliminate the jamming of transmissions of TV Marti. And I yield back to the gentleman.

Mr. Flake. I thank the gentlelady, and I also want to thank the gentleman from Massachusetts, Mr. Delahunt. Mr. Delahunt and I visited the offices of Radio and TV Marti a year ago and came out of there convinced that it needs a change. I think everybody realizes that and to the extent that we could have a hearing and air these concerns, and meet with the Administration, then I will agree to withdraw the amendment and thank the gentlelady.

Ms. Ros-Lehtinen. Thank you, and I thank Mr. Delahunt as well. Thank you.

Mr. Delahunt. Would my friend yield just for a minute? I did note also, and I am glad that the gentlelady has agreed to a hearing. I am sure it will be interesting, but I also note that there is a new Director. I wonder, you know, if he could come before us?

He did indicate that he respects diversity of opinion. I remember during the course of our hearing last year when I spoke to the former Director and indicated to him that I know there is diverse opinion in every community, whether it be the Irish-American community or the Cuban-American community, and he indicated that he would be happy to sit down in this case with Mr. Duran. That never happened.

I would hope that we can discuss that during the course of the hearing, and I yield back.

Chairman Hyde. The amendment is withdrawn.

The Chairman yields to himself 5 minutes. I have a series of amendments at the desk which I ask unanimous consent be considered en bloc and be considered as read.

The amendments are as follows: Mr. Engel, reduction in funding level for National Endowment for Democracy for programs in primary Muslim countries;

Mr. Menendez, statement of policy expressing concerns about Iran’s buildup of its nuclear weapons program;

Ms. Ros-Lehtinen, incitement amendments to Free Media Provision;

Mr. Hyde, change reports relating to terrorist activity in which U.S. citizens are killed;

Mr. Lantos, police training. Longstanding restrictions on police training abroad and now makes available police training through the Foreign Assistance Act in areas of human rights, rule of law, strategic planning, counter narcotics, promotion of democracy and combating corruption in trafficking in persons;
Mr. Lantos, Afghanistan democracy. Sense of Congress relating to the need to enhance security in Afghanistan;

Mr. Sherman, about the Iran World Bank. This is a sense of Congress that directs the Secretary of State to consult with officials in certain countries to express concern about World Bank lending to Iran;

Ms. McCollum, sense of Congress relating to violence against women;

Mr. Meeks, Africa conflicts. It requires a report on action of the U.S. in seeking peaceful and immediate solutions to the internal and interregional conflicts in the Great Lakes region;

Mr. Wexler requires that in the course of preparing students for their study program abroad there is a training component on safety issues in the country to which they are going;

Mr. Faleomavaega, sense of Congress expressing concern about the environmental impact on Soviet nuclear weapons testing of Kazakhstan;

Ms. Ros-Lehtinen, technical fix with the Secretary of State reporting requirement on WEOG, that is Western Europe and Other Groups;

Mr. Lantos, to prohibit elimination of broadcasting to eastern Europe.

[A chart depicting the en block amendment and the amendments follow:]
<table>
<thead>
<tr>
<th>EN BLOC</th>
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<tbody>
<tr>
<td>Engel - reduction in funding level for National Endowment for Democracy for programs in primarily Muslim countries</td>
</tr>
<tr>
<td>Menendez - Iran. Makes a statement of policy expressing concern about Iran's buildup of its nuclear weapons program.</td>
</tr>
<tr>
<td>Ros-Lehtinen - Incitement amendments to Free Media Provision</td>
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<tr>
<td>Hyde - Change reports relating to terrorist activity in which US citizens are killed</td>
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<tr>
<td>Lantos - Police Training - Section lifts longstanding restrictions on police training abroad and now makes available police training through the foreign assistance act in areas of human rights, rule of law, strategic planning, counter narcotics, promotion of democracy and combating corruption in trafficking in persons.</td>
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<tr>
<td>Lantos - Afghanistan Democracy. Sense of Congress relating to the need to enhance security in Afghanistan.</td>
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<td>Sherman - Iran World Bank. This is a sense of congress that directs the Secretary of state to consult with officials in certain countries to express concern about World Bank lending to Iran.</td>
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<tr>
<td>Meeks - Africa Conflicts. Requires a report on actions of the US in seeking peaceful and immediate solutions to the internal and intra-regional conflicts in the Great Lakes region.</td>
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<tr>
<td>Wexler - requires that in the course of preparing students for their study abroad program, there is a training component on safety issues in the country to which they are going.</td>
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<tr>
<td>Faleomavaega - Kazakhstan - Sense of congress expressing concern about the environmental impact of Soviet nuclear weapons testing.</td>
</tr>
<tr>
<td>Ros-Lehtinen technical fix to the Secretary of States reporting requirement on WEOG (Western Europe and Other Groups).</td>
</tr>
<tr>
<td>Lantos - to Prohibit elimination of broadcasting to E. Europe</td>
</tr>
<tr>
<td>Hyde - Amendments to streamline a terrorism reporting requirement.</td>
</tr>
</tbody>
</table>
Page 42, strike line 3 and all that follows through line 13 and insert the following:

1 SEC. 222. CONTINUATION OF REPORTING REQUIREMENTS.
2   (a) REPEAL.—Section 805 of the Admiral James W.
3 Nance and Meg Donovan Foreign Relations Authorization
4 Act, Fiscal Years 2000 and 2001 (section 805(a) of divi-
5 sion A of H.R. 3427, as enacted into law by section
6 1000(a)(7) of Public Law 106-113; appendix G; 113 Stat.
7 1501A-470) (relating to reports on terrorist activity in
8 which United States citizens were killed and related mat-
9 ters) is hereby repealed.
10   (b) ANNUAL COUNTRY REPORTS ON TERRORISM.—
11 Section 140(b)(2) of the Foreign Relations Authorization
12 Act, Fiscal Years 1988 and 1989 (Public Law 100-204;
13 22 U.S.C. 2656f(b)(2)) is amended—
14   (1) in subparagraph (D), by striking “and” at
15 the end;
16   (2) in subparagraph (E), by striking the period
17 at the end and inserting “; and”; and
18   (3) by adding at the end the following:
“(F) for the reports due through May 1, 2005, information concerning terrorist attacks in Israel, territory administered by Israel, and territory administered by the Palestinian Authority, including—

“(i) a list of all citizens of the United States killed or injured in such attacks during the previous year;

“(ii) the date of each attack and the total number of people killed or injured in each attack;

“(iii) the person or group claiming responsibility for the attack and where such person or group has found refuge or support;

“(iv) to the extent possible, a list of suspects implicated in each attack and the nationality of each suspect, including information on their whereabouts (or suspected whereabouts);

“(v) a list of any terrorist suspects in these cases who are members of Palestinian police or security forces, the Palestine Liberation Organization, or any Palestinian governing body;
“(vi) the status of each case pending against a suspect, including information on whether the suspect has been arrested, detained, indicted, prosecuted, or convicted by the Palestinian Authority or Israel, and if detained and then released, the date of such release, and whether any released suspect was implicated in subsequent acts of terrorism;

“(vii) available information on convictions, releases or changes in the situation of suspects involved in attacks committed prior to December 31, 2003, and not covered in previous reports submitted under section 805(a) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; and

“(viii) the policy of the Department of State with respect to offering rewards for information on terrorist suspects, including any information on whether a reward has been posted for suspects involved in terrorist attacks listed in the report.”.
(e) Consultation.—The Secretary of State shall, in preparing the portion of the annual country reports on terrorism required by subparagraph (F) of section 140(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204; 22 U.S.C. 2656f(b)(2)), as added by subsection (b), consult and coordinate with all other Government officials who have information necessary to complete that portion of the report.

Nothing contained in this subsection shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests or jeopardize ongoing criminal investigations or proceedings.
Page 143, after line 9, insert the following new section:

SEC. 708. REPORT CONCERNING INTERNAL AND INTRA-REGIONAL CONFLICTS IN THE GREAT LAKES REGION OF AFRICA.

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

(1) The Great Lakes region of Central Africa has a history of colonial based ethnic divisions, political violence, and civil wars which have perpetuated conditions conducive to chronic poverty and turmoil over the past decade. The countries of the Great Lakes region are heavily embroiled in the conflicts within their neighbors borders. At different times, the war in the Democratic Republic of Congo (DRC) has involved more outside countries than any other contemporary war in Africa’s history, (including Angola, Rwanda, Uganda, Zimbabwe, Burundi, Sudan, Chad, Namibia, and Central African Republic).

(2) The region is hallmarked by genocide, the recruitment of child soldiers, war crimes, systematic rape of women and violence directed against chil-
dren, corruption, and the illegal exploitation of natural resources on a global scale. Civil wars, conflicts over natural resources, and structural violence in the Great Lakes have resulted in—

(A) the death of approximately three million people through direct and indirect causes of the war in the DRC since 1998;

(B) the deaths of at least 800,000 people during the 1994 genocide in Rwanda;

(C) the deaths of an estimated 300,000 people through direct and indirect causes of the war in Burundi since 1993;

(D) the deaths of thousands in Uganda;

(E) the forced abduction, sexual servitude, and armed recruitment of thousands of children;

(F) the displacement of millions of Ugandan, Burundian, Congolese, Rwandan, and Sudanese refugees;

(G) the death and abduction of humanitarian aid workers throughout the region; and

(H) grave disruptions in the delivery of emergency assistance and food aid to millions of civilians in northern Uganda, eastern Congo,
and Burundi dependent on such assistance for survival.

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

(1) exhaust all diplomatic means and utilize all foreign policy instruments to help peacefully resolve conflicts in the Great Lakes region by supporting both national and regional political, economic, and social initiatives conducive to fostering African-led peace, reconstruction, and political and economic institutional and structural transformation processes in Uganda, Rwanda, Burundi, and the Democratic Republic of Congo;

(2) urge all rebel forces to stop the abduction of children, urge all armed forces to stop the use of child soldiers, and seek the release of all forcibly-held children;

(3) make available technical assistance resources to seek, track, and stop funding for all armed extremist paramilitary and militarist rebel organizations.
4

(4) monitor and support negotiations conducted by third-party institutions for an immediate end of armed actions between: The LRA and the Ugandan Government; the RCD factions and MLC and the government of Democratic Republic of the Congo under the terms of the Lusaka Accords; the FDD and the Burundian Government under the terms of the Arusha Accords;

(5) explore the possibility of facilitating the creation of mechanisms for an international monitoring team to enforce cease-fires as the first step in the process toward a permanent peace in the region;

(6) continue supporting the Sudan Peace Process, the Danforth Initiative, the Lusaka Accords, and the Arusha Accords which includes peace talks, donor coordination, regional support, civilian protection and monitoring, and cease-fire verification;
(7) make available sufficient resources to meet the immediate relief needs of the towns and cities in the Great Lakes region supporting large displaced populations, including food, clean water, medicine, shelter, and clothing;

(8) make available increased resources for assistance to released and returned abducted children and child soldiers in the Great Lakes Region and ensure that amnesty is provided when appropriate;

(9) work with other donors and the Governments of Uganda, Burundi, Rwanda, and the Democratic Republic of Congo to increase resources and technical support to both regional and national combatant demobilization entities such as the Uganda Amnesty Commission in Uganda and equivalent entities in Burundi, Rwanda, and the Democratic Republic of Congo for the increased demobilization of rebel combatants;

(10) examine ways in which development assistance (DA) can help those living in protective villages in northern Uganda, eastern Congo, and other demilitarized areas in Rwanda and Burundi to return to and cultivate farmland;

(11) condition military assistance to any nation which acts to destabilize the DRC by violating inter-
national agreements regarding sustained troop withdrawals and respect for the territorial integrity of the DRC; and

(12) direct the Secretary of State to appoint a special envoy to the Great Lakes region to oversee cross-cutting security and economic policies in the region.

(c) REPORTS TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and not later than April 1 of each subsequent year, the Secretary should submit to the appropriate congressional committees a report on the comprehensive actions taken by the United States in promoting peaceful and immediate solutions to the internal and intra-regional conflicts in the Great Lakes region, including taking steps to bring an end to the illegal exploitation and international trade of natural resources from the Democratic Republic of Congo; supporting bilateral and multilateral peace keeping initiatives; the promotion of regional economic integration; the promotion of broad based democratic political processes based on the rule of law; the promotion of women and other previously disadvantaged communities as equal political and economic stakeholders in societies; and humanitarian assistance efforts in the region, including efforts to advance each area addressed in subsection (a).
Page 197, after line 24, insert the following (and conform the table of contents accordingly):

1 SEC. 1357. ENHANCED POLICE TRAINING.

Section 660(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2420(b)) is amended—

(1) in paragraph (7), by striking the period at the end and inserting ‘‘; or’’; and

(2) by adding at the end the following new paragraph:

‘‘(8) with respect to assistance provided to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in internationally recognized human rights, the rule of law, strategic planning, and counter-narcotics, and through the promotion of civilian police roles that support democratic governance, including programs to combat corruption and the trafficking of persons, particularly by organized crime, prevent conflict, and foster improved police relations with the communities in which they serve.’’.
Page 154, after line 12, insert the following new section:

SEC. 726. UNITED STATES POLICY ON WORLD BANK GROUP LOANS TO IRAN.

(a) UNITED STATES POLICY.—The Secretary of State (or a designee), in consultation with the Secretary of the Treasury, shall communicate directly with the governments of countries represented on the decision-making boards and councils of the international financial institutions of the World Bank Group and consistently convey the strong opposition of the United States Government to any further activity in Iran by the international financial institutions of the World Bank Group.

(b) REPORTS.—Not later than 90 days after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit a report on the efforts of the Secretary to carry out subsection (a) to the chairman and ranking minority member of the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) WORLD BANK GROUP DEFINED.—As used in this section, the term “World Bank Group” means the Inter-
national Bank for Reconstruction and Development, the International Development Association, the International Financial Corporation, and the Multilateral Investment Guaranty Agency.
AMENDMENT TO H.R. 1950
OFFERED BY MR. FALEOMAVAEGA

Page 154, after line 12, insert the following (and conform the table of contents accordingly):

SEC. 726. SENSE OF CONGRESS RELATING TO SOVIET NUCLEAR TESTS IN KAZAKHSTAN.

(a) FINDINGS.—Congress finds the following:

(1) In 1991, immediately after achieving independence, Kazakhstan closed and sealed the world’s second largest nuclear test site in Semipalatinsk which had been inherited from the former Soviet Union and at which more than 500 nuclear tests had been conducted from 1949 to 1991.

(2) The cumulative power of explosions from those tests, conducted above ground, on the ground, and underground is believed to be equal to the power of 20,000 explosions of the type of bomb dropped on Hiroshima, Japan, in 1945.

(3) More than 1,500,000 people in Kazakhstan suffered because of decades of Soviet nuclear weapons testing in the region.

(4) A horrifying array of disease will continue to destroy the lives of hundreds of thousands and
their descendants for many generations to come as a result of these tests.

(5) Since its independence, Kazakhstan has constructed a stable and peaceful state, voluntarily disarmed the world’s fourth largest nuclear arsenal, joined the Strategic Arms Reduction Treaty (START), and became an example of responsible nonproliferation of such weapons.

(6) Kazakhstan is also doing its best to help those who were exposed to the horrific nuclear experiments of the 20th century but it faces daunting challenges.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should work to establish a joint working group with the Government of Kazakhstan to assist in assessing the environmental damage and health effects caused by Soviet nuclear testing in Semipalatinsk.
Amendment offered by Ms. Ros-Lehtinen

to H.R. 1298

Section 405 (a)

Page 68, line 4, strike “biannually thereafter” and insert “semi-annually thereafter through September 20, 2005.”
Page 56, after line 8, insert the following (and conform the table of contents accordingly):

1 SEC. 256. PUBLIC SAFETY AWARENESS IN STUDY ABROAD PROGRAMS.
2
3 With respect to the Department of State’s support for study abroad programs, Congress—
4
5 (1) encourages the Bureau of Educational and Cultural Affairs to support public safety awareness activities as part of such programs; and
6
7 (2) encourages the Bureau to continue supporting such activities and urges special attention to public safety issues, including road safety.
Amendment offered by Mr. Engel

to H.R. 1298

On page 18, line 20 and on page 18, line 21, strike "$5,000,000" and insert "$3,000,000".
Offered by Rep. Ros Lehtinen

Section 604, new (4), "discourage incitement to discrimination, hostility, or violence, based on nationality, race, or religion, as described in article 20, section 2 of the International Covenant on Civil and Political Rights, and develop a strategy to respond to it.

Section 605 © (2), strike all and insert "In consultation with appropriate agencies of the United States Government and national and international organizations, monitoring and assessing the status of free media and government controlled sources of info, including for incitement of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence, as described in article 20 of the International Covenant on Civil and Political Rights"

Section 605 © (4), after "media", insert "and government controlled sources of information"

Section 605 © (8), at the end, insert, "and incitement to acts of discrimination" [or "and matters referred to in Section 1347 of this Act"

Section 605 (d) (7), after "media", insert "and government controlled sources of information"

Section 605, new
(f) DETERMINATION- "The Coordinator shall determine, and annually report to the appropriate Congressional Committees, whether there is a pattern of government-controlled information that constitutes incitement as described in article 20 of the International Covenant on Civil and Political Rights, and that endangers U.S. citizens or nationals, impairs relations between the United States and the foreign government, incites hostility against the United States among the people of a foreign country, or constitutes incitement to national, racial or religious discrimination, hostility or violence, the Coordinator shall specify governments engaged in such practices and examples of such incitement and propaganda.

Section 605 (f), becomes new (g)
AMENDMENT TO H.R. 1950
OFFERED BY MR. LANTOS

Page 118, after line 2, insert the following new section:

1 SEC. 541. PROHIBITION ON ELIMINATION OF INTERNATIONAL BROADCASTING IN EASTERN EUROPE.

During the 2 year period beginning on the date of the enactment of this Act, the Broadcasting Board of Governors may not eliminate foreign language broadcasting in any of the following languages: Bulgarian, Czech, Estonian, Hungarian, Latvian, Lithuanian, Georgian, Polish, Slovene, Slovak, Romanian, Croatian, Armenian, and Ukrainian.
AMENDMENT TO H.R. 1950
OFFERED BY MS. MCCOLLUM

Page 154, after line 12, insert the following:

SEC. 726. SENSE OF CONGRESS RELATING TO VIOLENCE AGAINST WOMEN.

The Congress—

(1) recalls that Article 4 of the United Nations Declaration on the Elimination of Violence Against Women (20 December 1993) outlines that states should condemn violence against women and should not invoke any custom, tradition, or religious consideration to avoid their obligations with respect to its elimination;

(2) recalls that Chapter 4, Section 125, of the Beijing Declaration and Platform for Action, Fourth World Conference on Women (15 September 1995) states that governments condemn violence against women and refrain from invoking any custom, tradition, or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;

(3) recalls that the United States has supported both the United Nations Declaration on the Elimination of Violence Against Women and the Beijing Declaration and Platform for Action.

(4) recognizes that violence against women is a human rights violation and that all forms of violence against women are crimes.

(5) recognizes that violence against women is a serious problem that affects women and girls around the world and that it has a pervasive impact on their lives and the lives of their families and communities.

(6) recognizes that violence against women is a violation of women’s human rights and that it undermines their ability to participate fully in their families, communities, and societies.

SEC. 727. DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN.

The Congress—

(1) recognizes that violence against women is a human rights violation and that all forms of violence against women are crimes.

(2) recognizes that violence against women is a serious problem that affects women and girls around the world and that it has a pervasive impact on their lives and the lives of their families and communities.

(3) recognizes that violence against women is a violation of women’s human rights and that it undermines their ability to participate fully in their families, communities, and societies.

(4) recognizes that violence against women is a human rights violation and that all forms of violence against women are crimes.

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(15) recognizes that violence against women is a violation of women’s human rights and that it undermines their ability to participate fully in their families, communities, and societies.

(16) recognizes that violence against women is a human rights violation and that all forms of violence against women are crimes.

(17) recognizes that violence against women is a serious problem that affects women and girls around the world and that it has a pervasive impact on their lives and the lives of their families and communities.

(18) recognizes that violence against women is a violation of women’s human rights and that it undermines their ability to participate fully in their families, communities, and societies.
nation of Violence and the Beijing Declaration and 
Platform for Action; and 

(4) reinforces the position of the United States 
that the United States condemns violence against 
women and refrains from invoking any custom, tra-
dition, or religious consideration to avoid this na-
tion’s obligations with respect to its elimination as 
set out in the Declaration on the Elimination of Vio-
ience against Women.
AMENDMENT TO H.R. 1950
OFFERED BY MR. LANTOS

At the end of subtitle E of title XIII of division B, add the following (and conform the table of contents accordingly):

SEC. 1357. PROMOTING A SECURE AND DEMOCRATIC AFGHANISTAN.

(a) FINDINGS.—The Congress finds that—

(1) the United States has a vital interest in promoting Afghanistan’s transition from chaos, civil war, and disorder to an increasingly prosperous democratic state, safe and secure with its neighbors, respecting human rights, particularly the rights of women and girls, dedicated to the liberty, literacy, and enrichment of its citizens, and serving as a model for other countries;

(2) basic security in the major cities and along key transportation routes is critical to the reconstruction and development of Afghanistan, including fostering implementation of the Bonn Agreement, achieving progress towards a democratic and tolerant government, and encouraging international private investment;
(3) Afghanistan and its people remain under serious threat from terrorism, insurgency, widespread crime, banditry, intimidation, rape, and suppression of minorities and women, and other grave violations of human rights continue to occur, especially in areas that do not have a routine presence of international security personnel;

(4) lethal clashes continue between the private armies of warlords, attacks against Afghan civilians and officials and United States and international organization personnel are on the rise, and threats against civilians and whole villages not to cooperate with Americans or the central government are now routine;

(5) the growth, production, and trafficking of Afghan opium and its derivatives pose a serious threat to international peace and security and efforts toward reconstruction in Afghanistan;

(6) recruitment and training of the Afghan National Army and the Afghan National Police are seriously behind schedule and will not be at full strength for several years, leaving the central government and Afghan citizens vulnerable to the depredations of terrorists, insurgents, and the private armies of warlords;
(7) although the 4,500 soldiers of the International Security Assistance Force (ISAF) have provided much-needed security for the citizens of Kabul, it is not within their mandate or power to promote security to other areas, and human rights abuses are continuing in areas in and around Kabul where ISAF is not present;

(8) vastly disproportionate numbers of refugees returning from neighboring countries have gone to Kabul because of the security provided by ISAF and the insecurity of their home areas, overwhelming Kabul and far exceeding its capacity for shelter, food, and employment;

(9) NATO has recently decided to take over responsibility for a limited ISAF, a welcome development that will not, unfortunately, provide any additional security in Kabul or elsewhere;

(10) the United States has stated on numerous occasions that it does not oppose the expansion of ISAF, but that heretofore other countries have not expressed a willingness to participate in an expanded force;

(11) the United States has not itself demonstrated a commitment to expansion of ISAF or a similar international security or peacekeeping force,
a commitment to leadership that other nations may more likely follow;

(12) the Secretary of Defense has announced that the combat phase of the war in Afghanistan has ended, and that the United States will be focusing its efforts on a reconstruction phase utilizing lightly-armed, platoon-sized Provincial Reconstruction Teams to provide security for reconstruction efforts, rather than an expanded international peacekeeping or patrolling security force;

(13) the Provincial Reconstruction Teams may prove inadequate to provide a significant level of security to their regions, and are not tasked to secure the major transportation routes which are critical to the economic revival of Afghanistan;

(14) United States and foreign nongovernmental aid workers and Afghan civilian aid workers are at great risk of being robbed, beaten, and killed in areas of Afghanistan that are not being patrolled by United States forces or Afghan central government forces;

(15) such acts of theft, intimidation, and murder against foreign aid and Afghan civilian workers are occurring with increasing frequency, and are often deliberately committed by Taliban and other
insurgent and rebel forces with the intention of creating sufficient terror to undermine and arrest any efforts to rebuild Afghanistan into a peaceful, democratic, and prosperous nation that prohibits terrorism and tyranny;

(16) the report of the Inspector General of the United States Agency for International Development (USAID) confirms that USAID workers are virtual captives in their compounds, able to venture out into the countryside for brief periods and only under heavy armed escort, conditions which are counterproductive to their mission of assisting the people of Afghanistan;

(17) the Taliban and al-Qaeda may believe they only have to create enough terror and uncertainty in the country to undermine the creation of strong representative institutions, and wait until the United States leaves to again create chaos, exploit tribal rivalries, and plunge Afghanistan back into chaos;

(18) failure to secure a peaceful and democratic Afghanistan will diminish the credibility of efforts by the United States and the international community to promote peace and democracy elsewhere in the Muslim world; and
(19) unless general security can be provided in the major population areas, strategic highways, and border crossings and chokepoints, the goals for which the war in Afghanistan was fought may be lost and the efforts and lives spent in the attempt to liberate and rebuild Afghanistan may be wasted.

(b) SECURITY POLICY.—

(1) SECURITY ALONG HIGHWAYS.—The President shall take immediate steps to ensure that there is adequate security along the length of highways connecting major Afghan urban centers in order to terminate and deter acts of banditry, illegal checkpoints, human rights abuses, terrorism, and intimidation against Afghan and foreign civilians and military personnel.

(2) DISARMAMENT, ETC. OF AFGHAN MILITIAS.—The President shall take immediate steps to support directly the disarmament, demobilization, and reintegration of Afghan militias and irregulars that are not formally part of the Afghan National Army or under the direct control of the central government in Afghanistan.

(c) SENSE OF CONGRESS.—It is the sense of the Congress that the President should take steps to implement section 206(d) of the Afghanistan Freedom Support Act
of 2002 (Public Law 107–327) to expand significantly the
International Security Assistance Force, or take such
other steps as may be necessary, such as increasing the
number and force levels of United States Provincial Re-
construction Teams, so as to—

(1) increase the area in which security is pro-
vided and undertake vital tasks related to promoting
security, such as disarming warlords militias and
irregulars;

(2) deter criminal activity, including rape, rob-
bery, and intimidation of civilians; and

(3) safeguard highways in order to allow gov-
ernmental and nongovernmental assistance and re-
construction personnel to move more freely in the
countryside to provide humanitarian relief and re-
build Afghanistan.
SEC. 1357. IRAN’S PROGRAM TO DEVELOP A NUCLEAR EXPLOSIVE DEVICE.

(a) FINDINGS.—Congress finds the following:

(1) Iran, as a party to the Treaty on the Non-Proliferation of Nuclear Weapons, has legally forsworn developing or acquiring nuclear weapons.

(2) Iran has for more than a decade pursued a program aimed at the development of a nuclear explosive device.

(3) Director of Central Intelligence George Tenet has repeatedly warned of Iran’s clandestine efforts to acquire weapons of mass destruction, stating as recently as February 11, 2003, in testimony before Congress that “Iran is continuing to pursue development of a nuclear fuel cycle for civilian and nuclear weapons purposes . . . [and further that] Tehran may be able to indigenously produce enough fissile material for a nuclear weapon” within this decade.
(4) On March 17, 2003, Dr. el Baradei, Director General of the International Atomic Energy Agency (IAEA), called on Iran to agree to a more intrusive monitoring regime at its nuclear sites and demanded that Iran, which is a signatory to the Nuclear Non-Proliferation Treaty, agree to an “additional protocol” under the IAEA’s nuclear inspection rights, which would enable more intrusive monitoring.

(5) In early 2003 Iran announced plans to mine its own natural uranium and admitted constructing two nuclear facilities, one a gas centrifuge uranium enrichment facility and the other a heavy water production plant.

(6) A uranium enrichment facility would give Iran the capability to indigenously produce nuclear-weapons grade uranium. Further, heavy water is used in reactors that not only produce weapons-grade plutonium, but also tritium, a key ingredient in boosted-fission weapons.

(7) At the same time, Iran has been developing long-range missiles that could deliver nuclear explosive devices. Director of Central Intelligence Tenet has warned that Iran could flight test an intercontinental ballistic missile later this decade.
(8) Iran has received considerable assistance in its nuclear program and in its missile development program from the Russian Federation, the People's Republic of China, and North Korea.

(9) Congress has long been seized with finding ways to deter or delay Iran’s acquisition or development of such deadly weapons, including through the enactment of the Iran-Iraq Arms Non-Proliferation Act of 1992, the Iran Libya Sanctions Act of 1996, the Iran Non-Proliferation Act of 2000, and the Iran Nuclear Proliferation Prevention Act of 2002.

(10) Successive Administrations have similarly sought to deter or delay Iran’s acquisition or development of such weapons by such measures as elevating Iran’s proliferation behavior in bilateral relations with the Russian Federation and the People’s Republic of China, sanctioning entities of the Russian Federation providing technology or expertise to Iran’s nuclear and missile programs, and urging multilateral export control regimes to deny sensitive technology to proliferators like Iran.

(11) President Bush included Iran as one of the countries that comprise the “axis of evil” in his January 2002 State of the Union Address because of its efforts to develop weapons of mass destruction and
its support of international terrorism. Iran has been
the principle supporter and supplier to Hizballah in
southern Lebanon, Hamas, and Islamic Jihad. Fur-
ther, the leaders of Iran have publicly called for the
destruction of the State of Israel.

(12) A nuclear-armed Iran would pose a grave
threat to the national security of the United States
and to our allies in the region.

(b) STATEMENT OF POLICY.—Congress—

(1) finds that Iran’s support of terrorism and
its efforts to develop nuclear weapons are a grave
threat to the national security of the United States
and its allies and to the United States Armed
Forces;

(2) declares that the United States and our
friends and allies must make maximum efforts to
prevent Iran from developing or acquiring nuclear
weapons and the missiles to deliver them;

(3) urges the President to use all appropriate
means to prevent Iran from gaining such capabili-
ties;

(4) urges the International Atomic Energy
Agency (IAEA) to employ the full range of its in-
spection authorities to ensure that Iran’s nuclear
program is used for peaceful purposes only;
5

(5) encourages Iran to sign and ratify the new nuclear safeguards protocol, the “Model Additional Protocol (INFCIRC/540-Corr)” to the Treaty on the Non-Proliferation of Nuclear Weapons, which would demonstrate Iran’s commitment to sharing information about its nuclear program with the IAEA and the international community and to full disclosure and transparency about its nuclear program; and

(6) urges the United States resident representative to the IAEA to work with the Board of Governors of the IAEA on guidelines for early identification of noncompliance with the Nuclear Non-Proliferation Treaty.
Chairman HYDE. I would like to point out Mr. Lantos’ police training amendment modifies, but does not restrict, as listed in the description.

Is there any discussion? Mr. Lantos?

Mr. LANTOS. Mr. Chairman, I realize the timing is late. I will just take a minute. I do so only with respect to Afghanistan.

Last year you made a call. To my amazement, the Congress adopted by a vote of 400 an amendment I introduced concerning expanding security beyond Kabul to the whole of Afghanistan. This measure deals with this same issue.

I would like to take a moment to tell my colleagues what we are dealing with. The United States has a vital interest in promoting Afghanistan’s transition from chaos, civil war and disorder to an increasingly prosperous and hopefully democratic state, yet today Afghanistan remains under the threat of terrorism, insurgency, widespread crime, banditry, intimidation, rape, suppression of minorities and women and other grave violations of human rights, especially in areas that do not have the routine presence of U.S. or international security personnel.

Recruitment and training of the Afghan National Army is seriously behind schedule. Police training is almost non-existent. Disarmament and reintegration of militia has not begun. The International Security Assistance Force, soon to be taken over by NATO, and I am delighted with that, will not increase in size or capability nor operate outside Kabul.

Mr. Chairman, unless we address the security concerns immediately, Afghanistan will spiral downward into chaos and insecurity and again become a safe haven for terrorists. We cannot and must not allow this to happen.

Our measure on Afghanistan directs the President to ensure that there is adequate security along the length of major highways connecting major Afghan urban centers, to terminate and deter acts of banditry, illegal checkpoints, flagrant human rights abuses and terrorism and intimidation against both Afghan and foreign civilian and military personnel and to take immediate steps to support the disarmament, demobilization and reintegration of Afghan militias and irregulars. My amendment calls on the President to expand the International Security Assistance Force or take other steps as may be necessary to promote security in a wider area.

Mr. Chairman, in view of the fact that we are still just beginning to deal with the security situation in Iraq, it is important that we do not have a miserable example for our performance in Iraq in our performance in Afghanistan. We have run out of time. Afghanistan will be an example to the rest of the world; either one of democratic, peaceful and prosperous new democracy or confirmation in the minds of many of us that we talk the talk of commitment to democracy in the Muslim world, but it is little more than empty rhetoric.

When we helped liberate Afghanistan from the Taliban, it was one of our great victories, and many Afghans cheered us. Now they are demonstrating against us. We must do more or lose all credibility throughout the region.

I thank you for your commitment to this issue and for working with me on this critical measure. Thank you, Mr. Chairman.
Chairman HYDE. Thank you, Mr. Lantos.

If there is no further discussion or questions——

Mr. HOEFFEL. Mr. Chairman?

Chairman HYDE. Mr. Hoeffel?

Mr. HOEFFEL. Thank you, Mr. Chairman. I simply want to com-
pliment Mr. Lantos for a commitment to stronger peace keeping in
Afghanistan. It is a scandal what is not happening in Afghanistan.
We are not providing, nor is the international community pro-
viding, the kind of security that country needs to flourish to allow
a return to the rule of law and to even think about promoting an
eventual building of democracy in Afghanistan.

About a year and a half ago a number of Pennsylvania Members
of Congress met with the President. I suggested to him when we
were talking about Afghanistan that we needed to do more with
peacekeeping, and he said quite forcefully well, we are fighters. We
are not peacekeepers. I think we need to be both.

We are seeing in Afghanistan what happens when we do not fol-
low through. After a tremendous military victory in Afghanistan,
we have not provided sufficient support for security outside of
Kabul to give President Karzai the support he needs to return the
rule of law to that country. It is a scandal. It is, as Mr. Lantos sug-
gests, a terrible example of what can go wrong. As we move toward
the need for better security in Iraq, we have not done the job in
Afghanistan.

I share Mr. Lantos’ excitement that NATO is willing to provide
for peacekeeping in Afghanistan, but they are not assuming a large
enough role, as the amendment points out, and we should urge the
President to urge NATO to do so.

We must act on this. I really applaud the gentleman for bringing
it up, and, of course, I will support his amendment. I yield back
my time.

Chairman HYDE. Is there any further discussion?

[No response.]

Chairman HYDE. If not, the question occurs on the en bloc
amendments. All those in favor say aye?

[Chorus of ayes.]

Chairman HYDE. Opposed, nay?

[No response.]

Chairman HYDE. The ayes have it. The en bloc amendments are
agreed to.

Mr. Paul of Texas?

Mr. PAUL. Thank you, Mr. Chairman. I have an amendment at
the desk.

[The amendment of Mr. Paul follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. PAUL

At the end of section 113 (relating to contributions to international organizations) insert the following new subsection:

(e) Prohibition on Funds for UNESCO.—Notwithstanding any other provision of this Act, none of the funds authorized to be appropriated by this section or any other provision of this Act is authorized to be appropriated or otherwise made available for the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

In section 402 (relating to the reentry of the United States in UNESCO) strike subsection (b).
Chairman Hyde. The clerk will report the amendment.

Ms. Rush. Amendment offered by Mr. Paul. At the end of section 113——

Mr. Paul. I ask unanimous consent that it be considered as read.

Chairman Hyde. Without objection, so ordered.

The gentleman is recognized for 5 minutes in support of his amendment.

Mr. Paul. Thank you, Mr. Chairman. Nineteen years ago, Ronald Reagan withdrew the United States from membership in UNESCO, and at the time he cited egregious financial mismanagement, blatant anti-Americanism and UNESCO’s anti-freedom policies.

Today, the U.N. has been under fairly constant attack by many Americans and by this Administration for its seemingly lack of cooperation with the problems dealing with Iraq, so it seems like it is an unusual time that in one sense we are attacking the United Nations and its policies. Now we are deciding to refund a program of questionable value that we have not been dealing with for 19 years.

UNESCO undermines American interests, values and sovereignties for several reasons. It meddles in the education affairs of its member countries and continues to attempt to construct a global school curriculum for American schools, including radical notions of the family and a bizarre sex education program. It has been fully supportive of the United Nations’ populations fund in its assistance to China’s brutal coercive population control programs, which include forced abortion.

UNESCO has designated 47 U.N. biosphere reserves in the United States, covering more than 70,000,000 acres without congressional consultation. This project has led to the confiscation of private lands and restrictions on the use of public lands.

UNESCO’s World Heritage Convention has allowed UNESCO to designate some of the most treasured American public monuments to be World Heritage sites. These include some of the most treasured sites like Independence Hall, Statue of Liberty, President Thomas Jefferson’s home and many others. It is UNESCO, not the United States, that develops the policies and the regulations that control these sites.

UNESCO effectively bypasses congressional authority to manage Federal lands, including in places like the Everglades, by establishing management policies without congressional consultation or approval. UNESCO in the past has promoted global tax on the internet and other global taxes.

UNESCO has also been on record as being not friendly toward the family. Since its founding, it has also shown a special and troubling interest in educating American children. They want to create not American citizens, but global citizens loyal to the United Nations.

Here are some quotes from UNESCO’s own statement publication toward world understanding. These are quotes:

“One of the chief aims of education today should be to prepare boys and girls to take an active part in the creation of a world society.”
"As long as the child breathes the poisoned air of nationalism, education and world mindedness can produce only rather precarious results. As we have pointed out, it is frequently the family that infects the child with extreme nationalism. The schools should, therefore, use the means described earlier to combat family attitudes that favor jingoism."

"The kindergarten or infant school has a significant part in a child's education. Not only can it correct many of the errors of home training, but it can prepare the child for membership in the world society."

UNESCO is also on record a few years back as not being friendly to a free press. A few years ago, UNESCO proposed a "new world information order" under which it sought to license and regulate journalists. I just cannot understand why at this particular time in our history we have to restate our support for these aims and the goals.

I am sure the opposition is going to point out all the wonderful things that UNESCO can and will be doing and that these statements are taken out of context, but they are written. They are real. We are talking about moving toward world government. When they talk about world taxes, the American people and especially the Congress ought to be alert, wake up to and know what is coming.

I ask my colleagues for support of this amendment, believing that this is not an appropriate time and is not an appropriate program, and it is time that we give serious consideration to protecting the sovereignty of this country.

I yield back.

Chairman HYDE. Mr. Lantos?

Mr. LANTOS. Thank you very much, Mr. Chairman. I listen with great interest to my colleague's comments, which contain a melange of asserted half-truths, former truths and items with which I find myself in agreement.

I think the gentleman from Texas is correct in saying that when President Reagan withdrew the United States from UNESCO membership he did the right thing. Most of us on this side—I presume all of us on this side—supported President Reagan because UNESCO at that period was in fact guilty of many horrendously inexcusable policies and statements, including attempted restrictions on the media that my colleague from Texas talked about. I want to recognize that many of the things that my friend talks about are historically accurate.

The reason I oppose Mr. Paul's amendment as emphatically as I possibly can is because many of us have been working for years behind the scenes with UNESCO leadership to correct those mistakes, and UNESCO to a very large extent, to an overwhelming extent, has done so. As a matter of fact, I want to pay tribute to President George Bush for making a powerful statement supporting Mr. Leach's and my initiative to have us rejoin UNESCO and for including $60,000,000 in the President's budget for funding our rejoining of UNESCO.

Now, many of the things that Mr. Paul talks about are difficult to deal with because if UNESCO designates Independence Hall as a World Heritage site I view that as a positive phenomenon. They have zero organizational, operational, management or any control.
This merely indicates that some of our historic sites or some of our scenic sites are so valuable, so important, so significant from an environmental point of view, from an aesthetic point of view, from a historic point of view, that the whole world should recognize them as unique places. I do not view these as negative phenomena.

I do not believe that UNESCO has black helicopters that basically run our lives. I do not believe that UNESCO basically is the secret government that runs society. I truly believe that to have the United States of America, which is subjected to some justified and some unjustified criticism for unilateralism, not participate in the one global educational, scientific and cultural organization after that organization has made heroic efforts to correct the mistakes of its own past and now satisfies the litmus test of the Bush Administration in 2003, to have the Congress reject the leadership the President has acknowledged in this matter and return to a historically irrelevant period of criticizing UNESCO activities which are no longer present, it in my humble judgment is absurd.

Now, I would also like to suggest that UNESCO reflects the globe as it is—good, bad, ugly, indifferent, inspiring, what have you. It will not change the climate of the world by itself. I have no such illusion. Not in my lifetime, not even in the lifetime of the youngest person in this room.

On balance, at the moment it is a constructive force, and for the United States of America not to spend 25 cents per person a year to participate in the work of an important international organization, the only one of global scope, I think would be criminal, so I urge all of my colleagues to reject the amendment.

Mr. LEACH. Mr. Chairman?
Chairman HYDE. Mr. Leach?
Mr. LEACH. I will be very brief. I certainly respect the gentleman from Texas' view, but I would just add a couple of things partly to the period of criticism.

When one says UNESCO did this or that, one has to be very careful about that because UNESCO as a policy making body acts under unanimity. What is the case is that members of UNESCO advocated certain what might be described as anti-freedom policies fighting with journalists, journalism codes of ethics, which we find an anathema to our Bill of Rights.

We were able to block those as a policy of UNESCO. Some members of UNESCO were critical of Israel, but UNESCO itself could not take a position in that direction because it operated under consensus.

Now we have a very interesting phenomenon. Do we as a country believe in empty chair diplomacy? How does the interest of the United States get represented when we refuse to attend? It is a very simple thing. If you believe in American sovereignty and protecting the American interest, you want to be represented.

As far as this particular time is concerned, given our activist role in the world, I would think this is a timely rather than untimely time to engage, and I think it is particularly interesting the idea of whether we want to raise the American flag or refuse to raise the American flag in the City of Paris. I think this is a good time to raise the stars and stripes.

Thank you.
Chairman Hyde. Is there any further discussion?

Mr. Menendez. Mr. Chairman?

Chairman Hyde. Mr. Menendez?

Mr. Menendez. Thank you, Mr. Chairman. Mr. Chairman, I seek recognition to oppose this amendment.

I think even the President has made the statement that he seeks to reengage in UNESCO and understands that it has been reformed sufficiently that this Administration is seeking to engage and understands the value of UNESCO.

I would be happy to yield to the Ranking Member for his further comments on this.

Mr. Lantos. I appreciate my friend for yielding.

When UNESCO was formed well over a half a century ago, we were at the conclusion of the Second World War. The founding motto of UNESCO went as follows:

"Wars begin in the minds of men, and it is the minds of men that the defenses of peace must first be constructed."

When UNESCO was founded at the conclusion of the Second World War, we viewed UNESCO as we viewed the World Health Organization, the Food and Agricultural Organization, a number of the subsidiary organizations of the U.N. system, as specific instruments for moving us toward a more civilized and less violent and less hate-filled world.

We certainly have had plenty of disappointments during this half a century period first because of the existence of the Soviet Union and the global communist system which we succeeded in defeating. Many thought, like Francis Fukuyama at the end of the Soviet Union's existence, that we have reached a point that can accurately be described as the end of history; that there is global acceptance of the notion that democracy and the market system are the proper mechanisms for people to organize their lives.

The events of international terrorism, the presence of weapons of mass destruction in the hands of totalitarian states, rogue states like Iraq, have taught us otherwise. We are living in a singularly turbulent period.

It was not too long ago that on the Floor I offered an amendment, you may recall, to denounce the Taliban regime in Afghanistan, which was in power, for destroying Buddhist statues which had been there for centuries in a mindless, hate-filled gesture against a religion they detested. These are the kinds of things that UNESCO ideally fights against. It fights for religious tolerance, acceptance of a variety of views on issues of all types, the recognition that there are certain common modalities of civilized behavior.

In the late 1970s/early 1980s, UNESCO profoundly got away from its original purposes, and that is why, as I indicated a minute ago, President Reagan had enormous bipartisan support in the United States and in the Congress. I do not recall if the gentleman was a Member of Congress at that time. I was, and I strongly supported President Reagan when he withdrew us from UNESCO. It was the right thing to do.

It was not an easy task for the decent members of UNESCO, and they covered the waterfront from New Zealand to Norway, to work meticulously, painfully to get rid of their appalling fiscal practices
and their appalling statements on a wide range of issues. The current Secretary General of UNESCO is a singular, distinguished, Japanese, intellectual scholar/historian who is doing an outstanding job in improving the organization.

I cannot speak for Mr. Leach. He will speak for himself. But I can say that when the amendment Mr. Leach with my support introduced last year, we were delighted that the body accepted our amendment and it became part of the legislation, and we were even more delighted that the Bush Administration embraced our proposal. George W. Bush is not particularly known as one who is passionately in front in fighting for international organizations. That is not his image. He changed that image at his U.N. speech by endorsing the re-entry of the United States into UNESCO.

If for no other reason, I am appealing to my Republican colleagues not to slap the President in the face by telling him that as he reaches out for an international institution with global membership that Congress does not tell the President he should not do so. The President deserves praise, recognition and commendation for his courageous leadership on this subject, and I hope that this body will overwhelmingly reject Mr. Paul’s amendment.

Mr. TANCREDO. Mr. Chairman?

Chairman HYDE. Mr. Tancredo?

Mr. TANCREDO. Mr. Chairman, I would like to yield some time to my colleague, Mr. Paul.

Mr. PAUL. Thank you for yielding.

I would like to point out that I believe the opponents of this amendment have been very objective, and I appreciate that because they did not in any way want to deny the problems that have existed in the past. I think that, as a matter of fact, has surprised me and intrigued me that you are willing to admit its many shortcomings of the past.

I think it boils down to one of two things—faith in government and faith in freedom. Most people realize I do not have a whole lot of confidence in government accomplishing the wonderful things I think we all want accomplished.

If you go back to the problems that we had in the early 1980s and the 1970s that you admit to, if you go back a little bit further it sort of tells you a little bit about the atmosphere that existed in the organization for a long time because the first Director General was Julian Huxley. Some may say well, he was a wonderful socialist and different things like that, they might argue, and a good internationalist, but he was also a great proponent of eugenics, so it really got off to a bad start, did not do well.

You concede that it was a bad organization in the early 1980s, and here we are really at odds in many ways with the United Nations at such an inappropriate time to recommit taxpayers’ dollars to an organization with such a poor record.

I would say that yes, let us seek some of these goals, but without the confidence in a bigger government, which is a world government organization, with the use of American taxpayers’ dollars to accomplish these wonderful things. I urge a yes vote for this amendment.

Mr. TANCREDO. I yield back the balance of my time.
Chairman Hyde. The question occurs on the amendment offered by Mr. Paul. All those in favor say aye?

[Chorus of ayes.]
Chairman Hyde. Opposed, nay?

[Chorus of noes.]
Mr. Paul. Mr. Chairman?
Chairman Hyde. Mr. Paul?
Mr. Paul. I ask for a recorded vote.
Chairman Hyde. The gentleman asks for a recorded vote. He shall have one.
The clerk will call the roll.
Ms. Rush. Mr. Leach?
Mr. Leach. No.
Ms. Rush. Mr. Leach votes no.
Mr. Bereuter?
[No response.]
Ms. Rush. Mr. Smith of New Jersey?
[No response.]
Ms. Rush. Mr. Burton?
[No response.]
Ms. Rush. Mr. Gallegly?
[No response.]
Ms. Rush. Ms. Ros-Lehtinen?
[No response.]
Ms. Rush. Mr. Ballenger?
Mr. Ballenger. Aye.
Ms. Rush. Mr. Ballenger votes yes.
Mr. Rohrabacher?
[No response.]
Ms. Rush. Mr. Royce?
Mr. Royce. Aye.
Ms. Rush. Mr. Royce votes yes.
Mr. King?
Mr. King. No.
Ms. Rush. Mr. King votes no.
Mr. Chabot?
Mr. Chabot. Yes.
Ms. Rush. Mr. Chabot votes yes.
Mr. Houghton?
[No response.]
Ms. Rush. Mr. McHugh?
[No response.]
Ms. Rush. Mr. Tancredo?
Mr. Tancredo. Yes.
Ms. Rush. Mr. Tancredo votes yes.
Mr. Paul?
Mr. Paul. Yes.
Ms. Rush. Mr. Paul votes yes.
Mr. Smith of Michigan?
[No response.]
Ms. Rush. Mr. Pitts?
Mr. Pitts. No.
Ms. Rush. Mr. Pitts votes no.
Mr. Flake?
Mr. Flake. Yes.
Ms. Rush. Mr. Flake votes yes.
Mrs. Davis?
Mrs. Davis. Yes.
Ms. Rush. Mrs. Davis votes yes.
Mr. Green?
Mr. Green. No.
Ms. Rush. Mr. Green votes no.
Mr. Weller?
Mr. Weller. No.
Ms. Rush. Mr. Weller votes no.
Mr. Pence?
Mr. Pence. No.
Ms. Rush. Mr. Pence votes no.
Mr. McCotter?
Mr. McCotter. Yes.
Ms. Rush. Mr. McCotter votes yes.
Mr. Janklow?
[No response.]
Ms. Rush. Ms. Harris?
Ms. Harris. No.
Ms. Rush. Ms. Harris votes no.
Mr. Lantos?
Mr. Lantos. No.
Ms. Rush. Mr. Lantos votes no.
Mr. Berman?
Mr. Berman. No.
Ms. Rush. Mr. Berman votes no.
Mr. Ackerman?
Mr. Ackerman. No.
Ms. Rush. Mr. Ackerman votes no.
Mr. Faleomavaega?
[No response.]
Ms. Rush. Mr. Payne?
[No response.]
Ms. Rush. Mr. Menendez?
[No response.]
Ms. Rush. Mr. Brown?
Mr. Brown. No.
Ms. Rush. Mr. Brown votes no.
Mr. Sherman?
Mr. Sherman. No.
Ms. Rush. Mr. Sherman votes no.
Mr. Wexler?
[No response.]
Ms. Rush. Mr. Engel?
Mr. Engel. No.
Ms. Rush. Mr. Engel votes no.
Mr. Delahunt?
Mr. Delahunt. No.
Ms. Rush. Mr. Delahunt votes no.
Mr. Meeks?
[No response.]
Ms. Rush. Ms. Lee?
Ms. LEE. No.
Ms. RUSH. Ms. Lee votes no.
Mr. Crowley?
Mr. CROWLEY. No.
Ms. RUSH. Mr. Crowley votes no.
Mr. Hoeffel?
Mr. Hoeffel. No.
Ms. RUSH. Mr. Hoeffel votes no.
Mr. Blumenauer?
[No response.]
Ms. RUSH. Ms. Berkley?
[No response.]
Ms. RUSH. Ms. Napolitano?
Ms. NAPOLITANO. No.
Ms. RUSH. Ms. Napolitano votes no.
Mr. Schiff?
[No response.]
Ms. RUSH. Ms. Watson?
[No response.]
Ms. RUSH. Mr. Smith of Washington?
[No response.]
Ms. RUSH. Ms. McCollum?
Ms. McCollum. No.
Ms. RUSH. Ms. McCollum votes no.
Mr. Bell?
Mr. Bell. No.
Ms. RUSH. Mr. Bell votes no.
Chairman Hyde?
Chairman HYDE. Yes.
Ms. RUSH. Chairman Hyde votes yes.
Mr. Smith of Washington?
Mr. Smith of Washington. Mr. Chairman?
Chairman HYDE. Mr. Smith of Washington?
Mr. Smith of Washington. I am not recorded. I vote no.
Ms. RUSH. Mr. Smith of Washington votes no.
Chairman HYDE. Mr. Blumenauer?
Mr. Blumenauer. I vote no.
Ms. RUSH. Mr. Blumenauer votes no.
Chairman HYDE. Mr. Menendez?
Mr. Menendez. I vote no.
Ms. RUSH. Mr. Menendez votes no.
Chairman HYDE. Mr. Gallegly?
Mr. Gallegly. Aye.
Ms. RUSH. Mr. Gallegly votes yes.
Chairman HYDE. Mr. Houghton?
Mr. Houghton. No.
Ms. RUSH. Mr. Houghton votes no.
Chairman HYDE. Mr. McHugh?
Mr. McHugh. Yes.
Ms. RUSH. Mr. McHugh votes yes.
Chairman HYDE. Mr. Wexler?
Mr. Wexler. No.
Chairman HYDE. Mr. Burton?
Mr. Burton. Pass.
Chairman HYDE. Mr. Rohrabacher?
Ms. RUSH. Did he say pass?
Mr. ROHRABACHER. I vote yes, I think.
Chairman HYDE. A qualified yes.
Mr. Burton?
Mr. BURTON. I vote yes.
Chairman HYDE. Mr. Burton votes yes.
Have all voted who wish?
[No response.]
Chairman HYDE. The clerk will announce the rollcall.
Mr. Smith?
Mr. SMITH. Aye.
Chairman HYDE. Votes aye.
Mr. Payne?
Ms. RUSH. You are not recorded. Mr. Payne is not recorded.
Mr. PAYNE. No.
Ms. RUSH. Mr. Payne votes no.
Chairman HYDE. All right. The clerk will report.
Ms. RUSH. Mr. Chairman, on this vote there are 14 ayes and 26 noes.
Chairman HYDE. And the amendment is not agreed to.
Mr. Menendez?
Mr. MENENDEZ. Thank you, Mr. Chairman. Mr. Chairman, I have an amendment at the desk, No. 3.
[The amendment of Mr. Menendez follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. MENENDEZ

Page 197, after line 24, insert the following (and conform the table of contents accordingly):

SEC. 1357. ASSISTANCE TO TAMIL NADU.

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

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

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

(3) The Tamil Nadu Electricity Board now owes these United States companies in excess of $150,000,000 in arrearages despite repeated assurances by the Government of Tamil Nadu that the situation would be resolved.
(4) All of the projects are in a technical state of default on the principal of their loans and none of the United States companies is making a return on their equity.

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

Ms. Rush. Amendment offered by Mr. Menendez. Page 197, after line 24 insert the following——

Chairman Hyde. Without objection, further reading of the amendment is dispensed with, and the gentleman from New Jersey is recognized for 5 minutes.

Mr. Menendez. Thank you, Mr. Chairman.

Mr. Chairman, this amendment seeks to address an unfortunate situation that has arisen in the State of Tamil Nadu, India, and involves several American companies doing business there.

Essentially seeking to provide additional electrical generating capacity, the Tamil Nadu Government sought to induce foreign companies to design and build power plants there. Several American companies accepted this proposition and constructed four projects that generate approximately 800 megawatts of electricity.

Each entered into a long-term contract for the purchase of the electricity generated with the Tamil Nadu Government at an agreed upon price. After getting these plants on line, after this inducement to create these opportunities for the people of Tamil Nadu, the Tamil Nadu Government then began a systematic underpayment of each of the contract terms and in one case ceased all payments.

Chairman Hyde. Would the gentleman yield?

Mr. Menendez. Yes.

Chairman Hyde. I understand both the author, Mr. Menendez, and Mr. Smith of New Jersey have a strong interest in insuring that United States companies based in New Jersey are compensated for work they have done in the Indian State of Tamil Nadu.

I am sympathetic to their case, but I would rather this be handled without legislative action at this time, and I would ask Mr. Menendez to withdraw his amendment with the understanding that if progress is not being made in making these companies whole, you may wish to revisit this issue when the bill comes to the House Floor in June.

Mr. Menendez. Mr. Chairman, if I may have 1 more minute, I would be happy to accede to the Chairman's request.

Chairman Hyde. I thank the gentleman, and I assume you are withdrawing the amendment.

Mr. Menendez. If I may have 1 more minute on the amendment before I withdraw it?

Chairman Hyde. You may.

Mr. Menendez. I appreciate the Chairman's efforts. Right now these companies are owed approximately $150,000,000, and there has been no movement whatsoever.

Now, I and many others consider ourselves strong friends and allies of India, but we cannot have a set of circumstances where American investment takes abroad, American companies meet their obligations, and then they are in essence shortchanged in every way without any actions on their own. Even the Indian Parliament has indicated the necessity of getting these companies paid and the necessity of the difficulties that exist in getting additional investment into the country for such infrastructure.
The Indian Government has reached out to us through their representatives. I hope that the presentations that they have made from the Federal level to go work on this so that future investments can take place in India will in fact take place, Mr. Chairman.

With the understanding that I will reserve the right to offer this hopefully with Mr. Smith on the Floor should we not have significant process that we expect, I would be happy, before I withdraw it, to recognize Mr. Crowley on my time and then withdraw the amendment.

Mr. CROWLEY. I thank the gentleman.

I want to thank my friend from New Jersey and make the Members aware of the conversation that I have had with the Indian Embassy regarding the situation. The Embassy has informed me that the Indian Foreign Minister has been trying to resolve the situation with the state Government of Tamil Nadu.

I have received assurances that the Government of India is using all of its influences over the state to see that the State of Tamil Nadu pays these American companies back. I cannot say for certain when this will be done, but from what I have been told they foresee it in the near future.

I look forward to working with Mr. Menendez on this issue to see if these companies are paid the money that they are owed, and I yield back to him.

Mr. MENENDEZ. I thank the gentleman. This has been going on for some time, so we are going to need some significant progress, but with that, Mr. Chairman, I ask unanimous consent to withdraw the amendment.

Chairman HYDE. Thank you. Without objection. Thanks for your cooperation.

Mr. Menendez?

Mr. MENENDEZ. Mr. Chairman, I have an amendment at the desk, No. 2.

[The amendment of Mr. Menendez follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. MENENDEZ

Page 215, after line 6, add the following (and conform the table of contents accordingly):

TITLE XV—SOCIAL INVESTMENT
FUND FOR THE AMERICAS
ACT OF 2003

SEC. 1501. SHORT TITLE.
This title may be cited as the “Social Investment Fund for the Americas Act of 2003”.

SEC. 1502. STATEMENT OF POLICY.
Congress declares the following:

(1) The historic economic, political, cultural, and geographic relationships among the countries of the Western Hemisphere are unique and of continuing special significance.

(2) Following the historic Summits of the Americas—the 1994 Summit in Miami, the 1998 Summit in Santiago, Chile, and the 2001 Quebec City Summit—the heads of state of the countries of the Western Hemisphere accepted the formidable challenge of economic and social integration.

(3) The interests of the countries of the Western Hemisphere are more interrelated than ever, and
sound economic, social, and democratic progress in each of the countries continues to be of importance to all countries, and lack of it in any country may have serious repercussions in others.

(4) For the peoples of the Americas to make progress toward these goals within the framework of social justice, respect for human rights, political democracy, and market-oriented economies, there is a compelling need for the achievement of social and economic advancement and the consolidation of political democracy and the rule of law adequate to meet the legitimate aspirations of all of the individual citizens of the countries of the Americas for an adequate standard of living.

(5) The challenge of achieving economic integration between one of the world’s most developed economies and some of the poorest and most vulnerable countries requires a special effort to promote social equality, develop skills, and build an infrastructure to enable the poorer countries and citizens of all of the Americas to derive full benefits from economic integration.

(6) The prosperity, security, and well-being of the United States is linked directly to peace, prosperity, and democracy in the Americas and ensuring
that all of the peoples of the Americas benefit from international trade and investment arrangements.

(7) Democratic values are dominant throughout the Americas and nearly all governments in the region have come to power through democratic elections.

(8) Nonetheless, existing democratic governments and their supporting institutions remain fragile and face critical challenges, including, in particular, the effective democratic civilian authority over these institutions, including the military, the consolidation or establishment of independent judicial institutions and of the rule of law, the elimination of corruption, and where appropriate, the decentralization of government.

(9) In adherence to free market principles, it is essential to promote economic growth with equity-enlarging employment and decisionmaking opportunities and the provision of basic social services for traditionally marginalized groups, such as indigenous minorities, women, and the poor, to protect and promote workers rights to organize and collective bargaining, and to achieve greater efficiency and transparency in the provision of government services.
(10) The Summit of the Americas has directly charged the multilateral institutions of the Americas, including the Organization of American States (OAS), the Inter-American Development Bank (IADB), and the new Inter-American Agency for Cooperation and Development with mobilizing private-public sector partnerships among industry and civil society to help achieve equitable development objectives.

(11) By supporting the purposes and objectives of sustainable development and applying such purposes and objectives to the Americas, a Social Investment Fund for the Americas can advance the national interests of the United States and can directly improve the lives of the poor, encourage broad-based economic growth while protecting the environment, build human capital and knowledge, support meaningful participation in democracy, and promote peace and justice in the Americas.

SEC. 1503. AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961.

Part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following:
CHAPTER 13—SOCIAL INVESTMENT FUND FOR THE AMERICAS

SEC. 499H. AUTHORIZATION OF ASSISTANCE.

(a) In general.—The President, acting through the Administrator of the United States Agency for International Development, shall provide assistance to reduce poverty and foster increased economic opportunity in the countries of the Western Hemisphere by improving access to, and quality of, education, health care, housing, land, and credit, in particular for small- and medium-size enterprises. Assistance under this chapter should be directed through public-private partnerships and microenterprises to the extent practicable.

(b) Terms and conditions.—Assistance under this chapter may be provided on such other terms and conditions as the President may determine.

SEC. 499I. TECHNICAL REVIEW COMMITTEE.

(a) In general.—There is established within the United States Agency for International Development a technical review committee.

(b) Membership.—The President, by and with the advice and consent of the Senate, shall appoint to serve on the technical review committee—
“(1) individuals with technical expertise with respect to the development of Latin America and the Caribbean;

“(2) representatives of local and international nongovernmental organizations with relevant technical expertise; and

“(3) citizens of the United States with technical expertise with respect to development projects and business experience.

Technical expertise shall be the sole criterion in making appointments to the technical review committee.

“(c) DUTIES.—The technical review committee shall review all projects proposed for funding using assistance provided under section 499H(a), and make recommendations to the President with respect to the guidelines to be used in evaluating project proposals and the suitability of the proposed projects for funding.

“(d) CONFLICTS OF INTEREST.—A member of the technical review committee shall not be permitted to review an application submitted by an organization with which the member has been or is affiliated.

“SEC. 499J. REPORT.

“The President shall prepare and transmit to Congress an annual report on the specific programs, projects, and activities carried out under this chapter during the
preceding year, including an evaluation of the results of such programs, projects, and activities.

“SEC. 499K. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this chapter $150,000,000 for each of the fiscal years 2004 through 2009. Amounts appropriated pursuant to the authorization of appropriations under the preceding sentence may be referred to as the ‘United States Social Investment Fund for the Americas’.

“(b) LIMITATION.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) may not be used for administrative expenses in carrying out this chapter.

“(c) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.”.

SEC. 1504. AMENDMENT TO THE INTER-AMERICAN DEVELOPMENT BANK ACT.

The Inter-American Development Bank Act (22 U.S.C. 283–283z-10) is amended by adding at the end the following:

“SEC. 39. SOCIAL INVESTMENT FUND FOR THE AMERICAS.

“(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at the
Bank to use the voice, vote, and influence of the United States to urge the Bank to establish an account to be known as the ‘Social Investment Fund for the Americas’ (in this section referred to as the ‘Fund’), which is to be operated and administered by the Board of Executive Directors of the Bank consistent with subsection (b). The United States Governor of the Bank may vote for a resolution transmitted by the Board of Executive Directors which provides for the establishment of such an account, and the operation and administration of the account consistent with subsection (b).

“(b) GOVERNING RULES.—

“(1) USE OF FUNDS.—The Fund shall be used to provide assistance to reduce poverty and foster increased economic opportunity in the countries of the Western Hemisphere by improving access to, and quality of, education, health care, housing, land, and credit, in particular for small- and medium-size enterprises, including, to the extent practicable, through encouragement of public-private partnerships and microenterprises.

“(2) APPLICATION FOR FUNDING THROUGH A COMPETITIVE PROCESS.—Any interested person or organization may submit an application for funding by the Fund.
“(3) TECHNICAL REVIEW COMMITTEE.—

“(A) IN GENERAL.—The Fund shall have a technical review committee.

“(B) MEMBERSHIP.—The Board of Executive Directors of the Bank shall appoint to serve on the technical review committee—

“(i) citizens of countries in Latin America and the Caribbean with technical expertise with respect to the development of Latin America and the Caribbean;

“(ii) representatives of local and international nongovernmental organizations with relevant technical expertise; and

“(iii) citizens of the United States with technical expertise with respect to development projects and business experience. Technical expertise shall be the sole criterion in making appointments to the technical review committee.

“(C) DUTIES.—The technical review committee shall review all projects proposed for funding by the Fund, and make recommendations to the Board of Executive Directors of the Bank with respect to the guidelines to be used
in evaluating project proposals and the suitability of the proposed projects for funding.

“(D) CONFLICTS OF INTEREST.—A member of the technical review committee shall not be permitted to review an application submitted by an organization with which the member has been or is affiliated.

“(4) REVIEW OF PROPOSED PROJECTS.—Not more frequently than annually, the Board of Executive Directors of the Bank shall review and make decisions on applications for projects to be funded by the Fund, in accordance with procedures which provide for transparency. The Board of Executive Directors shall provide advance notice to all interested parties of any date on which such a review will be conducted.

“(c) CONTRIBUTION AUTHORITY.—To the extent and in the amounts provided in advance in appropriations Acts, the United States Governor of the Bank may contribute to the Fund $500,000,000.

“(d) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—For the contribution authorized by subsection (c), there are authorized to be appropriated for payment by the Secretary of the
Treasury $100,000,000 for each of the 5 fiscal years beginning with the fiscal year in which the resolution described in subsection (a) is adopted.

“(2) LIMITATION.—Amounts appropriated pursuant to paragraph (1) may not be used for administrative expenses.

“(3) AVAILABILITY.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.”.

SEC. 1505. SENSE OF CONGRESS.

It is the sense of Congress that the countries of the Western Hemisphere should collectively provide assistance equal to the amount of United States bilateral assistance provided under chapter 13 of part I of the Foreign Assistance Act of 1961 (as added by section 1503(a) of this title) and multilateral assistance provided by the Social Investment Fund for the Americas under section 39 of the Inter-American Development Bank Act (as added by section 1504 of this title) for the same purpose for which such assistance was provided.
Chairman Hyde. The clerk will designate the amendment.

Ms. RUSH. Amendment offered by Mr. Menendez. Page 215, after line 6 add the following and conform the table's contents accordingly. Title 16——

Chairman Hyde. Without objection, further reading of the amendment is dispensed with.

The gentleman is recognized for 5 minutes in support of his amendment.

Mr. MENENDEZ. Thank you, Mr. Chairman.

Mr. Chairman, this amendment, which I hope to work with the Chair on, as well as the representations made to me by my colleague and friend, the Chair of the Western Hemisphere Subcommittee.

I will seek to withdraw it in a moment, but this amendment is based simply on a few propositions that it is in essence to pursue our interest in Latin America, but in a way that is meaningful, when we made a commitment as we did in Central America during the 1980s to fight the spread of communism, spending billions of dollars. We need to follow through on that commitment with foreign policy engagement that both reinforces and strengthens that commitment and our policies.

What we simply seek to do in this amendment and in these efforts is something we have been working on for quite some time here on the Committee; is in essence to create a social investment fund for the Americas. We understand that trade is incredibly important, but trade alone will not resolve the problem when we have 40 percent of the hemisphere's population below the poverty level.

Continuously we shortchange this part of the world in our foreign assistance and in our development funds, and we find ourselves that this is an area of the world in which we have so many immediate concerns.

My colleagues who are concerned about undocumented immigration to this country should look to stabilize those countries and help develop markets. We would sell more products and services to those markets to the growing middle class. We would have less health consequences right here in our own country if we were dealing with some of these issues. We would also have less energy problems.

There is a whole host of reasons why in fact we should make a major investment in Latin America, and we consistently shortchange it in our efforts. This is an effort to create at least a floor of investment that matches and helps trade be realized, and we look forward to an opportunity, Mr Chairman, that I believe we will have to have a separate discussion, debate and markup on this amendment.

I would like to yield to my colleague, Mr. Ballenger, who asked me to pursue this course of action in terms of withdrawing this amendment, and I hope that we will be able to have the markups that he talked about.

Mr. BALLenger. I thank the gentleman for yielding, and I commend the gentleman from New Jersey for his initiative. He has been a tireless advocate for the Western Hemisphere, and it has been my privilege to have him serve as the Ranking Member of the Western Hemisphere Subcommittee.
I agree with him that we need to do more to help our neighbors in the Western Hemisphere. I will schedule an early hearing to review this proposal to create a social investment fund for the Americas. I'll also schedule a markup of a bill to create that fund of the Americas. I'll work with the gentlemen from New Jersey to ensure its passage.

Mr. DELAHUNT. Would my friend from New Jersey yield me some time?

Mr. MENENDEZ. I would be happy to yield to Mr. Delahunt.

Mr. DELAHUNT. I really want to commend Mr. Menendez. I mean, he has persevered and persisted in this particular concept. He has truly been a visionary, and it comes at a particularly critical moment in time.

As I indicated, it is my own assessment that the situation in Latin America is critical. In fact, reading through the testimony of the Secretary Designate for the Western Hemisphere, Mr. Noriega, he concurs with that. I just want to quote what he said:

“Mr. Chairman, any successful strategy must be based on the realistic appraisal that today the hemisphere is in trouble. Current growth rates are inadequate to generate sufficient jobs for growing populations, let alone address chronic poverty. In some countries, these factors have combined to produce violent outbursts, which relatively weak institutions or governments are hard pressed to control. What are our objectives in the Americas? We want a thriving partner with democratic, stable and prosperous economies and political systems.”

It is about time we moved in that direction. It is long overdue. What we do not want to see occur is a hemisphere that is imploding, and at some later date we are discussing the reconstruction, not just of Iraq and Afghanistan, but myriad countries in this hemisphere.

This particular proposal really deserves our full attention and support, and I yield back and congratulate the Ranking Member.

Chairman HYDE. Is there further discussion?

Mr. LANTOS. Mr. Chairman?

Chairman HYDE. Mr. Lantos?

Mr. LANTOS. Thank you, Mr. Chairman. I will just take a minute.

First I want to commend my friend, Bob Menendez, for a carefully thought through proposal. I want to commend my good friend, Mr. Ballenger, for his longstanding and similarly impressive work in the hemisphere, as well as Mr. Delahunt.

I think the Administration would be well advised to recognize that this Committee is very serious about this proposal. We intend to move on it, and we would like to do so in harmony with the Administration.

Thank you, Mr. Chairman.

Chairman HYDE. Is there further discussion?

Mr. PAYNE. Mr. Chairman?

Chairman HYDE. Who seeks recognition?

Mr. PAYNE. The gentleman from New Jersey.

Chairman HYDE. Mr. Payne?

Mr. PAYNE. The other gentleman from New Jersey.
Chairman HYDE. Right.
Mr. PAYNE. Let me just say that I would like to commend my colleague, Mr. Menendez, also and for Mr. Ballenger's interest in pursuing this.
I think that this hemisphere has lost interest and prominence. I recall we had the Alliance of the Americas in the 1960s, and we had a series of programs that through the decades have had a focus on Central and Latin America, but we have seen a lot of that go away. The Caribbean is here, South America, Central America, and I would hope that we could work toward having a real serious focus.
I ran into Mr. Ballenger and his delegates in the codel in the Dominican Republic. They have problems. Problems abound. As we move to free trade areas in certain parts of Central America we need to be sure that our friends in the Dominican Republic are not left out. We might want to look at the locking, staging somehow of including the D.R. in some of the new free trade for the Americas.
I look forward as a Member of the Committee to also working with the Chairman and the Ranking Member. With that, I yield back. Thank you.
Chairman HYDE. Would the gentleman execute his pledge of withdrawing this amendment?
Mr. MENENDEZ. Yes. Mr. Chairman, I would be happy to. I ask unanimous consent to withdraw the amendment.
Chairman HYDE. Without objection, so ordered. The amendment is withdrawn.
We have one more amendment, and we have about 25 minutes before another vote, so again expedition is the word.
Mr. Menendez?
Mr. MENENDEZ. Mr. Chairman, I have an amendment at the desk.
[The amendment of Mr. Menendez follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. MENENDEZ OF NEW JERSEY

Page 154, after line 12, insert the following section:

SEC. 726. SENSE OF CONGRESS REGARDING MIGRATION ISSUES BETWEEN THE UNITED STATES AND MEXICO.

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

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

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

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

(4) When the Presidents met in Monterrey, Mexico, the Presidents stated in a Joint Statement on March 22, 2002, as follows: “Slightly more than one year ago, in Guanajuato, we talked about migration as one of the major ties that join our societies. We launched then the frankest and most productive dialogue our countries have ever had on this important and challenging subject. Those talks have continued over the past year, and have yielded a clearer assessment of the scope and nature of this issue. This bond between our nations can render countless benefits to our respective economies and families.”.
(5) Over the past year, important progress has been made to enhance migrant safety and particularly in saving lives by discouraging and reducing illegal crossings in dangerous terrain.

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

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

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

(1) the United States and Mexico should, as soon as is practicable, conclude a migration accord that is as comprehensive as possible and which ad-
dresses the key issues of concern for both nations; and

(2) the Bush Administration should submit to Congress, as soon as is practicable, legislation based on such a concluded migration accord that would encourage new and realistic approaches to migration to ensure it is safe, orderly, legal, and dignified, including: matching willing workers with willing employers, serving the social and economic needs of both countries, respecting the human dignity of all migrants regardless of their status, recognizing the contribution migrants make to enriching both societies, and shared responsibility for ensuring migration takes place through safe and legal channels.
Chairman HYDE. The clerk will report the amendment.

Ms. RUSH. Amendment offered by Mr. Menendez. Page 154, after line 12 insert the following——

Chairman HYDE. Without objection, further reading is dispensed with.

Mr. Menendez is recognized for 5 minutes in support of his amendment.

Mr. MENENDEZ. Thank you, Mr. Chairman. This is an amendment that I do not intend to withdraw, so I want Members to know that I seek to ask for a vote on it.

This is in essence an expression of the sense of the Congress regarding migration issues between the United States and Mexico. In February 2001, the first Bush Administration/Fox Administration joint communique stated that both sides sought to “constructively address migration and labor issues between our two countries.” More than 2 years have passed, and I believe the time has come for action.

This amendment is a straightforward proposition. It simply asks that we address the reality on our borders, both the United States and Mexico. We have established a very long record of rhetoric on this matter in a series of joint statements. Now the time has come to match our rhetoric with that reality, to match that rhetoric with results.

First, we ask that the United States and Mexico, as soon as is practicable, conclude a migration accord that is as comprehensive as possible and which addresses the key issues of concern for both nations.

Second, we ask the Bush Administration to send Congress, as soon as is practicable, legislation based on such a concluded migration accord that would encourage new and realistic approaches to migration to ensure it is safe, orderly, legal and dignified, including matching willing workers with willing employers, serving the social and economic needs of both countries, respecting the human dignity of all migrants regardless of their status, recognizing the contribution migrants make to enriching both societies and shared responsibility for ensuring migration takes place through safe and legal channels.

When President Fox visited the United States in September 2001, the two Presidents renewed their commitment to “continue our discussions instructing the high level working group to reach mutually satisfactory results on border safety, a temporary worker program and the status of undocumented Mexicans in the United States.” Let me repeat that later statement. It said that we should reach mutually satisfactory results on border safety, a temporary worker program and the status of undocumented Mexicans in the United States.

In November 2002, at the conclusion of the Mexico-United States Binational Commission, Secretary Powell stated that there should be no doubt in anyone’s mind that this is a priority for President Bush, just as it is a priority for President Fox. He went on to say that no schedule had been established for such an accord, but he confirmed that the United States and Mexico wanted to come up with a series of migration initiatives over the course of the next 6 months to a year.
Now, this is incredibly important in our respective relationships. I have heard the President say time and time again of the importance of our relationship with Mexico, of the contributions of Mexican-Americans to this country and to the need for real migration accords. Mexicans have contributed greatly to this country. They have a long history in this country, going back several hundred years, and in doing so they have contributed much.

We have human capital being used to pick our fruits and vegetables throughout the west and south, to go ahead and put poultry on our tables, to go ahead and provide labor for the service industry on the east and west coasts, to nourish the construction industry in North Carolina, and I have only touched the tip of the iceberg. The fact of the matter is we need to get on with a migration agreement that will be important for national security, that will be important for this economy and which we can infuse the resources.

The President often says that he is a man of results. I believe he has called himself a reformer with results. This amendment asks in a nutshell that the President produce a result on this issue and that he do it soon. I urge adoption of the amendment.

Chairman Hyde. Mr. Ballenger?

Mr. Ballenger. Mr. Chairman, I have a substitute amendment for the Menendez amendment at the desk.

[The amendment of Mr. Ballenger follows:]
AMENDMENT TO H.R. 1950
OFFERED BY MR. BALLenger

Page 154, after line 12, insert the following section:

SEC. 726. SENSE OF CONGRESS REGARDING MIGRATION ISSUES BETWEEN THE UNITED STATES AND MEXICO.

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

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

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

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

(4) When the Presidents met in Monterrey, Mexico, the Presidents stated in a Joint Statement on March 22, 2002, as follows: “Slightly more than one year ago, in Guanajuato, we talked about migration as one of the major ties that join our societies. We launched then the frankest and most productive dialogue our countries have ever had on this important and challenging subject. Those talks have continued over the past year, and have yielded a clearer assessment of the scope and nature of this issue. This bond between our nations can render countless benefits to our respective economies and families.
(5) Over the past year, important progress has been made to enhance migrant safety and particularly in saving lives by discouraging and reducing illegal crossings in dangerous terrain.

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

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

(8) Mexico’s state-run oil monopoly, Petróleos Mexicanos (PEMEX), is inefficient, plagued by corruption, and in need of substantial reform and private investment in order to provide sufficient petroleum products to Mexico and the United States to
fuel future economic growth which can help curb il-
legal migration into the United States.

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

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

(2) That any accord on migration issues be-
tween the United States and Mexico should also in-
clude an accord to open Petróleos Mexicanos
(PEMEX) to investment by U.S. oil companies and
specific steps to reform PEMEX’s operations to
make them more transparent and efficient.
Chairman Hyde. The clerk will designate the substitute.
Ms. RUSH. Amendment offered by Mr. Ballenger to the amend-
ment——
Mr. BALLERGGER. Move the amendment be considered as read.
Chairman Hyde. Without objection, so ordered.
The gentleman is recognized for 5 minutes.
Mr. BALLERGGER. While I agree with the Ranking Member of the
Western Hemisphere Subcommittee that the United States and
Mexico need to address the problems we both face with immigra-
tion, I do not believe this amendment goes far enough.
It is vital to the national interests of the United States and Mex-
ico to reach an accord that matches willing workers with willing
employers and that serves social and economic interests of both
countries and respects all human rights for all people. However, we
must work at these goals with great care. An ill-conceived effort to
achieve these noble ambitions will not only fail; it will, no doubt,
have tragic consequences for our two nations and the global econ-
omy.
Any plan that grants blanket amnesty to illegal immigrants from
Mexico or any other nation is simply unwise. The full conseque-
tes of such a disaster can only be known if it actually occurs. However,
it is clear that, first of all, the sudden infusion of labor and demand
for services will have a chilling effect on the recovery from the re-
cession in my district and elsewhere. By extension, this will slow
the growth of employment opportunities for both U.S. citizens and
immigrants.
Second, the Department of Homeland Security’s apparatus for in-
specting and documenting lawfully admitted aliens is stretching to
the breaking point already. A blanket amnesty would most likely
result in a complete breakdown of that apparatus. Allowing am-
nesty to those who have broken the U.S. immigration laws only vio-
lates the human dignity of those who are here illegally, but, most
importantly, it violates the human dignity of those who have immi-
grated legally and are waiting to legally immigrate in search of a
better life.
I much prefer a guest worker program which allows employees
access to temporary laborers to meet cyclical shortages of skilled
and unskilled laborers—this works very well in North Carolina at
the present time—without risking permanent displacement of U.S.
citizens. An effective guest worker plan will dry up the demand of
illegal alien labor, thus offering the formerly undocumented work-
ers with the full protection of the U.S. labor regulations.
A guest worker program also is better suited to meet the de-
mands required to maintain a healthy national economy. The inter-
est of the American worker, persons from other countries seeking
to better their lives and the improvement of conditions in the coun-
tries from which these workers come, are all better served by a
guest worker program than they are by the amnesty program al-
luded to in this amendment.
Providing the acceptable accord on migration will be difficult.
Both sides must work hard to ensure that there is an equal benefit
to both parties. My amendment simply requires that any accord
reached between the United States and Mexico on migration should
include a provision by which Mexico opens it state owned Pemex
Oil Company to U.S. investors as Pemex is inefficient, some say corrupt, and cannot as currently structured meet the energy needs of both Mexico and the United States. Since we are not allowed to drill in Alaska, we need somehow to protect the usage of oil in our country. If the U.S. is willing to take on tough issues of immigration, then Mexico should be willing to meet us halfway and take on the tough issue of opening its oil monopoly to the kind of investment that is needed to ensure a steady supply of gas and oil to keep both of our economies strong.

Thank you, Mr. Chairman.

Mr. MENENDEZ. Would the gentleman yield? Would my colleague and friend yield?

Mr. BALLENGER. Yes. Sure.

Mr. MENENDEZ. I thank the gentleman for yielding, and I have great regard for him in our work that we do together, but I am not sure what part of the Western Hemisphere you are visiting with me today on.

I would ask the gentleman to point out in my amendment where is it that I speak of an amnesty plan or, for that fact, any plan? I have no statements whatsoever about, as you describe, a total blanket amnesty. I would ask the gentleman to show me.

Mr. BALLENGER. May I return my time? Your basic statement in this says that we should not have gone to Afghanistan. We should not have gone to Iraq. We should have been involved in Central America, in Mexico.

In speaking to President Fox when he was here, I spoke to him about the idea of paving across the Rio Grande and having everybody come back and forth, back and forth. I used my little company in North Carolina and said I have two Salvadorans, two Costa Ricans, seven Guatemalans and five Mexicans. Now you want to pass a law that takes care of the five Mexicans. What about the rest of the people that are coming into this country?

He said, and this is the point that I was trying to bring across. He said you have a terrible problem. I think that is the point I am trying to bring up.

Mr. BEREUTER. Would the gentleman yield for a question?

Mr. BALLENGER. Sure.

Mr. BEREUTER. I ask this question in the context of having observed the gentleman voted in favor of Mr. Tancredo's earlier amendment.

I am wondering would it be in the same conversation or different conversations that our State Department officials would tell the Mexicans to quit lobbying us to adopt the matricula consular card and how to run their oil industries? Would those be in the same conversations or different ones?

Mr. BALLENGER. Well, it is up to you. Whichever one you want.

Mr. DELAHUNT. Mr. Chairman?

Mr. GALLEGLY. Mr. Chairman, I have an amendment. Chairman HYDE. Mr. Gallegly?

Mr. GALLEGLY. Mr. Chairman, I have an amendment to Mr. Ballenger's substitute at the desk.

[The amendment of Mr. Gallegly follows:]
Chairman HYDE. The clerk will report the amendment to the substitute.

Ms. RUSH. Amendment offered by Mr. Gallegly to the substitute amendment offered by Mr. Ballenger to the amendment.

Chairman HYDE. Without objection, further reading is dispensed with.

Mr. Gallegly is recognized for 5 minutes in support of his amendment.

Mr. GALLEGLY. Thank you, Mr. Chairman. This amendment is very straightforward.

We have had even in earlier discussions in this meeting today the problem with the issue of extradition of criminals that have committed murder or other heinous crimes in the United States that have escaped to our neighbors in Mexico, and the lack of cooperation on extradition has presented a tremendous problem for law enforcement and justice in this country.

In fact, just last year someone handed me a letter that some of us had sent to President Bush. In fact, this letter was making an appeal to the President to work with Mexico on this issue of extradition and the problems that we face every day with issues like David March, the L.A. County Sheriff who was killed execution style at a normal traffic stop a little over a year ago by a suspect and a Mexican national, by the name of Armando Garcia. In fact, this letter was signed by several Members on this Committee and my friend, Grace Napolitano, Diane Watson, myself and others. It was dated June 27, 2002.

I would just ask that Mr. Ballenger's substitute be amended by incorporating the following statement: That as a part of any migration agreement between the United States and Mexico, the issue of extradition of violent criminals and law enforcement cooperation between the two nations be addressed.

Mr. ROHRABACHER. Would the gentleman yield to me for one moment?

Mr. GALLEGLY. I would yield to the gentleman from California.

Mr. ROHRABACHER. To let you know how important this issue is, this is not just something that we are doing here to play some sort of mental chess game over the issue of illegal immigration or legal immigration or migration or however you want to talk about it.
People are dying. People are being killed. There are 60 murderers in Mexico right now, people who have murdered people in southern California, and they are in Mexico now. We know where they are, and the Mexican Government will not extradite them.

I am right now involved in writing legislation that will prohibit any Export/Import Bank loans to be given to any project that will be built in a country that does not extradite murderers or capital offenders back to the United States.

What Mr. Gallegly is trying to do is vital and necessary, and we need to address this issue. People are being killed in our country.

Mr. GALLEGLY. I thank the gentleman. Would the gentleman yield?

Reclaiming my time, I would yield to the gentleman from North Carolina, Mr. Ballenger.

Mr. BALLenger. I think the gentleman from California’s amendment makes great sense, and I without objection would like to make it a part of my amendment.

Mr. MENENDEZ. Reserving the right to object.

Chairman HYDE. The gentleman reserves the right to object.

Mr. MENENDEZ. Speaking on my reservation, and I will withdraw my reservation, but I want to speak on it for a moment.

Chairman HYDE. The gentleman is recognized.

Mr. MENENDEZ. Thank you, Mr. Chairman.

Mr. Chairman, the last two speakers have given us the perfect example of why entering into a migration agreement and negotiation would bring up many issues, including legitimate issues that are part of a migration agreement—not a trade agreement, but a migration agreement—including the desire to extradite fugitives from the United States, and so all the more reason why the underlying amendment that I have offered, which is to move beyond the rhetoric and move to action, as has been stated in these communiqués, is desirable.

However, while this particular amendment, Mr. Gallegly’s amendment, is a perfect example why we want to enter into a migration agreement, the underlying amendment of Mr. Ballenger’s is not. Mr. Ballenger’s amendment clearly goes ahead and guts the purpose of my amendment.

First of all, there is nothing in my amendment that speaks to any form of amnesty, and that is a red herring. There is no amnesty mentioned whatsoever.

Mr. BALLenger. Would the gentleman yield?

Mr. MENENDEZ. No. When I am finished, I would be happy to yield to the gentleman.

There is no amnesty mentioned whatsoever, and I do not know what the references to Iraq or any other place were. If one reads the amendment, it simply says let us conclude a negotiation as expeditiously as possible with the interest of both countries observed, and let us submit legislation to Congress to implement that agreement. That is all it says. Nothing about a blanket amnesty. That is a red herring. That is for those who are xenophobic.

Also, this is the Haliburton amendment because what are we going to do? We are going to get into Mexico’s petroleum industry when in fact this is about a migration agreement. This is about a migration agreement. Now you want to get into Mexico’s petro-
leum, which may be a legitimate negotiation in commercial enterprise or in a trade enterprise, but I am not worried about the Vice President's former company getting engaged in the Mexican petroleum industry or other Texas companies that may be friendly with the President getting involved with Mexico.

This is about U.S.-Mexico relationships. This is about millions of people in this country. This is about this President, who has said time and time again——

Mr. BALLenger. Would the gentleman yield?

Mr. MENENDEZ [continuing]. The great contributions of Mexican-Americans to this country. That is what this amendment is about.

Lastly, the gentleman guts my amendment, including extraneous issues, which I think may even be objectionable under the rules, by saying that we will commence it as soon as is practicable when this has been going on for 2 years. We say we should submit to Congress as soon as practicable legislation.

So this basically tells the Mexican Government and Mexican Americans in this country who seek family reunification. We really do not care, do not want you, do not want to be engaged with you. By the way, while we do not want you and do not want to be engaged with you, we are concerned about our American companies getting engaged in your petroleum industry, and for that we certainly are willing to go ahead and consider the amendment.

The underlying amendment clearly should be defeated. I have no problem with Mr. Gallegly's amendment. It only goes to prove that we need a migration accord.

Mr. BALLenger. The gentleman I guess yields in the fact that you can read in your amendment regardless of status I think two or three times in there, and I think that is a general amnesty, unless I am mistaken.

Mr. MENENDEZ. No. That is the nature. The gentleman would have to read that as that is the nature of coming to an agreement as to what people may be in the process of an adjusted status. People may be in the process of having some worker permit. That is not about a general amnesty.

Now, if we want to be xenophobic, if we want to appeal to xenophobia, then we certainly can refer to this as general amnesty.

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

Mr. MENENDEZ. There is no word in this amendment that talks about general amnesty. This is about U.S. foreign relations with the Government of Mexico and engaging in what the President—our President—has said is in fact a primary interest.

I would be happy to yield to my colleague.

Mr. ROHRABACHER. We obviously have a disagreement with you what that means. Many I think could read that as being a general amnesty.

Several times during your statement you referred to Mexican-Americans, that we were going to negotiate about Mexican-Americans. Are you not insulting people by equating Americans of Mexican descent with illegal immigrants, people who are——

Mr. MENENDEZ. Reclaiming my time, I am referring to the desires of Mexican-Americans to have family reunification and the de-
sire of Mexican-Americans to see people treated with dignity who are picking the fruits and the food that sits on your table.

Lastly, the findings that I referred to that you are saying are about amnesty are findings from the Bush Administration’s statements that were issued publicly. Maybe your issue is with the Administration, not with me, because ultimately those statements come directly quoted from the Administration.

Mr. TANCREDO. Mr Chairman?
Chairman HYDE. The gentleman’s time has expired.
Mr. TANCREDO. Mr Chairman?
Chairman HYDE. Just a moment. Let us focus on the Gallegly amendment, which I believe the gentleman from New Jersey agreed——

Mr. MENENDEZ. I withdraw my reservation on that.
Chairman HYDE [continuing]. Could be made a part of the Ballenger substitute.
Do I state the state of play properly?
Mr. MENENDEZ. Correct, Mr. Chairman. I withdraw my reservation that I had on the Gallegly amendment.
Chairman HYDE. All right. Without objection, the Gallegly amendment is adopted——
Mr. TANCREDO. Mr Chairman?
Chairman HYDE [continuing]. To the Ballenger substitute.
Now we are reduced to the Ballenger substitute——
Mr. TANCREDO. Mr Chairman?
Chairman HYDE [continuing]. For Menendez.
Who seeks recognition?
Mr. TANCREDO. Mr. Tancredo.
Chairman HYDE. Mr. Tancredo?
Mr. TANCREDO. Thank you, Mr. Chairman. Interestingly, in the discussion we had in this body a short time ago with regard to my amendment, it resolves continually around the issue of immigration, even though, of course, there was nothing in my amendment that had anything to do with immigration.

There were continual complaints from the other side that my amendment dealing with immigration, although it did not, should not be brought up because, of course, this is not the proper place for it. Well, of course, that is exactly what the Menendez amendment deals with. It is immigration.

Whether you call it a migration accord or not, this is not an issue with which the State Department is necessarily involved. Certainly it is not an issue with which this Committee should be involved. This is an immigration issue and should be properly debated and discussed in the Judiciary Committee.

Some of the statements in regard to that, by the way, in terms of what kind of a migration accord should be developed, one that “ensures safe, orderly, dignified . . .” Well, you know there is presently a safe, orderly and dignified way to come into the United States of America. We do not need a migration accord to establish it. There is a process.

You come into the United States of America legally one of two ways. You either come in as a visitor, or you come in the process of trying to become a citizen. That is it. There is a way to do that. We have had it for a long, long time. We have that relationship
with Mexico. No other kind of migration accord is really necessary in order to achieve the goal of safe, orderly and dignified.

In fact, the problem, as we all know here, is the people who choose to disregard the safe, orderly and dignified process for coming into the United States that we are trying to deal with. It is those people who decide to come into the United States illegally, and whether or not for whatever purpose that they are engaged to pick crops and build and all the rest of the things that we know that they do, it is totally irrelevant to the fact that they enter the country illegally. It is against the law.

That is the only thing to which this whole thing is directed; some way to change that, some way to pretend that that is not the case and that all the people who have come here illegally should be treated differently, treated with respect and all the rest.

I certainly believe every human being in the United States of America, everywhere, deserves to be treated with respect and certain basic freedoms need to be guaranteed, but the reality is when you come into the United States illegally there are things that you should not be able to achieve or attain.

If we simply wish to, why do we not go ahead and add something to this amendment that says let us actually do what we really and truly are trying to get at through things like this amendment and move to the elimination of borders, open borders, remove ports of entry, forget about the process entirely? That would even be better actually because it is a much more truthful way of trying to get to the same place here.

If you could point to something wrong with the present immigration laws in the United States, something that says, you know, we are not allowing enough people to come in from Mexico, we should expand the number of people coming into the country from Mexico, fine. Let us debate that. You see, you keep suggesting that there is something happening here different with Mexico than any other country.

Mr. ROHRABACHER. Would the gentleman yield?

Mr. TANCREDO. I will yield in just a second.

At the end of the day, what we are really talking about here is in fact an amnesty proposal. If you wanted to clarify your statement instead of saying regardless of their status, you could do so by saying regardless of their status as a person seeking permanent status in the United States but here legally, but you do not. You say regardless of their status because what we are really talking about here are undocumented people in this country, illegal aliens.

I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Tancredo makes some very good points, and the fact that what we hear, the rhetoric that we hear from the other side of the aisle talking about this as migration as if there is some sort of natural flow of things that are happening here. No. What we have here is a problem with illegal immigration, and after listening to what has been presented us today, I do not want to have a negotiation with the Government of Mexico as to whether or not we are going to enforce our immigration laws or what our immigration laws should be.

I do not want to negotiate with Mexico as to whether illegal immigrants from Mexico in the United States should be entitled to
Social Security or not. I do not want those type of discussions to take place because what we need to do instead is to draw a line and to make sure that we are enforcing our laws. This is not to be done in a compromise back and forth with the Government of Mexico.

Thank you very much. Mr. Tancredo, you can have the balance of the time.

Mr. TANCREDO. I will reclaim my time.

Chairman HYDE. The gentleman's time has expired.

Mr. BERMAN. Mr. Chairman?

Chairman HYDE. Mr. Berman?

Mr. BERMAN. The phrase in this amendment that apparently draws such ire is the notion that we would respect the human dignity of all migrants regardless of their status. Is the other side surely taking issue with those words? You can try and read and construe anything you want into it, but the words are clear. Respecting human dignity of all migrants.

Maybe that is an agreement that when people who have an unauthorized presence in the United States are rounded up, they are not housed 50 people to a little room with inadequate services. Maybe it involves other aspects of human dignity. Your reaction to it is so defensive that it is quite stunning.

Now to the notion of safe, orderly, legal and dignified. I have been in this place for 20 years. Only 8 of those years have the evil Democrats held the White House. In the other 12 years, under the system that Mr. Tancredo praises as safe, orderly, legal and dignified, we have 8,000,000 to 11,000,000 unauthorized workers holding up a number of different industries in this country without any legal status subject to exploitation here, correctly put, in violation of the laws.

The system of migration to this country is not safe, orderly, legal and dignified.

Mr. TANCREDO. Would the gentleman yield to answer a question?

Mr. BERMAN. I would be happy to after I make my point.

You can rail all you want about what to do. We can put and we have been putting more and more money into meaningful border enforcement, but let me tell you an agreement with Mexico that recognizes that illegal immigration undermines both issues of sovereignty and very specific interests whereby Mexico plays a greater role in helping to police the border from their side of the border. It is an agreement with Mexico which involves them deploying some resources to help us deter that kind of migration. It is also an agreement with Mexico which says that there are certain seasonal industries in this country where temporary workers from outside of the United States can fill a market that otherwise is only going to be filled by undocumented workers and provides adequate protections and housing and decent wages so it does not just become a vehicle to fill American jobs in order to get cheap labor, those things are in America's interest.

Why you are getting so obsessed with the notion of a situation being made worse when you all acknowledge how terrible it is right now. All Mr. Menendez is doing is recognizing what George Bush recognized from the beginning of this Administration. This system is broken. We have to try and find a realistic, practical way work-
ing with our neighbor to the south to meet interests of both coun-
tries economically and politically to solve this problem.

You guys are reacting like all of a sudden this is coming out of
some whacko field in a situation where you all know the present
situation is just intolerable for all kinds of reasons—law enforce-
ment exploitation of human beings, unauthorized workers without
real Social Security numbers. It is a disgusting and corrupt system.
Let us try to rationalize it.

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

Mr. Berman. Sure.

Mr. TANCREDO. Can the gentleman identify a single person who
has come into this country from Mexico or anywhere else for that
matter through a legal process, applied for a visa from any other
country where that is required, come across to Mexico through a
port of entry, did it in the way in which it is prescribed?

Can the gentleman identify a single person who has been
harmed in that process, a single person that has been killed, died
in the desert? Have any of the things happened that you suggest
occurred in the present process?

The gentleman is absolutely correct. I agree certainly that there
is something wrong. One of the things that is wrong is the fact that
we choose not to enforce our immigration laws and secure our bor-
ders, but suggesting that there is something inherent in the migra-
tion process that would cause someone to have their human dignity
and human rights abused is inaccurate. If you come here legally,
you will not face any of those horrible consequences.

Mr. Berman. Reclaiming my time, I accept the gentleman’s
premise and believe he has made my point. In a system which has
a rational, sensible and generous legal immigration system, as ours
does, and I recognize it is the most generous in the world, the fact
that——

Chairman HYDE. The gentleman’s time has long since expired.

Mr. Berman. I ask unanimous consent for one additional minute
just to finish up here.

Chairman HYDE. I would terribly like to finish this bill. The gen-
tleman has one additional minute.

Mr. Berman. In a system which has laws, what do you mean we
are not trying? We are putting billions of dollars every year into
border patrols and airport checks and doing everything we can to
try and stop and deter illegal entry. In that situation and with
those laws, we have an acknowledged 8,000,000 to 11,000,000 to
12,000,000 unauthorized workers in this country. This system is
broken.

Human dignity? We afford people accused of heinous crimes the
human dignity——

Chairman HYDE. The gentleman’s time again has expired.

Mr. Berman. The fact that we are not going to deprive people of
human dignity as a retaliation is a horrendous notion, and I sup-
port Mr. Menendez’s opposition to the substitute.

Mr. Delahunt. Mr. Chairman?

Chairman HYDE. The gentleman is pushing the envelope.

Mr. Delahunt. Mr. Chairman?
Chairman Hyde. I think we have been instructed by everybody enough on this amendment. I think we are ready for a vote if you do not want to come back tomorrow.

Mr. Delahunt. Mr. Chairman?

Chairman Hyde. Who is seeking recognition?

Mr. Delahunt. Mr. Delahunt.

Chairman Hyde. Mr. Delahunt?

Mr. Delahunt. And I promise I will not yield to Mr. Berman.

You know, this is very simple. I think that what we are about here is providing feedback to President Bush. I have full confidence that the Administration, in negotiations with Mexico, will have as its priorities American national interests.

The Administration, during the course of hearings in the Senate again before Senator Lugar, and I am going to read into the record the words of the Assistant Secretary Designate in charge of the Western Hemisphere. Unlike Mr. Tancredo, it would appear that Congress does have some role to play here, and that also appears to be the conclusion of the Administration. They are seeking advice and counsel from us.

In response to a question by Senator Lugar to Secretary Designate Mr. Noriega, and this is Senator Lugar speaking:

"The need to move, it seems to me, on the Mexican-American immigration front is imperative for a whole host of reasons."

In response, the Secretary Designate indicates:

"Clearly, the Congress has an extraordinary important role to play in migration policy."

Anything that we would seek to do would have to be in close consultation with you and your colleagues, with those that are directly involved in making immigration policy so that we know what the market would bear up here, meaning this institution frankly.

What we want to do is send a message to the President, to the Department of State, that Congress does support negotiations by the President with the Mexican Government to resolve all of the issues that have been alluded here today.

Mr. Menendez. Would the gentleman yield?

Mr. Delahunt. I yield to Mr. Menendez.

Mr. Menendez. I thank the gentleman for yielding. I know I want to vote on this bill as well, but this is an issue of major importance in this country.

Two quick points. The reason that this is pertinent is because we are talking about bilateral negotiations between two countries, about migration agreements, which we do with other people in the world. It is because it is also about a binational commission that has the Secretary of State represented on it, as well as the Mexican Foreign Minister, so it is fitting and appropriate to be in this bill, unlike the previous amendment that Mr. Tancredo talked about.

Now, if you want to reject the President, my colleagues on the other side can do so. The language that you rail against is the language that President Bush put in his communique of September 6, 2001. In that communique it was President Bush who says:
“... to renew our commitment to forging new and realistic approaches to migration to ensure it is safe, orderly, legal and dignified.”

That is President Bush. It is further President Bush who says:

“This includes respecting the human dignity of all migrants.”

If you have a problem with the President so be it, but that is his communique. That is his words. That is what we used in this resolution.

Lastly, if you in fact go ahead and adopt the Ballenger amendment, you will have gutted the Menendez amendment. You will not have made it about the migration accords that this President has said he wants to achieve. You will not have made it about regularizing and creating safety along the border. You will have made it about oil.

If that is what this Congress wants to go on record in our relationship with the Mexican Government and the Mexican people that what we care about is oil at a time in which various questions are being raised in this country about companies associated with this Administration, I think that is shameless.

I urge people to vote against the Ballenger amendment and then vote for the Menendez amendment.

Chairman HYDE. The question occurs——

Mr. PAYNE. Mr. Chairman? Mr. Chairman?

Chairman HYDE. Mr. Payne is seeking recognition.

Mr. PAYNE. Thank you. Yes. I would like to echo Mr. Menendez in strong support of defeat of the Ballenger amendment and the support of the Menendez amendment.

I think the things that Mr. Menendez has pointed out make a lot of sense. Mexican authorities say that there could be controlled immigration into the United States. They could put the number at 2,000,000 to 3,000,000 a year rather than the 5,000,000 or 6,000,000 that come across simply by having their authorities work with our authorities. They know where they are coming. They know when they are coming. It could be an orderly process. We could have these persons come in and go back when the seasonal work is done. There can really be an orderly process.

On September 6 several years ago, before September 11, the President had begun to unfold this plan that the U.S. and Mexico would be working together. However, when September 11 came and our whole policies changed and anti-immigration and anti-foreigners came into effect, it had the impact. That is the major impact on this whole plan.

I think that what Mr. Menendez is proposing could work. I think that if our authorities really wanted to work with Mexico to contain and work in a cooperative manner we could have the 2,000,000 or 3,000,000 that we know can come in and be absorbed legally to do the work that other people will not do. That is the only reason they keep coming.

I would say that to tie in the oil and a state run entity I think is just unjust. It is just wrong. I urge the defeat of Ballenger’s amendment and the support of the Menendez amendment.

Chairman HYDE. The question occurs on the Ballenger substitute to Menendez. All in favor say aye?
[Chorus of ayes.]
Chairman HYDE. Opposed, nay?
[Chorus of noes.]
Chairman HYDE. The clerk will call the roll.
Ms. RUSH. Mr. Leach?
Mr. LEACH. Aye.
Ms. RUSH. Mr. Leach votes yes.
Mr. Bereuter?
Mr. BEREUTER. Aye.
Ms. RUSH. Mr. Bereuter votes yes.
Mr. Smith of New Jersey?
[No response.]
Ms. RUSH. Mr. Burton?
[No response.]
Ms. RUSH. Mr. Gallegly?
Mr. GALLEGLY. Aye.
Ms. RUSH. Mr. Gallegly votes yes.
Ms. Ros-Lehtinen?
[No response.]
Ms. RUSH. Mr. Ballenger?
Mr. BALLenger. Aye.
Ms. RUSH. Mr. Ballenger votes yes.
Mr. Rohrabacher?
Mr. ROHRABACHER. Aye.
Ms. RUSH. Mr. Rohrabacher votes yes.
Mr. Royce?
Mr. ROYCE. Aye.
Ms. RUSH. Mr. Royce votes yes.
Mr. King?
Mr. KING. No.
Ms. RUSH. Mr. King votes no.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. RUSH. Mr. Chabot votes yes.
Mr. Houghton?
Mr. HOUGHTON. Yes.
Ms. RUSH. Mr. Houghton votes yes.
Mr. McHugh?
Mr. MCHUGH. Aye.
Ms. RUSH. Mr. McHugh votes yes.
Mr. Tancredo?
Mr. TANCREDO. Yes.
Ms. RUSH. Mr. Tancredo votes yes.
Mr. Paul?
Mr. PAUL. Aye.
Ms. RUSH. Mr. Paul votes yes.
Mr. Smith of Michigan?
Mr. SMITH OF MICHIGAN. Aye.
Ms. RUSH. Mr. Smith of Michigan votes yes.
Mr. Pitts?
Mr. PITTS. Aye.
Ms. RUSH. Mr. Pitts votes yes.
Mr. Flake?
Mr. FLAKE. Aye.
Ms. Rush. Mr. Flake votes yes.

Mrs. Davis?

Mrs. Davis. Pass.

Ms. Rush. Mrs. Davis passes.

Mr. Green?

Mr. Green. Yes.

Ms. Rush. Mr. Green votes yes.

Mr. Weller?

Mr. Weller. Yes.

Ms. Rush. Mr. Weller votes yes.

Mr. Pence?

Mr. Pence. Yes.

Ms. Rush. Mr. Pence votes yes.

Mr. McCotter?

Mr. McCotter. Yes.

Ms. Rush. Mr. McCotter votes yes.

Mr. Janklow?

[No response.]

Ms. Rush. Ms. Harris?

Ms. Harris. Yes.

Ms. Rush. Ms. Harris votes yes.

Mr. Janklow?

Mr. Janklow. Aye.

Ms. Rush. Mr. Janklow votes yes.

Mr. Lantos?

Mr. Lantos. No.

Ms. Rush. Mr. Lantos votes no.

Mr. Berman?

Mr. Berman. No.

Ms. Rush. Mr. Berman votes no.

Mr. Ackerman?

Mr. Ackerman. No.

Ms. Rush. Mr. Ackerman votes no.

Mr. Faleomavaega?

[No response.]

Ms. Rush. Mr. Payne?

Mr. Payne. No.

Ms. Rush. Mr. Payne votes no.

Mr. Menendez?

Mr. Menendez. No.

Ms. Rush. Mr. Menendez votes no.

Mr. Brown?

Mr. Brown. No.

Ms. Rush. Mr. Brown votes no.

Mr. Sherman?

Mr. Sherman. No.

Ms. Rush. Mr. Sherman votes no.

Mr. Wexler?

Mr. Wexler. No.

Ms. Rush. Mr. Wexler votes no.

Mr. Engel?

Mr. Engel. No.

Ms. Rush. Mr. Engel votes no.

Mr. Delahunt?
Mr. DELAHUNT. No.
Ms. RUSH. Mr. Delahunt votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. RUSH. Mr. Meeks votes no.
Ms. Lee?
Ms. LEE. No.
Ms. RUSH. Ms. Lee votes no.
Mr. Crowley?
[No response.]
Ms. RUSH. Mr. Hoeffel?
Mr. HOEFFEL. No.
Ms. RUSH. Mr. Hoeffel votes no.
Mr. Blumenauer?
Mr. BLUMENAUER. No.
Ms. RUSH. Mr. Blumenauer votes no.
Ms. Berkley?
Ms. BERKLEY. No.
Ms. RUSH. Ms. Berkley votes no.
Ms. Napolitano?
Ms. NAPOLITANO. No.
Ms. RUSH. Ms. Napolitano votes no.
Mr. Schiff?
Mr. SCHIFF. No.
Ms. RUSH. Mr. Schiff votes no.
Ms. Watson?
Ms. WATSON. No.
Ms. RUSH. Ms. Watson votes no.
Mr. Smith of Washington?
Mr. SMITH OF WASHINGTON. No.
Ms. RUSH. Mr. Smith of Washington votes no.
Ms. McCollum?
Ms. MCCOLLUM. No.
Ms. RUSH. Ms. McCollum votes no.
Mr. Bell?
Mr. BELL. No.
Ms. RUSH. Mr. Bell votes no.
Chairman Hyde?
Chairman HYDE. Aye.
Ms. RUSH. Chairman Hyde votes yes.
Chairman HYDE. Ms. Ros-Lehtinen?
Ms. ROS-LEHTINEN. Yes.
Ms. RUSH. Ms. Ros-Lehtinen votes yes.
Chairman HYDE. Mr. Smith of New Jersey?
Mr. SMITH OF NEW JERSEY. Yes.
Ms. RUSH. Mr. Smith of New Jersey votes yes.
Chairman HYDE. The clerk will report.
Ms. RUSH. Mrs. Davis? She passed.
Mrs. DAVIS. Yes.
Ms. RUSH. Yes? Mrs. Davis votes yes.
Chairman HYDE. The clerk will report.
Ms. RUSH. Mr. Chairman, on this vote there are 24 ayes and 22 noes.
Chairman HYDE. The amendment is agreed to.
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The question occurs on the Menendez amendment as amended.
All those in favor say aye?
[Chorus of ayes.]
Chairman Hyde. Opposed, no?
[Chorus of noes.]
Chairman Hyde. The ayes have it, and the amendment is agreed to.
The question occurs on the motion to report the bill, H.R. 1950, favorably as amended. All in favor say aye?
[Chorus of ayes.]
Chairman Hyde. Opposed, nay?
Mr. Lantos. Mr. Chairman?
Chairman Hyde. The gentleman from California?
Mr. Lantos. I request a recorded vote.
Chairman Hyde. A recorded vote is requested. The clerk will call the roll.
Ms. Rush. Mr. Leach?
Mr. Leach. Aye.
Ms. Rush. Mr. Leach votes yes.
Mr. Bereuter?
Mr. Bereuter. Aye.
Ms. Rush. Mr. Bereuter votes yes.
Mr. Smith of New Jersey?
Mr. Smith of New Jersey. Yes.
Ms. Rush. Mr. Smith votes yes.
Mr. Burton?
[No response.]
Ms. Rush. Mr. Gallegly?
Mr. Gallegly. Yes.
Ms. Rush. Mr. Gallegly votes yes.
Ms. Ros-Lehtinen?
Ms. Ros-Lehtinen. Yes.
Mr. Ballenger?
Mr. Ballenger. Aye.
Ms. Rush. Mr. Ballenger votes yes.
Mr. Rohrabacher?
Mr. Rohrabacher. Yes.
Ms. Rush. Mr. Rohrabacher votes yes.
Mr. Royce?
Mr. Royce. Aye.
Ms. Rush. Mr. Royce votes yes.
Mr. King?
Mr. King. Aye.
Ms. Rush. Mr. King votes yes.
Mr. Chabot?
Mr. Chabot. Aye.
Ms. Rush. Mr. Chabot votes yes.
Mr. Houghton?
Mr. Houghton. Yes.
Ms. Rush. Mr. Houghton votes yes.
Mr. McHugh?
Mr. McHugh. Aye.
Ms. Rush. Mr. McHugh votes yes.
Mr. Tancredo?
Mr. TANCREDO. Aye.
Ms. RUSH. Mr. Tancredo votes yes.
Mr. Paul?
Mr. PAUL. No.
Ms. RUSH. Mr. Paul votes no.
Mr. Smith of Michigan?
[No response.]
Ms. RUSH. Mr. Pitts?
Mr. PITTS. Aye.
Ms. RUSH. Mr. Pitts votes yes.
Mr. Flake?
Mr. FLAKE. No.
Ms. RUSH. Mr. Flake votes no.
Mrs. Davis?
Mrs. DAVIS. No.
Ms. RUSH. Mrs. Davis votes no.
Mr. Green?
Mr. GREEN. Yes.
Ms. RUSH. Mr. Green votes yes.
Mr. Weller?
Mr. WELLER. Yes.
Ms. RUSH. Mr. Weller votes yes.
Mr. Pence?
Mr. PENCE. Yes.
Ms. RUSH. Mr. Pence votes yes.
Mr. McCotter?
Mr. Mccotter. Yes.
Ms. RUSH. Mr. McCotter votes yes.
Mr. Janklow?
Mr. JANKLOW. Yes.
Ms. RUSH. Mr. Janklow votes yes.
Ms. Harris?
[No response.]
Ms. RUSH. Mr. Lantos?
Mr. LANTOS. Yes.
Ms. RUSH. Mr. Lantos votes yes.
Mr. Berman?
Mr. Berman. Aye.
Ms. RUSH. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. RUSH. Mr. Ackerman votes aye.
Mr. Faleomavaega?
[No response.]
Ms. RUSH. Mr. Payne?
Mr. PAYNE. Yes.
Ms. RUSH. Mr. Payne votes yes.
Mr. Menendez?
Mr. Menendez. Yes.
Ms. RUSH. Mr. Menendez votes yes.
Mr. Brown?
Mr. BROWN. Yes.
Ms. RUSH. Mr. Brown votes yes.
Mr. Sherman?
Mr. SHERMAN. Yes.
Ms. RUSH. Mr. Sherman votes yes.
Mr. Wexler?
Mr. WEXLER. Yes.
Ms. RUSH. Mr. Wexler votes yes.
Mr. Engel?
Mr. ENGEL. Yes.
Ms. RUSH. Mr. Engel votes yes.
Mr. Delahunt?
Mr. DELAHUNT. Yes.
Ms. RUSH. Mr. Delahunt votes yes.
Mr. Meeks?
Mr. MEEEKS. Yes.
Ms. RUSH. Mr. Meeks votes yes.
Ms. Lee?
Ms. LEE. Aye.
Ms. RUSH. Ms. Lee votes yes.
Mr. Crowley?
Mr. CROWLEY. Aye.
Ms. RUSH. Mr. Crowley votes yes.
Mr. Hoeffel?
Mr. HOEFFEL. Yes.
Ms. RUSH. Mr. Hoeffel votes yes.
Mr. Blumenauer?
Mr. BLUMENAUER. Aye.
Ms. RUSH. Mr. Blumenauer votes yes.
Ms. Berkley?
Ms. BERKLEY. Yes.
Ms. RUSH. Ms. Berkley votes yes.
Ms. Napolitano?
Ms. NAPOLITANO. Yes.
Ms. RUSH. Ms. Napolitano votes yes.
Mr. Schiff?
Mr. SCHIFF. Aye.
Ms. RUSH. Mr. Schiff votes yes.
Ms. Watson?
Ms. WATSON. Yes.
Ms. RUSH. Ms. Watson votes yes.
Mr. Smith of Washington?
Mr. SMITH OF WASHINGTON. Yes.
Ms. RUSH. Mr. Smith votes yes.
Ms. McCollum?
Ms. MCCOLLUM. Aye.
Ms. RUSH. Ms. McCollum votes yes.
Mr. Bell?
Mr. BELL. Yes.
Ms. RUSH. Mr. Bell votes yes.
Chairman Hyde?
Chairman HYDE. Yes.
Ms. RUSH. Chairman Hyde votes yes.
Chairman HYDE. The clerk will report.
Ms. RUSH. Mr. Chairman, on this vote there are 42 yeses, three noes.
Chairman HYDE. The bill is adopted.

The question occurs on the motion. All right. Without objection, the Chairman is authorized to move to go to conference pursuant to House Rule XXII.

Without objection, staff is directed to make any technical and conforming changes. 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 thanks the Members for their excellent service.

Mr. LANTOS. Mr. Chairman?

Chairman HYDE. The gentleman from California.

Mr. LANTOS. Mr. Chairman, on behalf of the Democratic Members we want to express our deep appreciation to you for your fairness and leadership on this issue.

Chairman HYDE. Thank you very much, and the very same to you, Mr. Lantos.

Mr. BEREUTER. Mr. Chairman?

Chairman HYDE. Yes.

Mr. BEREUTER. I just wanted to announce that we will proceed with the joint Subcommittee hearing in this room just as soon as we can clear the room, so I appreciate the cooperation. Thank you very much, Mr. Chairman.

Chairman HYDE. Thank you.

[Whereupon, at 2:17 p.m. the Committee was adjourned.]
APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE ADAM B. SCHIFF, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

H.R. 1950

Mr. Chairman, I support this bill to reauthorize the State Department. In these troubled times, it is more important than ever that we vigorously support diplomacy, development aid, and humanitarian aid throughout the world. I thank Chairman Hyde and Ranking Member Lantos for their leadership and hard work in crafting this important bill.

One area of particular concern to me is working to ensure that terrorists do not have easy access to weapons of mass destruction, particularly nuclear weapons. All-too-vulnerable supplies of highly-enriched uranium or HEU—suitable for use in nuclear weapons—and fuel and waste from decommissioned reactors throughout Russia and the former Soviet Union pose grave threats to American security.

I am pleased to have worked with Committee staff to ensure that this bill contains language that directs the State Department to use a significant portion of the nonproliferation and disarmament fund (NDF) to reduce stockpiles of dangerous highly-enriched uranium (HEU). This action will reduce the direct and very real threat posed by stockpiles of HEU, a component of nuclear weapons and the fuel for over 100 research reactors worldwide in more than 40 nations, including Russia, Ukraine, Kazakhstan, Belarus, Latvia, and Uzbekistan. Because this material poses a grave threat as a terrorist weapon, there is an urgent need to deal with the small, insecure stocks of HEU used as fuel in research reactors. Operators of these reactors often do not have the financial resources to adequately protect this dangerous fuel, and there is grave danger that it could fall into the wrong hands.

The essence of the problem is as follows: HEU is the most likely source material for a terrorist or outlaw group seeking a nuclear weapon. Such groups are not likely to produce this material on their own, but will instead look to divert HEU from some of the many vulnerable stockpiles in numerous facilities around the world. Yet, currently, there is no single, coordinated U.S. government initiative working to secure and clean-out these international facilities of their HEU stocks.

The Non-proliferation and Disarmament Fund (NDF), within the U.S. Department of State, Bureau of Nonproliferation, is a unique and flexible entity that is well suited to take on the challenge of a global HEU clean-out. This fund's objective is to permit rapid response to unanticipated or unusually difficult, high priority requirements or opportunities to halt the proliferation of nuclear, biological, and chemical weapons, destroy or neutralize existing weapons of mass destruction, their delivery systems, and related sensitive materials; and to limit the spread of advanced conventional weapons and their delivery systems. Thus, this fund is an entirely appropriate mechanism for dealing with the issues of HEU clean-out and stockpile reduction.

Thus, this section of the bill increases total authorized funding for the Non-proliferation and Disarmament Fund (NDF) by $25 million annually, and directs the State Department to use that additional funding for the mission of HEU cleanout.

I am confident that this provision will strengthen the State Department's ability to mitigate a critical weakness in our national security by proactively working to reduce the threats posed by stockpiles of nuclear material in the former Soviet Union.

I am also pleased to support Mr. Royce's amendment, which calls for an expansion of Radio Free Asia transmission to North Korea from the current four hours per day.
to 24 hours per day. This amendment calls upon the Secretary of State to report to Congress on ways to increase the number of radio receivers in North Korea.

Overall, this bill will provide the State Department with the funding and direction that will enable it to effectively promote United States interests abroad, while providing much-needed foreign assistance and humanitarian aid, promoting cultural exchanges, and advancing national security goals.