HOUSE OF REPRESENTATIVES—*Wednesday, June 16, 1993*

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, O gracious God, for those gifts of the human spirit that allow people to live together with compassion and tolerance one for another. We give thanks for the gift of integrity—integrity of mind and speech, that honesty of the heart that allows truth to be expressed. May our words represent a communication that reaches others in truth, with decency and honor, and not words crafted to deceive or beguile. As people pledged to serve others in this Nation, may we speak, O God, with an integrity that honors all the gifts we have received. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. EDWARDS of California. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken, and the Speaker announced that the yeas appeared to have it.

Mr. EDWARDS of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 246, nays 149, answered "present" 1, not voting 37, as follows:

[Roll No. 225]

YEAS—246

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Bateman
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Chapman
Clement
Clyburn
Coleman
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dooley
Durbin
Edwards (CA)
Edwards (TX)
English (AZ)
Eshoo
Evans
Ewing
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford (MI)
Frank (MA)
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Green
Gunderson
Gutierrez
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Houghton
Hoyer
Hughes
Hutto
Inglis
Inslee
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kingston
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Myers
Nadler
Natcher
Neal (MA)
Oberstar
Obey
Olver
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pombo
Pomeroy
Poshard
Price (NC)
Rahall
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Schenk
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Tanner
Tejeda
Thomas (WY)
Thornton
Thurman
Torres
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—149

Allard
Armey
Bachus (AL)
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clay
Clinger
Coble
Collins (GA)
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Fawell
Fields (TX)
Fingerhut
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Hancock
Hansen
Hastert
Hefley
Hobson
Hoekstra
Hoke
Horn
Huffington
Hunter
Hutchinson
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kim
King
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Machtley
Manzullo
McCandless
McCrery
McDade
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Molinari
Moorhead
Murphy
Nussle
Oxley
Packard
Paxon
Petri
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Shuster
Smith (MI)
Smith (OR)
Snowe
Stearns
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Torkildsen
Upton
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

ANSWERED "PRESENT"—1

Clayton

NOT VOTING—37

Bacchus (FL)
Baker (LA)
Brown (CA)
Collins (IL)
DeFazio
Derrick
Dixon
Engel
English (OK)
Fish
Ford (TN)
Frost
Gingrich
Hall (OH)
Henry
Herger
Hyde
Jefferson
Kleczka
Laughlin
Livingston
Lowey
McCollum
McHugh
Morella
Neal (NC)
Ortiz
Rangel
Skeen
Smith (TX)
Solomon
Synar
Tauzin
Thompson
Torricelli
Whitten
Young (AK)

□ 1022

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York [Mr. QUINN] please come forward and lead the House in the Pledge of Allegiance.

Mr. QUINN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 16, 1993.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith the facsimile copy of the official results received from the Secretary of State, State of California, indicating that, according to the official returns of the Special Election held on June 8, 1993 the Honorable Sam Farr was elected to the Office of Representative in Congress from the Seventeenth Congressional District, State of California.

With great respect, I am
Sincerely yours,
DONNALD K. ANDERSON,
Clerk.

SWEARING IN OF THE HONORABLE SAM FARR, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

The SPEAKER. The Chair will ask the Member-elect from the 17th District of California, the Honorable SAM FARR, together with members of the California delegation, to come forward as the Chair administers the oath of office.

Mr. FARR appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations, you are a Member of the House.

WELCOME TO THE HONORABLE SAM FARR

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute.)

Mr. EDWARDS. Mr. Speaker, the members of the California delegation, 54 strong, join in bipartisan, nonpartisan welcome to our new colleague, SAM FARR, who won a special election on June 8 in the beautiful 17th Congressional District, which incidentally adjoins my 16th Congressional District.

The 17th Congressional District is one of the gems of America, with great farmlands, the valley of Salinas where most of our asparagus and lettuce might come from. It also encompasses the heartlands of Democratic politics, Pebble Beach, Cyprus Point.

SAM FARR comes from a family that has been there for a long time. His father, Fred Farr, was a very distinguished legislator in Sacramento. His wife, Shary, is here today in Washington, and his daughter Jessica.

He is a very distinguished legislator in the California legislature and was voted Outstanding Legislator of the Year in 1990, 1991, and 1992, something that has not happened to many of us. And he comes to us with a great wealth of experience in the environment and everything else, and especially in competitiveness.

He is going to be a great addition to our legislature here. Mr. SAM FARR.

□ 1030

EXPRESSION OF APPRECIATION

(Mr. FARR asked and was given permission to address the House for 1 minute.)

Mr. FARR. Mr. Speaker and Members, I thank you.

Congressman EDWARDS, thank you very much; to my family, Senator BOXER, to my friends, I am honored. I am still a bit overwhelmed by the responsibility the Californians of the 17th Congressional District have given me to represent them here in the people's House of the Nation's Capital.

Last night I left my seat in the California State Legislature, where my colleagues are laboring under the toughest of conditions to adopt a budget that spends about 4 percent less than last year despite an alarming California growth rate. I thank them for their years of support and wish them well.

This morning I join my new colleagues in the U.S. House of Representatives, eager to take up the challenges to help chart the future of our Nation, my State, and one of the most beautiful and culturally diverse congressional districts in the country, the 17th Congressional District.

Today, I also join in saluting the able representation your former colleague and new Director of OMB, Leon Panetta, who has given to the district for the past 16 years. I am honored by your support Leon, and pleased that you and your wife, Sylvia, are here with me today.

As we all know, election to Congress results from the labor and dedication of many friends, supporters, and strangers. I thank them all for making today possible.

I also thank my wife Shary and our daughter Jessica for supporting me throughout the long 6-month campaign.

My resignation from the California State Assembly ended an almost quarter of a century of joint service in the California Legislature that I have shared with my father, former State Senator Fred Farr.

After leaving the legislature he was appointed by President Lyndon Johnson as our country's first National Director of the Scenic Highway Program. He is here today with my sister Francesca and I would like to acknowledge him.

Today together we remember my mother who died of cancer while I was serving in the Peace Corps. It is she who taught me that public service is the highest of all callings.

But today, I join you in Congress in trying to understand and solve our Nation's problems. We all share the responsibility to bring our country back to economic health, to employ our people, and to bring to the fore the best in American spirit.

I welcome the challenge. I look forward for the opportunity.

DENYING THE DALAI LAMA THE RIGHT TO SPEAK

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, this week the U.N. Human Rights Conference is being held in Austria, attended by 161 countries.

At China's request, the conference leadership refused to permit a speech by His Holiness, the Dalai Lama, the exiled leader of Tibet. In protest, 13 Nobel Peace Prize laureates, of which the Dalai Lama is also one, boycotted the opening of the 12-day conference on human rights.

Mr. Speaker, much has been said on this floor about the denial of basic freedoms and the serious repression in China and Tibet.

Now, China has taken this denial of freedom of speech one step further, and the United Nations appears to be an accomplice.

The supreme irony of the Chinese and the United Nations at a human rights conference talking about the universality of human rights denying His Holiness the right to speak is almost beyond understanding.

A few weeks ago, China also objected to a press conference on the U.N. premises, a press conference by a prominent Chinese dissident, Shen Tong. This flies in the face of the tradition which has enabled the press to have access to opposition leaders. Mr. Speaker, it is bad enough that China represses in China and Tibet, and now they have carried it beyond their borders.

We must send a letter to Secretary General Boutros Boutros-Ghali objecting to this practice.

POLICY ON HIV-INFECTED IMMIGRANTS MISHANDLED

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, on many fronts Presidential campaigning has turned out to be a lot easier than governing. The latest episode of promises broken by the Clinton administration revolves around Haiti. It is a sad story of foreign policy that is a nonstarter and mishandling of the HIV/AIDS-infected foreigners that is a dangerous about-face.

During the next 10 days another 140 Haitians with the deadly HIV virus will be brought to somewhere in the United States. These latest arrivals, on top of the 10,000 already here allegedly processing for asylum status, are the consequences of the Clinton administration's indecision and failure to control the controllable.

Unfortunately, it is the Haitian people, those with and without AIDS, who are suffering, and the people of the host States like Florida and New York who pay disproportionately the price of services, some $27.5 billion over the next 5 years plus the cost of AIDS victims estimated at $100,000 each.

Now we read that some Haitians diagnosed HIV-positive claim the doctors are wrong, that this is just politics. Well, Mr. Speaker, this is big anxiety, big suffering at a big price.

How about some decisive action?

DAY OF THE AFRICAN CHILD

(Mr. PAYNE of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE of New Jersey. Mr. Speaker, I rise to note that this day of the 16th of June has been declared the Day of the African Child by the Organization of African Unity.

It is a day that finds its origins in the uprising and massacre of school children in Soweto, South Africa.

It is a day that we pause to remember the plight of children all over Africa, and what we as citizens and legislators can do to create a better environment for them to grow up in.

It is coincidental that on this very day we are also considering the foreign aid authorization bill in which some $900 million to support the development fund for Africa will be voted upon. This important part of our foreign aid bill provides funds to help the malnourished, the illiterate, and the impoverished.

Through foreign aid provided by America and other countries:

The death rate of children under 5 has been halved since 1960.

African governments provided safe water and adequate sanitation to an additional 120 million people during the 1980's, and now over 80 percent of the children living in urban areas have access to safe water.

African girls face many obstacles in obtaining an education, but now approximately 69 percent of African girls are enrolled in primary school, up from 44 percent in the 1970's.

While there has been progress over the last three decades there were several setbacks in the 1980's such as a falling off of school enrollment by 7 percent in the 1980's.

This setback has been largely caused by the increasing civil wars in Africa. Most of the nations where these wars occurred such as Liberia, Zaire, Angola, Mozambique, Sudan, Ethiopia, and Somalia have been victims of our former cold war policy.

The condition that these countries find themselves in today is largely due to our policy of containment of communism in the cold war days. As proper as that may have been during that period, the truth is these countries are suffering today because of the divisions this policy created in their societies.

Children of Africa have suffered due to this policy, and this should concern the American people so that we strive harder to right these wrongs.

As an example of this concern, I was proud of the pharmaceutical industries in the New Jersey and New York area that responded to my call to help the children of Somalia through providing quality drugs through UNICEF.

When I first visited Somalia on November 8 before United States military forces were committed, children were still starving to death. I remember one father that asked me to take a picture of his child before she died, so the world would remember she lived at one time. These were trying moments for me, but they strengthened my resolve to ask others to help.

And help they did. Over the Memorial Day weekend it was possible for me to visit Somalia again. This was a time after our American servicemen and women did such an outstanding job of bringing the famine to an end. I was pleased to see the children in better health and more filled out, happy, and playing in the streets of Mogadishu and Baidoa where we visited.

I want to hold up a few pictures taken so you can see how America and the United Nations are helping the children of Somalia.

Won't you help too?

Please think of the children in each of the 56 countries of Africa and help in your own personal way to continue this good work.

SOLVING THE WORLD'S HEALTH PROBLEMS?

(Mr. EVERETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, would we allow immigrants into this country who have tuberculosis? How about scarlet fever or bubonic plague? No, of course we would not.

Then, why are we allowing Haitian immigrants who have the HIV virus to enter this country? Why, despite a law signed by our President only last week, can these immigrants enter our country and possibly spread this always deadly disease to American citizens?

Mr. Speaker, why does President Bill Clinton not fight this awful decision by Judge Sterling Johnson to allow these HIV-infected immigrants into our country?

Does the President worry about the special interest groups who have mobilized to allow this tragedy to occur? Or, is he simply unaware of the terrible toll this decision will have on our Nation's physical and economic health?

For whatever reason, the President must change course and must be decisive. He must fight this decision to allow HIV-infected Haitian immigrants into the United States. The American taxpayer cannot afford to solve the world's health problems.

□ 1040

THE GENOCIDE GOES ON IN BOSNIA

(Mr. OLVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLVER. Mr. Speaker, the genocide goes on in Bosnia. As soon as the Serbian nationalists were certain that the United Nations resolutions creating safe havens for six refugee-swollen cities in Bosnia was not going to be enforced any more than any of the other United Nations resolutions already passed, the Serbian nationalists resumed bombardment of Sarajevo and Gorazde with impunity. They deliberately targeted children playing in school yards. Hospitals and clinics where people had gone to get wounds dressed also were targeted, and also where people were gathering to bury their dead.

Mr. Speaker, Bosnia is a member of the United Nations; yet it has been precluded from obtaining weapons to defend themselves against genocide by a heavily armed aggressor.

Mr. Speaker, there is no precedent to the 50-year history of the United Nations for this utterly immoral policy that has unnecessarily cost the lives of 200,000 people and driven more than 2 million from their centuries-old homes.

Mr. Speaker, why is the United States still a party to this utterly immoral policy?

PUTTING JOBS AND THE AMERICAN FAMILY FIRST

(Mr. GRAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAMS. Mr. Speaker, later this morning, Congressman TIM HUTCHINSON, myself and 30 of our Republican colleagues will hold a news conference to introduce a new alternative to the Clinton economic plan entitled "Putting Jobs and the American Family First."

Our plan would cut the deficit in half in 5 years without raising taxes. It provides middle-class tax relief in the form of a $500-per-child family tax credit, and important pro-growth ini-

tiatives such as cutting the capital gains tax and expanding the use of IRA's.

We are introducing this plan now because it's clear that the Clinton economic program is effectively dead. The President's stimulus plan has been defeated, his tax plan has been abandoned by Senators of his own party, and by an overwhelming majority, the American people have lost faith in the President's ability to handle the economy.

Clearly it is time for a new approach. In contrast to the Clinton plan, our plan provides tax relief instead of tax increases, invests in families instead of Government, creates private sector instead of Government jobs and provides real, long-term deficit reduction.

Mr. Speaker, President, Clinton campaigned on cutting the deficit and providing middle-class tax relief. That is the mandate he won from the American people. Unfortunately, the President has ignored that mandate. Today's we are offering him a chance to reclaim it.

A QUESTION OF TRUTH AND HONOR

(Mr. STRICKLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRICKLAND. Mr. Speaker, I rise today to tell you that the leaders of the Republican National Committee have purposefully lied about me and several of my Democratic colleagues.

Mr. Haley Barbour and Mr. Dan Leonard have run radio ads in my district saying I "voted for the biggest tax increase in history and then gave myself a vacation," after House Speaker FOLEY called for a 1-week adjournment of Congress.

Mr. Leonard said, "As far as we are concerned, they were not here to do their job and that is considered a vacation." Apparently Mr. Leonard thinks that one must be in Washington—interacting with Washington insiders—in order to be working.

I ask you, Mr. Speaker, was Mr. GINGRICH of Georgia or Mr. SOLOMON or Mr. BURTON or Mr. WALKER or Mr. ARMEY—all Republicans—on vacation? Of course not, and as my schedule will show, neither was I.

If Mr. Barbour and Mr. Leonard were men of honor, they would apologize to me and to every other Member of this House, Democrats and Republicans alike. However, since they obviously do not have an appreciation for the truth, they probably do not have an understanding of honor either.

ASRM SPENDING CUT ADOPTED

(Mr. RAMSTAD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAMSTAD. Mr. Speaker, I rise today to applaud the Science, Space and Technology Committee for terminating the advanced solid rocket motor.

As the sponsor of legislation—with 52 cosponsors from both sides of the aisle—to eliminate the ASRM, I have long said this program represents one of the most flagrant examples ever of pork-barrel spending.

When President Clinton challenged Congress to be specific about spending cuts, we accepted the challenge and told the President the ASRM was $2.2 billion of wasteful and unnecessary spending that needed to be cut.

The ASRM is not necessary to our space program and NASA knows it. Development is behind schedule by 4½ years, which has doubled its cost.

Last year, the House voted to get rid of the ASRM, but in all too typical congressional fashion, the conference committee restored funding.

Mr. Speaker, last year's conference committee action made it clear that the ASRM is pork-barrel spending—plain and simple.

This year, let us follow the will of the House and keep the funds for this program out.

GREEN CARDS FOR FOREIGN SCIENTISTS?

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, America has another problem: Some States have too many scientists, and some States do not have enough scientists. So the Department of Labor came through with a resolution—now listen to this—what the Department of Labor is going to do is they are going to give green cards to foreign scientists and bring them to America. Unbelievable.

While we have American scientists who spent thousands and thousands of dollars for education driving taxicabs, flipping burgers, the Department of Labor is going to ship in foreign scientists?

Now listen to this: They said, "We are doing so as a shortcut to attract scientists." This is not a shortcut, Mr. Speaker, this is shortchanging American scientists, who are American workers, and I think it is time for Congress to realize that the American people should come first.

CHINA IS ALREADY VIOLATING ITS MOST-FAVORED-NATION STATUS

(Mr. ABERCROMBIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Speaker, the press reports this morning at the Vienna Human Rights Conference that the Bosnian foreign minister said:

> The sudden interjection of the Bosnian question into the conference here immediately highlighted what critics have charged as the emptiness of the planned 12 days of discussion of the violation and protection of human rights without any reference to specific cases or possible solutions.

Mr. Speaker, the gentlewoman from California [Ms. PELOSI] has already indicated this morning, and I wish to echo those comments, that the Most-Favored-Nation Treaty status of China, which has been extended by the President, is already being violated by the Chinese in their attempt to deny, and their success in denying, the opportunity for the Dalai Lama to speak on behalf of the Tibetan people.

□ 1050

The Bosnian Foreign Minister said:

> Human rights? Where are the human rights? Where is the political will? I demand on behalf of the participants, on behalf of humanity, because this is a crime against humanity, to take all measures to stop the genocide. If this is not done, I don't think there will be any credibility for any of us in the international community.

This is the status. This is the contempt with which the Chinese officials hold the President and hold the policy of the United States. They will never—unless and until we confront them—the Chinese will never regard themselves as other than the middle kingdom and other than as an opportunity to show us that they will not have any respect for our most-favored-nation treaty status which we have extended to them.

HIV-INFECTED REFUGEES

(Mr. KIM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIM. Mr. Speaker, I came to America in 1961 in search of the American dream. I neither expected nor accepted any taxpayer welfare or subsidy. I have always been a tax contributor, not a burden.

I would not be here today if I had a dangerous and communicable disease.

Why are we suddenly changing our laws to allow Haitians with HIV to enter this Nation. I urge President Clinton to seek the reversal of the decision made by Judge Johnson.

Why should they come into America before others who have been patiently waiting their turn? Who is going to pay for taking care of these Haitians? Millions of American taxpayers cannot afford health care themselves, yet we are asking these same Americans to pay for the care of AIDS-infected Haitians first.

We are setting a very bad immigration precedent.

Mr. Speaker, I urge the President to support the laws of the land and fight to reverse the decision of Judge Sterling Johnson.

69-059 O—97 Vol. 139 (Pt. 9) 32

NISSAN AND TENNESSEE

(Mr. GORDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GORDON. Mr. Speaker, today, thousands of my friends and fellow Tennesseans who work at Nissan Motor Manufacturing Corp. USA, in Smyrna, TN, are celebrating the 10th anniversary of the first vehicle to roll off the plant's production line.

When I attended the plant's opening a decade ago, I saw the pride and dedication to quality that have long made Tennessee workers the best in the world.

I have toured the plant on several occasions in the last 10 years, and every time I have found that same teamwork and commitment from both management and workers. No wonder the Smyrna plant has twice been named one of the "100 best places to work in America."

Nissan and Tennessee have come a long way together. The company's investment has risen from a half billion dollars to almost one and a half billion dollars. Employment has risen from over 1,000 to almost 6,000.

But Nissan is more than just a place where a lot of men and women work. The company and its workers have undertaken a variety of community outreach programs that touch almost every segment of middle Tennessee. The next time I am at Nissan, I know I will find friends who still are committed to not only a quality product but also a quality community.

PUTTING JOBS AND THE AMERICAN FAMILY FIRST ACT OF 1993

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUTCHINSON. Mr. Speaker, today most American families pay more in Federal taxes than they spend for food, clothing, transportation, insurance, and recreation combined. This is a sharp and shameful contrast with the years after World War II, when Federal income and payroll taxes took only 2 percent of the income of a median income family of four. Now, that burden has increased to 24 percent.

The bipartisan National Commission on Children proposed, as its most important recommendation, a tax credit of $1,000 per child.

That is why today the gentleman from Minnesota [Mr. GRAMS] and myself have introduced the Putting Jobs and the American Family First Act of 1993, a bill that will provide a $500 tax credit per child. This will be paid for by the establishment of a Deficit Reduction Commission modeled after the Base Closure Commission which will result in a 2 percent cap on the annual growth of domestic spending.

There is no instrument of economic growth, savings and investment, job creation and job training, as effective as the middle-class family. There is no cultural institution as ennobling as family life. There is no better, indeed, no equal means to rear the young, protect the weak, or attend the elderly. None.

AN EXCITING WEEK FOR WOMEN

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, it has been a very exciting week for women as we see Canada selecting a woman for Prime Minister, as we see a woman moving forward in Turkey, and thanks to President Clinton we have one of the most distinguished jurists ever moving on the Supreme Court, Ruth Bader Ginsburg.

I must say I am so grateful that we are going back to the point where we are getting our best scholars, our brightest people on the Court. Just the mere hearing of her name gives me goosebumps. She was one of the preeminent scholars all throughout the sixties, the seventies, and the eighties, and to have her moving on to the Court only sends all the right messages in America.

Let me say to the press, who keep going on and on about the process, any process that turns out this high a quality cannot be all bad.

Let us all say to the press, "Get alive. Look at the results. Let's judge things by the results and not nibble everything to death."

I think this is a real wonderful addition to the Supreme Court. I am proud of her, and I think every American should be proud of her.

U.N. LEADERSHIP BUCKLES AGAIN TO COMMUNIST CHINESE

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, last week in Vienna, at the opening of the U.N. World Conference on Human Rights, the U.N. leadership banned the Dalai Lama from addressing nongovernmental organizations [NGO's] who were attending a parallel forum. In response, the Austrian Government invited his holiness to attend the conference and the NGO forum unanimously adopted a resolution to extend a new invitation to the Dalai Lama.

One month ago Boutrous Boutrous-Galai banned a Chinese dissident, who was a leader of the Tienanmen Square demonstrations, from addressing the press on United Nations grounds in New York City. Members of Congress lodged a strong protest against that inexcusable behavior.

Both of these despicable actions carried out by U.N. leadership were at the request of Communist China.

In 1984, our Nation withdraw from UNESCO because of our concern over that agency's attempts to restrict journalists and stifle debate through the implementation of a so-called "new information order." While UNESCO reversed that policy, it appears that United Nations leadership have embraced it.

The U.N. leadership should be made aware that our Nation will not stand by idly as this occurs. We have taken strong action against one U.N. organization which attempted to control free debate and we will certainly respond to others that block the free flow of ideas in any international organization.

PROVIDING FOR CONSIDERATION OF H.R. 2333, INTERNATIONAL RELATIONS ACT OF 1993, AND H.R. 2404, FOREIGN ASSISTANCE AUTHORIZATION ACT OF 1993

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 197 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 197

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 2333) to authorize appropriations for the Department of State, the United States Information Agency, and related agencies, to authorize appropriations for foreign assistance programs, and for other purposes. No further general debate shall be in order. The bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Foreign Affairs now printed in the bill, modified by the amendments printed in part 1 of the report of the Committee on Rules accompanying this resolution. The committee amendment in the nature of a substitute, as modified, shall be considered as read. All points of order against the committee amendment in the nature of a substitute, as modified, are waived. No amendment to the committee amendment in the nature of a substitute, as modified, shall be in order except those printed in part 2 of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in this resolution. Amendments printed in part 2 of the report may be offered only in the order printed, may be offered only by the named proponent or a designee, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in part 2 of the report are waived. It shall be in order at any time for the chairman of the Committee on Foreign Affairs or his designee to offer amendments en bloc consisting of amendments printed in part 1 of the report or germane modifications thereof. Such amendments en

bloc shall be considered as read except that modifications shall be reported; shall be debatable for ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs or their respective designees; shall not be subject to amendment; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments en bloc are waived. The original proponent of an amendment included in amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute, as modified. The previous question shall be considered as ordered on the bill and amendments thereto final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 2404) to authorize appropriations for foreign assistance programs, and for other purposes. No further general debate shall be in order. The bill shall be considered for amendment under the five-minute rule and shall be considered as read. No amendment shall be in order except those printed in part 3 of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in this resolution. Amendments printed in part 3 of the report may be offered only in the order printed, may be offered only by the named proponent or a designee, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in part 3 of the report are waived. It shall be in order at any time for the chairman of the Committee on Foreign Affairs or his designee to offer amendments en bloc consisting of amendments printed in part 3 of the report or germane modifications thereof. Such amendments en bloc shall be considered as read except that modifications shall be reported; shall be debatable for ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs or their respective designees; shall not be subject to amendment; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments en bloc are waived. The original proponent of an amendment included in amendments en block may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SEC. 3. The chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment made in order by this resolution. The chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business: *Provided*, That the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes.

□ 1100

The SPEAKER pro tempore (Mr. MURTHA). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 197 is a rule providing for the further consideration of H.R. 2333, the State Department, and Related Agencies Authorization Act for fiscal years 1994 and 1995, and H.R. 2404, the Foreign Assistance Authorization Act of 1993. The rule provides that during further consideration of H.R. 2333, there will be no further period of general debate. It makes in order the Foreign Affairs Committee substitute to H.R. 2333 now printed in the bill, as modified by the amendments printed in part 1 of the report to accompany the rule, as an original bill for the purpose of amendment. This is a technical change which reflects the bipartisan agreement to consider these measures in two separate bills. All points of order against the substitute, as modified, are waived.

Under the rule, Mr. Speaker, no amendments to H.R. 2333 are in order except certain en bloc amendments and amendments printed in part 2 of the report to accompany the rule. Amendments listed in part 2 will be considered in the manner specified in the report. All of the amendments made in order under the rule are not subject to amendment, except as specified in the report, nor to a demand for a division of the question.

The rule also authorizes the chairman of the Foreign Affairs Committee or his designee to offer en bloc amendments to H.R. 2333 from those printed in part 2 of the report, with or without germane modifications. The en bloc amendments are debatable for 10 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs or their respective designees. The original proponent of an amendment included in the en bloc amendments may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc. The rule waives all points of order against these en bloc amendments and the other amendments described in part 2. Finally, with respect to H.R. 2333, the rule provides one motion to recommit this bill with or without instructions.

Mr. Speaker, section 2 of this rule provides that during further consideration of the other bill, H.R. 2404, the Foreign Assistance Authorization Act, there will be no further period of general debate. No amendments are in order except those printed in part 3 of the accompanying report. Part 3 amendments will be considered in the order and manner specified, and are not subject to amendment, except as specified in the report, nor to a demand for a division of the question.

This rule also authorizes the chairman of the Foreign Affairs Committee or his designee to offer to H.R. 2404 en bloc amendments from those printed in part 3 of the report, with or without germane modifications. These en bloc amendments are also debatable for 10 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs or their respective designees. The original proponent of an amendment included in the en bloc amendments may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of these amendments en bloc. The rule waives all points of order against the en bloc amendments and the other amendments described in part 3. Finally, the rule provides one motion to recommit H.R. 2404.

In addition, section 3 of the rule authorizes the Chairman of the Committee of the Whole to postpone recorded votes to a time certain and to provide for a series of votes starting with a 15-minute vote and followed by 5-minute votes.

Mr. Speaker, this is a carefully crafted rule which makes amendments in order to the two bills we debated last night. Because of a bipartisan agreement, the Rules Committee agreed to handle both measures in one rule, and it is my belief the Rules Committee has been extremely fair in making in order many amendments on both sides of the aisle. These two measures address the extremely important issues of our Nation's security and foreign aid responsibilities.

I want to thank my colleagues on the Committee on Foreign Affairs for agreeing to accept my "right to food" amendment as part of the en bloc amendments to be offered to the State Department bill by Chairman HAMILTON. This amendment is intended to underscore the promotion of the right to food as a matter of U.S. foreign policy. It also urges the United States to call for the ratification of a U.N. Dec-

laration and Convention on the Right to Food.

Mr. Speaker, I am pleased we are able to bring this rule up today and I urge my colleagues to support it.

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

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Ohio [Mr. HALL] has already pointed out, this is a very complex and structured rule, but it is what I would call a modified open rule because it does make in order a total of 27 amendments to the two bills involved. This is roughly half of the 53 amendments submitted to the Committee on Rules, so obviously everybody will not be completely pleased with the rule, but I want to state up front that I think this was handled in a very fair and bipartisan manner, both by the Committee on Foreign Affairs and by the Committee on Rules.

□ 1110

This is the practice I think we should always follow in those instances when a restrictive rule is requested by the Democrat leadership. I especially want to commend the chairman of the Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON] for taking the lead and insisting that we forge a fair and bipartisan structured rule. This is the second time this year this has been done by Chairman HAMILTON, and it speaks volumes about the character of the man.

This rule was negotiated on a good-faith basis between the majority and the minority in the Foreign Affairs Committee. I want to extend my laudatory remarks to the ranking Republican, the gentleman from New York [Mr. GILMAN] for all of his work in bringing these negotiations to a successful conclusion. I say to the gentleman, "Ben, you deserve a lot of credit."

I would also be remiss if I did not mention the efforts and cooperation of the chairman and the ranking minority member of the Subcommittee on International Relations, the gentleman from California [Mr. BERMAN] and the gentlewoman from Maine [Ms. SNOWE]. And finally, I think we should recognize the work of the staff of all those Members in hammering out the details of this negotiated rule. This is one of the most difficult we will be faced with in any Congress, and the staff certainly is to be lauded.

Mr. Speaker, I am especially pleased that the rule adopted yesterday, as well as this rule, makes it possible to consider the State Department and the foreign aid issues as two separate bills, even though they were originally reported from the Committee on Foreign Affairs as one bill. This is something our Republican leader felt very strongly about, as did I, and the gentlewoman from Maine [Ms. SNOWE] and other Members on our side.

So, again, I want to thank Chairman HAMILTON and Chairman MOAKLEY and the other members on the Committee on Rules for agreeing to this request. I think it makes this whole process more manageable, more understandable, more rational, and certainly more politically acceptable.

Mr. Speaker, some 12 amendments were made in order to the State Department bill, and they are printed in part 2 of the report of the Committee on Rules. The remaining 15 amendments made in order by this rule are to the foreign aid bill and are printed in part 3 of the Committee on Rules.

Mr. Speaker, I think it is important to emphasize that most of those amendments made in order to both bills are significant amendments. They cover a wide range of issues and controversies. I would like to call attention to just a few of the significant amendments that were made in order by the foreign aid bill. Three amendments are made in order relating to the former Soviet Union. There is a Kyl amendment striking $703 million in such aid, while leaving $200 million to go to other countries, like the Ukraine.

There is a Durbin amendment placing certain conditions on aid to Russia. There is a Solomon amendment to encourage eventual reimbursement by the former Soviet Union of at least $744 million of the aid provided by this bill.

I also want to call attention to an amendment by the gentleman from New York [Mr. GILMAN] providing for a major reform of our foreign aid programs. It is an amendment that has been long overdue. There is an alternative to that amendment by Chairman HAMILTON which is made in order, so we should have a full debate on that issue. That is the way it should be in the House of Representatives.

The gentleman from New York [Mr. GILMAN] will also offer an amendment to reduce foreign aid overall by $360 million. And the rule makes in order amendments by the gentleman from Indiana [Mr. BURTON] and the gentleman from California [Mr. FAZIO] dealing with human rights problems in India.

Mr. Speaker, as one who normally supports open rules and would certainly have preferred an open rule on these two bills, I cannot support this rule 100 percent, particularly because a bipartisan amendment dealing with cargo preference that is offered every day by the gentleman from New Jersey [Mr. TORRICELLI] and myself and others on a bipartisan basis will not be allowed to be debated on the floor. I think that is wrong, and I wish we could have brought that amendment to the floor.

But I think it is evident, from the provisions in this rule and the process that produced it, that this is a fair and bipartisan rule, something that is a rarity when it comes to most restrictive rules in this House. I hope other committee chairman will follow this bipartisan negotiating practice when structured rules are requested. But I also hope the necessity will be far less than the 75 percent of all rules that they now comprise today.

Mr. Speaker, let me turn briefly to the substances of the bills themselves. On the foreign aid portions of the bill we are debating today, there are any number of objectionable provisions in the bill, but among the most controversial is nearly $1 billion to Russia and the former Soviet Union. I repeat, that is $1 billion. And tomorrow we are going to be right back here on the floor on another bill, talking about that whopping $1.6 billion supplemental for Russia that is in the foreign operations bill. Worse yet, the overwhelming majority of the aid that the administration has proposed is in the form of grants and gifts, not loans and credits and not repayable. They do not propose that we even try to be reimbursed for any of this aid, and that is a real sore spot, Mr. Speaker, with the American people. Let us contrast that with the Japanese. As usual, they do it smartly. Of their $1.8 billion aid package for Russia, the Japanese have a mere $320 million in the form of grants, and all the rest of the $1.8 billion is in the form of loans and credits to be repaid. That is just over 17 percent of their package in the form of grants.

So, while our main competitor quietly collects reimbursement for over 80 percent of its aid to Russia, we, the United States of America, are going to be the sucker once again.

Mr. Speaker, America just cannot afford to be the world's "sugar daddy" anymore. This is why I offered an amendment to require—I repeat, to "require"—that the President secure reimbursement of our aid, because we absolutely cannot afford any more giveaways, and the American people do not want to be coerced into coughing up their money for giveaways. My amendment would have required that the President require barter agreements with the former Soviet countries. Everyone knows that the former Soviet Union is the most naturally well-endowed country on the entire Earth, and they still are. My amendment would have simply required that all of our grant money be reimbursed within 7 years or that loans be collateralized, with all these natural resources, with this vast natural wealth that they have.

Mr. Speaker, is too much to ask that we receive some of these resources in exchange for our dollars that are being given out of deficit financing, increasing the national debt that has already topped $4 trillion? I think not, and I do not think the Russians do either. As a matter of fact, Richard Nixon, the former President of this country, re-

ported earlier this year, after he had been in deep discussions with the former Soviets, that the Russians were favorably disposed to this idea. They agreed that they ought to pay it back. Unfortunately, I was unable to convince the Democrat leadership to allow me to offer the barter amendment for debate on this floor to require repayment of all the grant portion of the Russian aid. However, the Rules Committee did allow me to offer a nonbinding sense-of-Congress amendment"—and I repeat, "nonbinding sense-of-Congress amendment"—that all of the Russian aid should be an obligation that has to be repaid to the U.S. Treasury through barter or other measures.

Mr. Speaker, I would like the Members of this body to think about how they are going to rationalize this giveaway to their voters. I ask the Members: "Haven't you been reading your mail?" The mail in my office—and my district is the Hudson Valley up upstate New York, 10,000 square miles, with 600,000 people—my mail has been running 9 to 1 against any foreign aid at all.

Mr. Speaker, 14 States voted for term limitations last year. We have to ask ourselves, why? Why? Because of the massive fiscal irresponsibility and the hypocrisy that the voters see each year. Every day they see it here on C-SPAN. They saw us pass the President's sham deficit reduction package loaded with phony spending cuts. And I say, "phony spending cuts," because they will never come to pass. And they saw us pass the largest tax increase in history. The saw us reject the measure to reduce our own spending here in Congress by a measly 5 percent. And they are watching us here today readying ourselves to jettison $1 billion of their tax dollars into a Russian black hole.

Think of it, Mr. Speaker. Let us say you are the head of a household of a family of 4, earning a combined income of say, $40,000. You have been working for years, scraping by, trying to give your children a future, trying to save enough money to send them to college, waiting perhaps for your big break to be successful in life. But now Hillary Clinton has designated you, you and your double-income family earning $40,000 a year, as "rich."

□ 1120

Therefore, you have been targeted for massive contributions to that status Utopia. You are looking at getting slammed with a colossal tax increase. New and higher taxes on income, on gasoline, on home heating fuel, on investments and savings, and even on beer.

You are told by the President that this is necessary to close the deficit and to grow the economy. You are told that spending cannot be cut; therefore, you, that family that makes $40,000 a year, have got to contribute more.

Then you turn on C-SPAN today and you see Members of Congress, the same ones who voted for the President's tax increases, standing here at the podium and saying that we must, yes, we must send $1 billion that we do not have to Russia.

Your natural reaction, Mr. Speaker, would be the same as millions of people across this land. You know what their reaction is? Their reaction is, "You must be nuts. We don't need to give Russia a Christmas present in June. We need term limitations for Congress."

Mr. Speaker, it is not that the American people are not generous and compassionate; it is that they are tired of hypocrisy, because they have seen billions and billions of their dollars go overseas year after year in recent decades, only to see it flutter into the deep blue sea.

They take a look at the world map and they ask, where has the money gone? They ask has any Third World country ceased to be a Third World country after decades of American foreign aid.

The answer, Mr. Speaker, of course is no. For the most part all that has been accomplished is to expand our bureaucracy and theirs. In a nutshell, Mr. Speaker, it allows our bureaucrats to support their bureaucrats, to everyone's detriment, this almost three thousand million dollars, that is $2.5 billion, will be no different in my opinion.

Mr. Speaker, in closing let me say the former Soviet people will never see any benefit from this aid because it goes directly to the government, and they know it. This we were told over and over again by reformers and by business people alike, whether they be Russian businessmen or American businessmen on our recent visit to Russia and Ukraine.

Mr. Speaker, unless the grant and gift portion of this Russian aid package can be converted to loans and credits, repayable to the United States Treasury over a period of time, I cannot and I will not support the foreign aid package contained in this bill.

Mr. Speaker, I include the following information for the RECORD.

ROLLCALL VOTES IN THE RULES COMMITTEE ON AMENDMENTS TO THE RULE FOR H.R. 2333 AND H.R. 2404, STATE DEPARTMENT AND FOREIGN AID BILLS, TUESDAY, JUNE 15, 1993

1. Smith (NJ) (#23)—Prohibiting funds to Nicaragua unless President certifies it has made significant progress on human rights. Rejected: 2-6. Yeas: Dreier and Goss. Nays: Moakley, Derrick, Beilenson, Frost, Bonior, Hall.

2. Open rule—Providing for an open amendment process on both bills. Rejected: 2-6. Yeas: Dreier and Goss. Nays: Moakley, Derrick, Beilenson, Frost, Bonior, Hall.

3. Rohrabacher (#26 and #27)—Amendments moved en bloc: #26—adds new title permitting President to terminate arms embargo against Croatia if requested by that government for self-defense under U.S. Charter; #27—same as #26 except amends existing title on Bosnia-Hercegovina. Rejected: 2-6 Yeas: Dreier and Goss. Nays: Moakley, Derrick, Beilenson, Frost, Bonior, Hall.

4. Mica (#41)—Requires a report on environmental protection requirements for each country receiving U.S. aid (excluding humanitarian assistance) and requiring a portion of aid be used to protect and clean-up environment. Rejected: 2-6 Yeas: Dreier and Goss. Nays: Moakley, Derrick, Beilenson, Frost, Bonior, Hall.

5. Adoption of Rule—Providing a modified open amendment process on H.R. 2333 and H.R. 2404, making in order 12 amendments to the former bill, and 15 amendments to the latter. Adopted: 6-2. Yeas: Moakley, Derrick, Beilenson, Frost, Bonior, Hall. Nays: Dreier and Goss.

RULE ON H.R. 2333, THE STATE DEPARTMENT, USIA AND RELATED AGENCIES AUTHORIZATION

Amendments made in order by the rule.

PART 1

Self-executing provision—Technical amendment that strikes the Foreign Assistance Authorization provisions (division B) from the text of H.R. 2333, and make conforming changes to title and table of contents.

PART 2

(In the order they will appear in the report.)

Roth—Combines Roth amendments #16, 17, and 20 Reduces authorization amounts for diplomatic and consular programs, salaries and expenses, acquisition and maintenance of buildings abroad, buying power maintenance fund, and representation allowance within the State Department. 20 minutes.

48. Berman/Snowe—revised—Reduces funding for State Department and related agencies programs. 20 minutes.

22. Smith (NJ)—Conditions funding to the United Nations Population Fund (UNFPA) on a Presidential certification that the population control program of China is not coercive and that the UNFPA has terminated all activities in China. 40 minutes.

2. Leach—Permits an inter-agency transfer of funds in fiscal years 1994 or 1995 from nonearmarked bilateral foreign assistance programs to the Dept. of State for expenses of U.S. diplomatic and consular posts abroad. 10 minutes.

46. Berman—Technical changes to various personnel and organizational provisions. 10 minutes.

8. Gilman—Establishes an Office of the Coordinator for Counterterrorism in the Department of State. 10 minutes.

11. Solomon—Requires random drug testing for State Department personnel. 10 minutes.

21. Snowe—Institutes reforms on international peace keeping. 10 minutes.

31. Snowe—Sense of Congress requiring the U.S. to include as a condition of new membership in any major international organization that each organization have an effective program and administrative audits and efficiency reviews which are made available to member states. 10 minutes.

3. Hall (OH)—Directs the U.S. promote the right to food as a matter of U.S. foreign policy, and includes promoting increased international respect for the right to food and medical care as a responsibility of the Assistant Sec. of State. 10 minutes.

14. Kanjorski—Strikes funding for the National Endowment for Democracy. 20 minutes.

47. Berman—Deletes provisions under the Arms Control and Disarmament provisions

which relate to the NSC, some Arms Export Control Act amendments and amendments to the Atomic Energy Act. 10 minutes.

PART 3

Amendments made in order by the rule on H.R. 2404—the Foreign Assistance Authorization Act of 1993.

(In the order they will appear in the report.)

Gilman—Reduces foreign aid authorization levels for fiscal year 1994 by $360 million. 20 minutes.

51. Gilman—Proposes alternative reform plan to the base bill (identifying 4 basic principles of economic assistance); terminates foreign assistance for countries in default more than 3 months; increases funds for procurement of U.S. goods through tied aid and other programs; directs the plan to reduce the number of countries receiving economic assistance to 50, based on the 4 principles; sunsets AID on Sept. 30, 1994. 20 minutes.

45. Hamilton—Substitute amendment to Gilman #51, providing a sunset for AID to fiscal year 1995 and providing alternative reform language for foreign assistance programs. 20 minutes.

25. Kyl—Strikes $703.820 million from the Foreign Aid Authorization, leaving $200 million for assistance to the Newly Independent States other than Russia. 40 minutes.

18. Solomon—Sense of Congress that the President should encourage the former Soviet Union to eventually provide reimbursement of assistance and that at least $744,115,000 of the fiscal year 1994 authorized level be obligated only under terms of eventual reimbursement. 10 minutes.

15. Durbin—Conditions aid to Russia on a Presidential certification that (1) Russian and CIS forces have been withdrawn from the Baltic states or negotiated agreements between Russia and the Baltics have been completed, including a timetable for withdrawal; and (2) Russia has undertaken good faith efforts to end other military practices that violate the sovereignty of the Baltics or interfere in Baltic airspace or territorial waters, has not introduced additional troops into the Baltics without Baltic permission, and has not imposed an economic blockade or interrupted energy supplies. Contains exception for funds for officer housing, food, clothing, medicine, and other humanitarian supplies. 10 minutes.

6. Burton—Terminates Development Assistance funds to India if the President determines within 60 days that the government of India has not repealed a number of security laws. 20 minutes.

40. Fazio—Reduces IMET funding for India until the Indian government addresses human rights problems, particularly in Kashmir, Assam and the Punjab. 10 minutes.

37. Traficant—Requires that nations receiving bilateral assistance must buy American products and services unless these are available for purchase within their own nation or unavailable for purchase from the U.S. 10 minutes.

38. Traficant—Terminates U.S. aid to any nation found in substantial violation of a foreign aid agreement if the President notifies Congress the nation is in violation of an agreement and Congress passes a joint resolution terminating aid. 10 minutes.

9. Goodling—Prohibits IMET funds to nations that do not maintain a 25 percent vote with the U.S. in the UN General Assembly. Exempts humanitarian and developmental assistance, and narcotics-related assistance. 10 minutes.

1. Valentine—Requires the President to submit a single report on the foreign assistance programs—including amounts spent, and a justification on a country by country or recipient by recipient basis—and requires the Committee report to include an explanation for any changes to the Administration's foreign assistance budget. 10 minutes.

53. Collins (MI)—Requires 10 percent of economic assistance funds used to procure US goods to come from minority businesses. 10 minutes.

29. Molinari—Directs the President to urge the Conference on Security and Cooperation in Europe to increase the number of permanent CSCE observer missions in Kosova from 20 to at least 50. 10 minutes.

28. Molinari—Directs the President to urge the UN Security Council to transfer UN troops from Croatia to Kosova. 10 minutes.

AMENDMENTS SUBMITTED TO THE RULES COMMITTEE ON H.R. 2333—THE INTERNATIONAL ASSISTANCE ACT OF 1993

1. Valentine—Requires the President to submit a single report on the foreign assistance programs—including amounts spent, and a justification on a country by country or recipient by recipients basis—and requires the Committee report to include an explanation for any changes to the Administration's foreign assistant budget.

2. Leach—Permits an inter-agency transfer of funds in fiscal years 1994 or 1995 from nonearmarked bilateral foreign assistance programs to the Dept. of State for expenses of U.S. diplomatic and consular posts abroad.

3. Hall (OH)—Directs the U.S. to promote the right to food as a matter of U.S. foreign policy, and includes promoting increased international respect for the right to food and medical care as a responsibility of the Assistant Sec. of State.

4. Burton—Terminates assistance to India if the President reports to Congress within 60 days that the government of India is preventing human rights organizations from monitoring human rights conditions or harassing these organizations within India.

5. Burton—Prohibits IMET assistance to India if the President determines within 60 days that the government of India has not repealed certain special or preventive detention laws.

6. Burton—Terminates Development Assistance funds to India if the President determines within 60 days that the government of India has not repealed a number of security laws.

7. Cunningham—Strikes $186,567,000 the authorizations for 11 foreign assistance programs. This would constitute a 5 percent cut in the listed programs.

8. Gilman—Establishes an Office of the Coordinator for Counterterrorism in the Department of State.

9. Goodling—Prohibits IMET funds to nations that do not maintain a 25 percent vote with the U.S. in the UN General Assembly. Exempts humanitarian and developmental assistance, and narcotics-related assistance.

10. Solomon—Requires preemployment drug testing from State Department personnel.

11. Solomon—Requires random drug testing for State Department personnel.

12. Solomon—Requires preemployment and random drug testing for State Department personnel.

13. Torricelli—Provides as a general policy that assistance should be provided principally through commodity import programs, project assistance, or sector program or through arrangements that involve the provision of U.S. goods and services; places limitation on amounts of cash transfer assistance with certain exceptions; and requires that U.S. goods purchased with cash transfer assistance be transported according to existing U.S.-flag shipping requirements.

14. Kanjorksi—Strikes funding for the National Endowment for Democracy.

15. Durbin—Conditions aid to Russia on a Presidential certification that (1) Russian and CIS forces have been withdrawn from the Baltic states or negotiated agreements between Russia and the Baltics have been completed, including a timetable for withdrawal; and (2) Russia has undertaken good faith efforts to end other military practices that violate the sovereignty of the Baltics or interfere in Baltic airspace or territorial waters, has not introduced additional troops into the Baltics without Baltic permission, and has not imposed an economic blockade or interrupted energy supplies. Contains exception for funds for officer housing, food, clothing, medicine, and other humanitarian supplies.

16. Roth—Places a ceiling on the number of employees at State Dept. and AID to 90 percent of the total number on date of enactment of this Act.

17. Roth—Reduces authorization amounts for diplomatic and consular programs, salaries and expenses, acquisition and maintenance of buildings abroad, buying power maintenance fund, and representation allowance within the State Department.

18. Solomon—Sense of Congress that the President should encourage the former Soviet Union to eventually provide reimbursement of assistance and that at least $744,115,000 of the fiscal year 1994 authorized level be obligated only under terms of eventual reimbursement.

19. Solomon—Requires the President to enter into negotiations to conclude barter agreements with those nations of the former Soviet Union who will be recipients of U.S. aid (repayment within 7 years). Sense of Congress that the U.S. and the President's policy toward the republics of the former Soviet Union should enhance the development of free market economies.

20. Roth—Reduces authorization amounts for operating expenses for AID.

21. Snowe—Cuts contributions to International Peacekeeping Operations; includes H.R. 2260, expressing the sense of Congress that the U.S. should not be assessed a higher rate for U.N. peacekeeping operations, than for the regular U.N. budget.

22. Smith (NJ)—Conditions funding to the United Nations Population Fund (UNFPA) on a Presidential certification that the population control program of China is not coercive and that the UNFPA has terminated all activities in China.

23. Smith (NJ)—Prohibits funding to Nicaragua unless the President finds that the government has made significant progress in improving human rights, settled property claims and established civilian control over the military; prohibits IMET funds unless the President certifies that military officers implicated in human rights abuses have been removed and suspended from military service.

24. Barrett (NE)—2nd degree amendment to #13 by Mr. Torrecelli requiring that no US-flag carrier shall be reimbursed more than 30 percent above the average competitive international rate for international ship transportation. Requires the Sec. of Commerce to establish regulations to define the average competitive international rate.

25. Kyl—Strikes $703.820 million from the Foreign Aid Authorization, leaving $200 million for assistance to the other Newly Independent States.

26. Rohrabacher—Adds new Title XVII permitting the President to terminate the U.S. arms embargo against Croatia if requested by that government for assistance in exercising its right of self-defense under Article 51 of the U.N. Charter.

27. Rohrabacher—Amends Title XVI ("Bosnia-Hercegovina") to add Croatia to the title and add a new Sec. 1604 permitting the President to terminate the U.S. arms embargo against Croatia if requested by that government for assistance in exercising its right of self-defense under Article 51 of the U.N. Charter.

28. Molinari—Directs the President to urge the UN Security Council to transfer UN troops from Croatia to Kosova.

29. Molinari—Directs the President to urge the Conference on Security and Cooperation in Europe to increase the number of permanent CSCE observer missions in Kosova from 20 to at least 50.

30. Molinari—Permits the President to exempt mine-clearing equipment from the U.S. arms embargo of the Republic of Croatia.

31. Snowe—Requires the U.S. to include as a condition of new membership in any major international organization that each organization have an office of inspector general which to provide all of its reports and findings to its member states.

31. Snowe—Reduces authorized amounts for the National Endowment for Democracy and for the Center for Cultural and Technical Interchange Between the East and West.

33. Snowe—Reduces authorized amounts for the Fulbright Academic Exchange Program and other educational and cultural exchange programs.

34. Snowe—Reduces authorized amounts for the Asia Foundation.

35. Snowe—Reduces authorized amounts for Contributions for International Peacekeeping Activities.

36. Snowe—Requires that authorizations for fiscal year 1995 for the State Department, USIA, and Related Agencies shall not exceed any amount authorized for that same account for fiscal year 1994, except the following accounts: Contributions to International Organizations, Contributions to International Peacekeeping Activities, and Peacekeeping Operations.

37. Traficant—Requires that nations receiving bilateral assistance must buy American products and services unless these are available for purchase within their own nation or unavailable for purchase from the U.S.

38. Traficant—Terminates U.S. aid to any nation found in substantial violation of a foreign aid agreement if the President notifies Congress the nation is in violation of an agreement and Congress passes a joint resolution terminating aid.

39. Traficant—Terminates the U.S. housing loan guarantee program to Israel unless the President certifies that any money accumulated or leveraged by the loans will be used for the authorized purpose.

40. Fazio—Reduced IMET funding for India until the Indian government addresses human rights problems, particularly in Kashmir, Assam and the Punjab.

41. Mica—Requires a report outlining the environmental protection requirements of each country to which the U.S. provides foreign assistance, excluding humanitarian assistance. Requires that a portion of the foreign assistance allocated to those countries shall be required to be used to protect and clean up the environment.

42. Hamilton—2nd degree amendment reducing the total bottom line authorization for the foreign aid programs by $300 million for fiscal year 1994. The total authorization would be $9.396 billion.

43. Hamilton—2nd degree authorizing the President to lift the U.S. arms embargo against Bosnia and provide up to $200 million in defense articles and services upon his certification that such assistance would assist Bosnia in its self-defense and that key U.S. allies are prepared to join in such efforts.

44. Hamilton—2nd degree amendment reducing funding for specified line items in the foreign assistance programs for fiscal year 1994. The total authorization would be $9.396 billion.

45. Hamilton—2nd degree amendment to Gilman #51, providing a sunset for AID to fiscal year 1995 and providing alternative reform language for foreign assistance programs.

46. Berman—Technical changes to various personnel and organizational provisions. Reduces funding for State Department and related agencies programs by $200 million.

47. Berman—Deletes provisions under the Arms Control and Disarmament provisions which relate to the NSC, some Arms Export Control Act amendments and amendments to the Atomic Energy Act.

48. Berman—Reduces funding for State Department and related agencies programs by $200 million.

49. Berman—2nd degree amendment reducing funding for State Department and related agencies programs by $200 million.

50. Berman—Conforming amendment reducing earmark to Burma if budget cuts are adopted.

51. Gilman—Proposes alternative reform plan to the base bill (identifying 4 basic principles of economic assistance); terminates foreign assistance for countries in default more than 3 months; increases funds for procurement of U.S. goods through tied aid and other programs; directs the plan to reduce the number of countries receiving economic assistance to 50, based on the 4 principles; sunsets AID on Sept. 30, 1994; and reduces the foreign assistance authorization by $395 million.

52. Dellums—Establishes authority with the Department of Defense to draw down defense articles from DOD stockpiles so as to provide assistance to the government of Bosnia-Hercegovina, and clarifies that the stocks should be replenished and that funds necessary for replenishment should be authorized and appropriated in DOD authorizations and appropriations.

53. Collins (MI)—Requires 10 percent of economic assistance funds used to procure U.S. goods to come from minority businesses.

OPEN VERSUS RESTRICTIVE RULES—95TH–103D CONGRESSES

Congress (years)	Total rules granted [1]	Open rules [2]		Restrictive Rules [3]	
		Number	Percent	Number	Percent
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	20	5	25	15	75

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bill which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: Rules Committee Calendars & Surveys of Activities, 95th–102nd Congresses; "Notices of Action Taken," Committee on Rules, 103rd Congress, through June 9, 1993.

OPEN VERSUS RESTRICTIVE RULES—103D CONGRESS

Rule number and date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58—Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176 A: 259–164 (2/3/93)
H. Res. 59—Feb. 3, 1993	MC	H.R. 2: National voter registration act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171 A: 249–170 (2/4/93)
H. Res. 103—Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172 A: 237–178 (2/24/93)
H. Res. 106—Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–10; R–3)	PQ: 248–166 A: 249; 163 (3/3/93)
H. Res. 119—Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (D–4; R–9)	8 (D–3; R–5)	PQ: 247–170 A: 248–170 (3/10/93)
H. Res. 132—Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental approps.	37 (D–8; R–29)	1 (not submitted) D–1; R–0)	A: 240/185 (3/18/93)
H. Res. 133—Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1–D not submitted) D–2; R–2)	PQ: 250–172 A: 251–172 (3/18/93)
H. Res. 138—Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164 A: 247–169 (3/24/93)
H. Res. 147—Mar. 31, 1993	C	H.R. 1430: Increase public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168 A: 242–170 (4/1/93)
H. Res. 149—Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993.	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208 (4/28/93)
H. Res. 164—May 4, 1993	O	H.R. 820: Natl. Competitiveness Act	N/A	N/A	A: Voice Vote (5/5/93)
H. Res. 171—May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	N/A	N/A	A: Voice Vote (5/20/93)
H. Res. 172—May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	N/A	N/A	A: 308–0 (5/24/93)
H. Res. 173—May 18, 1993	MC	S.J. Res. 45: U.S. forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (5/20/93)

OPEN VERSUS RESTRICTIVE RULES—103D CONGRESS—Continued

Rule number and date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 183—May 25, 1993	O	H.R. 2244: 2d supplemental approps	N/A	N/A	A: 251–174 (5/26/93)
H. Res. 186—May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178 A: 236–194 (5/27/93)
H. Res. 192—June 9, 1993	MC	H.R. 2348: Leg. branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177 A: 226–185 (6/10/93)
H. Res. 193—June 11, 1993	O	H.R. 2200: NASA authorization	N/A	N/A	A: Voice Vote (06/14/93)
H. Res. 195—June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176 (06/15/93)
H. Res. 197—June 15, 1993	MO	H.R. 2333: State Dept H.R. 2404; Foreign Aid.	53 (D–20; R–33)	27 (D–12; R–15).	

Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous Question; A-Adopted; F-Failed.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. GEPHARDT], the majority leader.

Mr. GEPHARDT. Mr. Speaker, I rise today in support of both the rule and H.R. 2333—The International Assistance Act of 1933.

I want to congratulate Chairman HAMILTON, Chairman MOAKLEY, Congressman BERMAN, and the other Members on both sides of the aisle that worked so diligently to prepare today's foreign aid authorization bill for floor consideration.

Foreign aid votes are never popular—not when George Bush was President, not when Ronald Reagan was President, not when Jack Kennedy was President, and not now that Bill Clinton is President.

Part of the reasons foreign aid is so unpopular is that most people don't understand how it affects them—how it is in their own self interest. The $10 billion authorized in today's bill actually creates jobs, fuels industry, and expands markets right here at home. American agribusiness is fortified by expanded foreign credits; American legal, financial, and medical experts are supported through technical assistance programs; American oil and gas sectors are bolstered through energy and environmental projects. If this bill did not promote American national interests then none of us would belong up here defending it.

In dollars and cents terms, foreign aid represents only about 1 percent of the total Federal budget. But in moral terms, the dividends are much greater. In the eyes of struggling Africans, it reflects hope for development; in the eyes of frustrated Russians, it represents fuel for the reform process; in the eyes of besieged Israelis, it represents sustenance for the peace process.

President Kennedy said of foreign aid, "We have not only obligations to fulfill, we have great opportunities to realize."

Three months ago, I led a congressional delegation to Ukraine and Russia. While we were there we met with a number of different leaders. Over and over, the message was loud and clear: we talk too much and deliver too little. Today's bill represents action: it funds President Clinton's program to foster democracy and free market reform in the newly independent Republics that used to be the former Soviet Union.

Russians leaders understand that we don't have a lot of budgetary resources with which to assist them. More than once we were told, "Don't hand us fish to eat—teach us how to catch them."

The long-term key to teaching Russians how to fish is not modest Government programs but rather American enterprise engaged in Russian markets. Today's bill targets programs that reach out to United States industry game to blaze a new frontier in the former Soviet Union.

Central to opening new markets in the former Soviet Union is the success of Yeltsin's reform movement. In March, we not only met with Yeltsin, but we met with many of his opponents. I am here to tell you that if Yeltsin fails, the reform process will be dealt a very debilitating blow.

Mr. Speaker, we spent $4 trillion over 50 years to protect against a Russian attack. Now we are proposing to spend a small fraction of that to keep Russia moving to capitalism and democracy, to ensure that real spending cuts in defense can be continued, to ensure that real markets for our products are created in Russia.

Forty-seven years ago, Harry Truman gave a speech entitled "From War to Peace—The Year of Decision." In that address, he stated, "The evolution of centuries has brought us to a new era in world history in which manifold relationships between nations must be formalized and developed in new and intricate ways." While Truman spoke of alliances formed in the dawn of the cold war, we now have the good fortune of embracing a new dawn—the dawn of a genuine partnership with Russia, Ukraine, and the other Republics of the former Soviet Union.

I have said it before but it bears repeating: I honestly believe that the successful transition of the former Soviet Union from a repressive Communist aggressor to a democratic free-market partner is the most important issue of our lifetime. This bill provides an important moral and substantive boost to this historic reform movement.

I urge my colleagues to support the rule and to support the bill. Thank you, Mr. Chairman.

□ 1130

Mr. SOLOMON. Mr. Speaker, I yield 6 minutes to the very distinguished ranking Republican on the Committee on Foreign Affairs, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, yesterday, when the House considered the rule governing general debate on H.R. 2333, the International Affairs Authorization Act of 1993, I supported its adoption because it took what I considered to be a positive step on behalf of the Members. It split H.R. 2333 into its two parts: The State Department authorization and the foreign assistance authorization.

Mr. Speaker, we now have the second rule before us, and I must say that it is not as much of a positive contribution as the first.

It is not an open rule, as I had requested of the Rules Committee. Although my request that the two bills be considered separately has been met, the Rules Committee did not grant an open rule, and, moreover, has not made in order all of the amendments submitted.

Having said that, let me take a moment to acknowledge the constructive efforts undertaken by our distinguished chairman, the gentleman from Indiana [Mr. HAMILTON], in his efforts to make in order as many as possible of those amendments submitted, despite the limited time allowed for the consideration of these bills by the leadership on his side.

I know that Chairman HAMILTON worked diligently with several Members, on both sides of the aisle, to help them consolidate amendments that they had offered to reach a compromise that would be acceptable to the House.

Mr. Speaker, I personally think that both of the bills have a number of good points to them. First, the funding authorized is $200 million below the fiscal year 1993 level. Second, the aid that is proposed for Russia and the other newly independent States of the former Soviet Union comes out of our foreign affairs budget, not any other budget account, and is all funded in fiscal year 1994. Furthermore, more stringent conditions are placed on our aid to Russia and authority is provided to the President to barter with Russia for reimbursement of that aid.

There is no doubt that these bills can still be improved and this rule makes in order several amendments which will allow Members to, in fact, make them better.

Mr. KASICH, Mr. ROTH, and I will seek through our amendments not only to

reform our foreign aid programs, but to cut foreign aid by an additional $360 million. Several cutting amendments will also be offered to the State Department authorization, and there will be debate on the support provided for coerced abortions in China by the U.N.'s Fund for Population Activities. Finally, an amendment to cut aid to Russia will be offered as well as an amendment to add additional provisions on bartering for our assistance to Russia.

Mr. Speaker, having stated my reservations about the process by which this rule has come to the floor, as well as my interest to debate several of the amendments to which I have referred, I will leave it to the Members to vote their conscience on this rule and the amendments that it would make in order.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Speaker, let me thank the Rules Committee for allowing my amendment and thank the distinguished chairman of the House Foreign Affairs Committee for giving me the opportunity to explain my amendment and for allowing all of us to vote on a measure to bring more accountability to our foreign aid program.

My amendment is straightforward. It requires the President to submit an integrated justification for all foreign assistance programs proposed for the coming fiscal year and an estimate of when he objectives of these programs will be achieved so that the programs can be concluded.

My reasons for offering this amendment are simple. First, Congress and the American people deserve a clear justification of foreign assistance programs. As far back as 1957, a special committee in the other body, set up to study foreign aid, reached the conclusion, and I quote:

* * * not only have the multiple objectives of postwar foreign aid programs become confused, but so, too, have the various programs. In turn, reasons for supporting or opposing annual foreign aid bills have become less clear.

Mr. Speaker, if our predecessors in Congress found foreign aid programs unclear then, what would they say today? The end of the cold war, the spread of ethnic and nationalistic conflicts, and the increased complexity and number of foreign aid programs have only increased the uncertainty about the need for and future of foreign aid.

My second reason for offering this amendment concerns fiscal fairness.

In recent weeks, The American people have heard a great deal about sacrifice. We have asked the citizens of this country to join in efforts to reduce the deficit—an effort I support and believe is absolutely necessary. If we are to scrutinize every dollar we spend on our own citizens in the name of deficit reduction, there should be no argument about subjecting the dollars we send overseas to the same examination. Foreign assistance should play a part in deficit reduction. We owe it to the people we represent, and this amendment will help us to fulfill that responsibility.

My final reason for this amendment is to encourage us to seek conclusions to our foreign assistance program when they have accomplished their purposes or when it becomes clear that they will not be successful. My amendment requires the President to make an estimate of the date by which we can conclude each foreign assistance program—the date when a program's objectives have been achieved, and the recipient can graduate, so to speak, to full partnership in world affairs. These dates of conclusion would provide us with milestones that should prompt us to reevaluate a program's goals and objectives. Any program that continues to serve our interests and to meet stated objectives will survive closer study.

Mr. Speaker, I believe that my amendment can help us to evaluate our foreign assistance needs, to establish our priorities, and to ensure fiscal fairness toward the citizens of this country.

Mr. Speaker, I rise to inquire as to whether the distinguished chairman of the Foreign Affairs Committee would agree to engage in a colloquy with me to clarify the provisions in the committee's en bloc amendment that are based on my Foreign Assistance Reporting Reform Act.

Mr. HAMILTON. Mr. Speaker, will the gentleman yield?

Mr. VALENTINE. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Speaker, I would be pleased to engage in a colloquy with the gentleman from North Carolina.

Mr. VALENTINE. Mr. Speaker, I appreciate the chairman's agreement to include the essential provisions of my legislation in this bill. My bill is intended to provide more accessible and complete information on the annual foreign assistance request from the administration in order to assist the Congress in evaluating the foreign aid program accurately. It is intended to ensure at least the same level of accountability for foreign assistance that we demand for domestic spending. We should not ask American citizens to sacrifice for deficit reduction without fully examining and justifying every taxpayer dollar to be sent overseas. Toward that end, my proposal requires a comprehensive report, arranged by both program and recipient country, on each program and for each recipient nation. This report is to include the amount and objectives of each program as well as the President's estimation of the date by which the goals of the program will be achieved and the program concluded or the date by which each recipient country will no longer require U.S. assistance. Is this understanding of the committee's en bloc amendment correct?

Mr. HAMILTON. Mr. Speaker, if the gentleman will continue to yield, the understanding of the gentleman from North Carolina is correct. I commend him for his initiative in making more understandable the information in the foreign assistance bill. I think it is a worthy one, and I will work with him to see that it is carried out.

Mr. VALENTINE. Mr. Speaker, I thank the distinguished chairman.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Speaker, I thank the gentleman for yielding time to me.

I rise in opposition to the rule, and I ask all Members to vote against it, because the Rules Committee has not included the Torricelli amendment, which is the same amendment passed by this House in 1987, 1989, and 1991.

The Torricelli amendment seeks to ensure that hundreds of millions of U.S. tax dollars are spent here in the United States.

Not including this amendment to the bill ensures that U.S. taxpayers will be directly subsidizing foreign workers, foreign manufacturers, and foreign shipping lines, not American workers, American manufacturers, and American shipping lines.

When we are asking Americans to continue foreign aid—aid that comes directly from discretionary spending in the United States—we must ensure that as many of those aid dollars as possible be spent in the United States and help workers.

We can achieve this dual purpose by passing the Torricelli amendment, but we will not have that chance since the Rules Committee has seen fit to shut American workers out of the equation.

Mr. Speaker, I ask my fellow Members to defeat this rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, in my time in this House, I do not recall ever rising in opposition to a rule. Indeed, perhaps as it turns out foolishly, I have always believed that rules were the prerogatives of the leadership in structuring the debate. But in my time in this House, I have never been more dishonorably dealt with than I have on the question of this rule and the legislation before this House.

How dare they. Three times in as many years, this House has expressed its overwhelming support on the question of foreign aid, that assistance should be borne in part on American Flag ships.

How dare they. A majority of the last 3 years this House has made its judgment clear that it is our desire that that foreign assistance, if provided in cash, be spent in part in the factories and stores of this country. And this year was no different.

Two weeks ago, the House Committee on Foreign Affairs was about to meet. A clear and overwhelming major-

ity of the committee supported this provision.

□ 1140

In deference, it was not offered. In a reasonable extension to the administration, we suggested we would not vote on the amendment so we could hear their views. Those views were never offered. In good faith, we waited, withheld our vote. When they offered no alternative, no compromise, we went to the Committee on Rules, where unmistakably a majority of the committee in previous votes on this floor shared our position.

What is it that we asked? What is it that the majority of this House, a majority of the people who are about to vote for this rule, and check the records, have previously supported? We asked that half of all of the American foreign assistance, foreign aid that goes to foreign lands, goes on American ships, and for the most reasonable of reasons: because the merchant marine of this country has collapsed. This great power of the United States now has 350 ships, as many as some Third World nations, less than any of their competitors.

We asked that foreign aid be spent in part in the United States. There is no other developed nation on this Earth that allows even a significant part of its foreign aid to be spent in third countries, but the foreign aid of the United States to Egypt is buying French wheat, it is buying Japanese automobiles, it is buying German computers.

We do not seek to reduce foreign aid. I have always supported it, just that it be spent on our goods and transported on our ships. We do not do so simply to help American corporations or workers, as if I should have to apologize for such a provision, but also for the reasons of national security. This country just fought a war in the Persian Gulf. We had to fight it with Greek ships and Taiwanese ships, because our merchant marine is in a state of collapse. That is why 250 Members of this House in the last Congress supported cargo preference for American foreign aid.

The Members will not be voting on it today. The Members will not have a chance, because this rule will not allow us to do that, in spite of overwhelming majority support, in spite of the fact that we clearly could have put it in the bill in committee but did not, in good faith. So much for good faith.

In the few minutes that remain the Members will hear from the masters, mates, and pilots, the seafarers, the longshoremen, the AFL–CIO, and make no mistake about it, for organized labor in this country, for those of the Members who watch the records, this will be a critical vote on the record of the AFL–CIO, one of their priorities. It will be noted by working men and women in this country who have asked for a chance.

Regrettably, Mr. Speaker, I ask for the defeat of this rule.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Speaker, I rise in strong support of the rule and ask my colleagues to support the rule on the foreign aid authorization and the State Department authorization legislation.

I think that the Committee on Rules has done an outstanding job in crafting an opportunity for Members on both sides of the aisle to offer not only an even number of amendments, but an equal number of amendments that are important. I do think it is important to consider some of the major issues that are framed by the debate, by the amendments that are offered.

First of all, we do have a major amendment which would give us the opportunity to cut $360 million from the foreign aid bill to be offered by my colleague, the gentleman from New York [Mr. GILMAN]. We do have an opportunity to debate two amendments on reform and a sunset date for the Agency for International Development, as we seek in both branches to frame the reforms that are necessary for foreign assistance programs. We do have an opportunity to debate the size and conditions for aid to Russian and the other republics of the former Soviet Union.

We do have an opportunity to debate the issues related to Bosnia and Kosovo, and I think that is important. We do have an opportunity for debate on human rights issues in India. We have an opportunity in the State Department authorization legislation to vote on the family planning provisions with respect to the People's Republic of China, as proposed by Mr. SMITH, my distinguished colleague from New Jersey.

Mr. Speaker, we do have an opportunity to vote, and I would hope favorably, on an amendment offered by the gentleman from Ohio [Mr. HALL], our distinguished colleague, entitled "the right to food amendment."

In short, Mr. Speaker, I believe that this rule is for a bill that is friendly for trade issues, a rule for a bill that is good for agriculture, good for coal producers, and good for timber producers. We also have an opportunity to vote on a Buy America amendment to be offered by our colleague, the gentleman from Ohio [Mr. TRAFICANT].

Mr. Speaker, for these and for many other reasons too lengthy to explain here, I strongly urge my colleagues to vote for this modified open rule for the two bills before us.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I have never voted aye for a foreign aid bill, and I am not going to break my record today, but this is probably the finest foreign aid bill we will see in the Congress. I want to commend the chairman, the gentleman from Indiana [Mr. HAMILTON] and the gentleman from New York [Mr. GILMAN], being two of our finest leaders, and they have accepted two of my amendments, even though they know I will not vote for the bill. I think that speaks to their objectivity and their leadership.

I want to commend the chairman, the gentleman from Ohio [Mr. HALL] for the efforts he has taken as a fellow colleague from Ohio on hunger, and for his amendment to this bill, which makes the world a better place and the world a little bit better off for having done it.

However, I want to discuss two issues. No. 1, if foreign aid is a jobs bill, then why did we extend unemployment benefits five times in the last 2 years? It reminds me of an analogy, when they say when Michael Jordan scores over 40 points, the Bulls lose, what are they trying to tell us? If the Bulls are going to win, Michael Jordan should not play?

Second, when we talk about Russia, if there is going to be freedom in Russia, the Russian people will fight and die for it if necessary. I do not think it will come to Russia by way of the American taxpayer.

I want to say this. America has such huge problems that I think the day will come when Congress will be faced with an urgent, massive crisis, a massive domestic crisis, and historians will look back and question our priorities. It is literally mind-boggling to me, when one individual might pay their neighbor's rent bill when the bank is foreclosing on their own family home.

I want to caution the Members, before we get carried away with all this foreign aid talk, I think it is best that Congress should start looking and reading the graffiti on the abandoned buildings scattered throughout America. We have problems big time, and I do not know where we are coming up with the bucks.

I have tried to tone it down as best I can. I will vote no, but I appreciate the leadership of both the gentleman from New York [Mr. GILMAN] and one of the fine chairmen in the House, the gentleman from Indiana [Mr. HAMILTON], as has been stated before.

My two amendments are to the point. The first one says that these countries that get American aid, they shall spend that aid when they are buying goods and services, spend it in America, unless they can do it themselves, or if there is another underdeveloped Third World nation, not an advancing nation in an advancing economy like Korea. Those would be provisos.

If we do not produce a substitute, naturally it would open up the procurement. Will the Torricelli issue be covered by the Traficant amendment? No,

it would not. Do I support the Torricelli initiative? Yes, I do. I think it is crazy for our foreign aid and the items that we transport subject to this expenditure to be transported out of here on vessels that are not American. That to me is crazy.

The second amendment says that aid can be suspended and terminated to a recipient nation who violates the terms of our foreign aid agreements.

□ 1150

I think that is specifically something that is overdue and needed.

Under the provisions of the amendment, the President would have to certify that such violation has occurred and suspend such action, and then the Congress would have to vote up or down to confirm or affirm the actions taken by the President. I think these are realistic amendments that speak to reasonable procurement practices within our Government's efforts to not only provide foreign aid, but to do it in a timely and an accountable fashion.

Let me say this in closing, that I will admit that this is perhaps the best foreign aid bill I have seen presented in all of the years I have been in Congress. I think Congress is making a conscientious attempt to do what they have to do within the parameters of the moneys we have.

But let me say this: The bottom line is Congress is still borrowing money from Japan and Germany and our Social Security trust fund, taking that borrowed money, paying interest on that borrowed money, and then shipping that borrowed money to other nations overseas. Beam me up. The least we could do is when they receive our money not buy a Japanese computer or a German truck. Do Members not agree with that?

I will yield back the balance of my time and commend the Chairman, the gentleman from Ohio, Mr. HALL, for his amendment which speaks to the basics of some real world need.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank my Rules Committee colleague, the gentleman from Sanibel, for yielding me this time.

Clearly, Mr. Speaker, the issue of foreign aid is a controversial one, as anyone who has been listening to this debate can attest. The American people are skeptical of foreign aid as we deal with a wide range of problems here domestically, but those who realize that foreign aid is necessary have come to the conclusion that it is essential that we use creative ways to provide foreign assistance to other countries. That is why I would like to congratulate the gentleman from New York [Mr. GILMAN], the gentleman from Indiana [Mr. HAMILTON], and the gentlewoman from Kansas [Mrs. MEYERS], and others who have supported a concept which I have been pushing in legislation for quite a while, that being the idea of barter for freedom. We all know that as we look at the former Soviet Union, and specifically the Russian republic, we do not want to see them go backward toward either a great level of nationalism or communism. And so some semblance of a system to wean them to democracy is important. But at the same time, we have to get the best bang for the U.S. taxpayer dollar possible. So that is why the concept of barter is important.

As we look at the $1.7 trillion in mineral reserves, in manganese, titanium, gold, oil, natural gas, a wide range of other resources, it seems to me that we have to utilize those as a backdrop from which we would provide assistance from the United States to the Russian republic.

So, Mr. Speaker, I hope very much that as we move ahead with this that the concept of barter will be enthusiastically received. Historically there have been leaders like Boris Yeltsin and Richard Nixon who have opposed it. They have now come on board and supported the concept of barter for freedom. So that really should be the wave of the future as we deal with very complex problems like this.

So, while we had some controversy surrounding the rule last night upstairs when we reported it out, I hope that this bipartisan consensus will allow us to move ahead and deal with what is clearly a very difficult issue.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Speaker, I rise to discuss my amendment to H.R. 2333, as it relates to disadvantaged enterprises.

My amendment states that no less than 10 percent of the aggregate amount available for the current fiscal year for the development assistance fund, population development assistance, and the development fund for Africa, shall be made available to businesses owned and controlled by socially and economically disadvantaged individuals.

This includes historically black colleges and universities, colleges and universities having a student body in which more than 40 percent of the students are Hispanic-American, and private voluntary organizations which are controlled by individuals who are socially and economically disadvantaged.

As used in my amendment, the term "socially and economically disadvantaged individuals" has the same meaning that the term is given under the tenets of the Small Business Act.

My amendment requires that a report be submitted to Congress annually on the implementation of the program. The report specifies the number and dollar value of contracts, subcontracts, grants, and cooperative agreements awarded to minority businesses. This will allow Congress to see how successful the program is and to make changes if necessary.

I introduced this amendment to ensure that socially and economically disadvantaged individuals with companies that are able to provide goods and service under foreign assistance programs take advantage of this business opportunity.

A September 1992 GAO report found that out of 29 cases reviewed, 9 contracts were offered to 8(a) firms, but only 1 resulted in a contract. In order to continue our work to rid society of such gross inequities, I ask my colleagues to support my amendment.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished chairman emeritus of the Rules Committee on our side, the gentleman from Tennessee [Mr. QUILLEN].

Mr. QUILLEN. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of the Torricelli amendment. I think that it is a miscarriage of justice that the Rules Committee did not make it in order.

We should protect our merchant marine fleet, and American bottoms should carry the products made possible by this legislation. I support making it in order so that we can have a vote on the floor of the House to improve our cargo preference laws.

I commend Mr. TORRICELLI for his efforts to make the amendment in order, and I support it wholeheartedly. I have watched the merchant marine fleet and our American bottoms go down the drain, and we must reestablish the belief that American bottoms are a priority in this Nation of ours. I support that effort. I think we should allow a vote on the amendment and pass it, because we need to increase the products carried on American bottoms, and there is no better place to do it than in this bill today.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Speaker, I rise today in support of the rule; however, I want to express my grave concerns about the large amount of foreign assistance to Turkey.

I support U.S. foreign assistance programs which increase human rights, reduce suffering, promote the growth of democratic institutions, and expand trade opportunities for our country.

The United States has been trying to alleviate extensive human suffering that is occurring in Armenia due to the economic blockade imposed by Azerbaijan.

This past winter, with no heat or running water, suffering reached epic proportions.

Children had to stay home from school, hospitals did not have the re-

sources to deal with the country's mounting health problems, and people died of starvation and hypothermia.

It is ironic that one of the first countries to exercise its independence from the Soviet Empire—in hopes of a better quality of life—is now in the throes of economic ruin and human misery.

Unfortunately, our recent attempts to provide humanitarian assistance to Armenia have been frustrated because Turkey—which has received over $7 billion from us in the last 10 years—has imposed its own blockade on our humanitarian assistance.

This is not what U.S. foreign aid is meant to assist in.

Mr. Speaker, I recognize the contributions that Turkey, as a member of NATO, has made to the security interests of our country.

They have been strong partners in the collective security of that area of the world.

And I also fervently hope that Turkey's new Prime Minister Tansu Ciller, who is the first woman Prime Minister in Turkey's history, will succeed in achieving progress in human rights.

However, our generosity cannot extend to governments which blatantly disregard human rights and hinder our own efforts to increase aid to those who so badly need it.

As the only Member in this body of Armenian descent, I sincerely hope that the President withholds obligation of U.S. military and economic support for Turkey until it is determined that Turkey has ended its blockade on the delivery of humanitarian assistance to Armenia.

I support foreign aid for those who both deserve it and need it.

□ 1200

Mr. GOSS. Mr. Speaker, I am honored to yield 2 minutes to my colleague, the distinguished gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Chairman, I rise in opposition to the rule partly because an amendment which I cosponsored, authored by the gentleman from New Jersey [Mr. SMITH], was not ruled in order.

The Smith amendment calls for stronger conditioning of aid to Nicaragua until human rights abuses, ignored by the Chamorro-Lacayo government, have ceased, confiscated property is returned, and human rights abusers are removed from influential government and military positions.

Despite these blatant violations of basic human rights law, outlined in the United Nations International Declaration on Human Rights, and despite the moral expectations of American citizens, U.S. aid will continue to the Nicaraguan Government.

The money that U.S. taxpayers send to Nicaragua in the form of aid is supporting a government that ignores those basic principles of human rights that the American people feel are vital to the foundation of freedom and democracy in all countries around the world.

In February of this year, the United States Department of State issued a report which outlines cases of killing and many blatant abuses of human rights in Nicaragua.

Furthermore, the American citizens who were robbed of their land have been offered insufficient compensation for their land nationalized by the Nicaraguan Government. Many who won title to their land received simply a title. They have been unable to take possession because the Nicaraguans are not moving the illegal settlers off of American owned property.

This issue must be resolved, the claims settlement mechanism in Nicaragua must swiftly decide the confiscation cases, and insure that the land is restored to the rightful owners. We can no longer accept worthless pieces of paper as assurance for property where the government has neglected to evict illegal occupants of the land.

The Committee to Recover Confiscated American Properties in Nicaragua quotes the number of claimants on record with the American Embassy as 635. Out of that, only 4 have all their property claims resolved.

How can we ask the American public to continue to support the flow of cash to a government that does not respect Americans' claims to land they rightfully own.

I favor stronger conditioning of United States aid to Nicaragua.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, let me just say that this is another closed rule. I have an amendment that has been approved, but it is another closed rule.

The majority on the Committee on Rules has been limiting debate and closing off the Republican side since the beginning of this Congress. Now, they are doing it to their own. We have a very important amendment that has passed this body 3 years in a row, sponsored by the gentleman from New Jersey [Mr. TORRICELLI], regarding cargo preference. You may or may not agree with that bill or that amendment, but it should be debated on this floor, because it deals with national security as well as the economy.

It is a travesty of justice for the Committee on Rules up there to stop these things, these very important issues, from being debated on this floor. We need open rules.

In the 95th Congress we had 85 percent of the rules that were open, and now it is 28 percent this Congress. That means that the American people and the issues that they want debated by this Congress are being shut out. The American people want these issues debated. They want the tax issues, the spending issues debated and the defense issued debated, and we are not doing it.

The Committee on Rules should be severely chastised for this, and I hope that the Democrats as well as the Republicans will vote this rule to send a very clear message upstairs.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BERMAN], chairman of the Subcommittee on International Operations.

Mr. BERMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in support of the rule, and I rise to make simply one point. In light of a couple of the previous speeches made by my colleagues, I think it is very important for this body to know that the AFL–CIO, a body which passionately is committed to cargo preference, an organization which expects that that issue will be dealt with as this bill moves along in the legislative process, continues its support for the foreign aid and for the rule and urges its adoption, and in the expectation that this issue will be dealt with in the other body and in the conference committee.

I urge my colleagues to support this rule. Do not let the critical issues involved in this legislation come crashing down over one or two particular concerns even though they may be passionate and well-felt and sincere.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to my colleague and good friend, the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, let me state that I am more than a bit surprised and disappointed that the cargo-preference amendment offered by the gentleman from New Jersey [Mr. TORRICELLI] was not made in order.

I would like to associate myself with his very strong remarks and statement. His heartfelt sense of betrayal mirrors how we often feel in the minority, that sense of betrayal when we are locked out by the House leadership on crucial amendments that we would like to offer.

I am also disappointed that the rule does not permit the House to consider my amendment outlining conditions for future aid to Nicaragua. The amendment was cosponsored by my colleagues ILEANA ROS-LEHTINEN, CASS BALLENGER and LINCOLN DIAZ-BALART. Reflecting the committee report accompanying the foreign aid authorization bill, my amendment enumerates the criteria which must be satisfied and authorized my a Presidential determator prior to the release of assistance to Nicaragua.

Mr. Chairman, I am certain that most of our colleagues would agree that the Government of Nicaragua must be held to certain standards of human rights protection, fulfillment of their legal obligation with respect to the return of confiscated properties, and civilian control of the military forces. Let the record show that the intent of the House is included in the report. Such conditions strengthen the hand of the pro-democratic forces in Nicaragua, embolden those seeking to reform the judiciary, and support the right and responsibility of the Chamorro government to gain control of the armed forces.

With the election of Violeta Chamorro earlier this decade, most of us were encouraged that forces were in place to establish democracy and promote justice in war-torn Nicaragua. Pro-democracy forces both in and out of the country thought the tide had turned. Regretfully, the record of the past couple of years has caused a sobering reevaluation of progress on these fundamental issues.

Alarmed by the mounting evidence of serious wrongdoing by high government, military, and police officials, and at the request of colleagues in the Senate, the Bush administration withheld certain foreign aid funds with the hope that the Nicaraguan Government would mend its ways.

Against this backdrop—knowing that we share a concern for the Nicaraguan people and a hope that democracy will not be hijacked—the amendment was crafted to press the cause of responsible government for the Nicaraguan people, and to prevent American aid from ending up in the hands of human rights abusers and corrupt government officials.

The debate surrounding the release of aid to Nicaragua in recent months has focused on a number of specific human rights concerns, including the escalation of political violence and killing—particularly of former resistance leaders, and lack of progress regarding the largely unresolved confiscated properties cases of both Nicaraguan and American citizens. There is the ongoing concern for effective civilian control over the military and security forces by the Chamorro government, and the dismissal of officers implicated for human rights abuses.

We will continue our vigilant watch over the Nicaraguan Government's compliance with the recommendations of the first Tripartite Commission report released in February. It has been reported that a number of the police officers named by the Commission have been suspended with pay but no military officer named in the report has met a similar fate. The expanded mandate of the OAS/CIAV (International Commission for Support and Verification) will have little meaning if the recommendations affecting the armed forces are not fulfilled. The new mandate of the OAS/CIAV will apparently include human rights monitoring, the professionalization of the police, improvement of the judicial system, electoral assistance, and promotion of nonviolence through civic education programs.

The murder cases of Jean Paul Genie, Enrigue Bermudez and Arges Sequeira remain unresolved, and there appears to be little political will on the part of the Chamorro government to pursue justice, even in these highly visible cases. The State Department agrees that the Jean Paul Genie case must be returned to a civilian court because justice in this case is not possible within the military court system in Nicaragua. To date, the Supreme Court has not handed down its decision on this issue. The OAS Inter-American Human Rights Commission has also investigated this case and it is likely that they make the same conclusion as other independent investigations—the Ortega's bodyguards committed the crime and Mr. Ortega himself was involved in the coverup of the evidence.

Investigation by the Nicaraguan Government into the case of Enrique Bermudez made no conclusive progress. In response to a request made by the Tripartite Commission, Scotland Yard was permitted to work with Nicaraguan authorities on the murder case of Mr. Bermudez, but no progress has been made in finding those responsible for that violent crime.

The Nicaraguan Government identified three suspects in connection with the murder of Mr. Arges Sequeira, but all remain at large. Mr. Frank Ibarra, leader of the new death squad in Nicaragua, the Leftist Punitive Front, confessed in a press conference on Nicaraguan television to the murder of Mr. Sequeira, and yet he has not been arrested.

Mr. Arges Sequeira, as the head of the National Association of Expropriated Nicaraguan Landowners, had taken the lead in Nicaragua on behalf of those seeking to recover confiscated properties. Ironically, before he was brutally murdered, Mr. Sequeira had criticized strongly the Government's proposal to compensate the wronged landowners with Government bonds. Though the Nicaraguan Government has asserted that a portion—a small portion—of property claims have been resolved, most often the compensation has been in the form of bonds issued by the state and payable over a 20-year period.

In the 3 years since Chamorro's inauguration, only a handful of the 2,000 individual property claims by American citizens have been fully resolved. A gracious estimate would conclude that, including those compensated with bonds, only about 5 percent of all property claims of American citizens have been resolved. Let us be clear that we expect better progress than that meager number.

With respect to the suspension or removal of military officers, let me remind my colleagues that the State Department has agreed that General Ortega should have been suspended from his position until final resolution of the Jean Paul Genie case. This is but one case in which my amendment would have buttressed the stated position of the U.S. Government. Last week during consideration of this amendment in the Foreign Affairs Committee, Deputy Secretary of State for Central American John Maisto assured me that United States assistance to Nicaragua is conditioned on military reform, including fixed terms for military officials in Nicaragua. Not only are fixed terms important, we must maintain the standard whereby those officers implicated in abuse of human rights are suspended.

Let us not forget that the release of moneys in April was coupled with an agreement by the Government of Nicaragua to continued cooperation with the FBI's investigation of the World Trade Center bombing. Among the items found at the home of one of the bombing suspects were five fraudulent Nicaraguan passports. On April 16, the Government of Nicaragua proudly announced the conviction of three individuals for forgery of public documents, that is passports. A June 11 Miami Herald article reports that one man who suggests that the Nicaraguan Government wanted to come up with a scapegoat for the passport link has already been released from prison. Mr. Speaker, with the secrecy order as rightfully issued by the trial judge in New York, we will not know for a long time what are the true facts regarding the Nicaraguan Government's connection, if any, with the Trade Center bombing.

Mr. Speaker, while I was not permitted the opportunity to offer my amendment at this time, I trust the Department of State and the Government of Nicaragua will monitor closely progress made in each of the areas outlined in the amendment. As ranking member of the Western Hemisphere Subcommittee, an outspoken defender of basic human rights, and one who seeks the best for the Nicaraguan people, rest assured I will continue to press for these standards to which we must hold each other accountable. In principle, there is consensus on each of these priorities.

For the record, I wish to submit the body of my amendment to be printed.

AMENDMENT TO H.R. 2333

As reported—offered by Mr. SMITH of New Jersey with (Ms. ROS-LEHTINEN, Mr. BALLENGER, Mr. DIAZ-BALART).

Page , after line , add the following:

SEC. 1319. ASSISTANCE FOR NICARAGUA.

(a) ECONOMIC ASSISTANCE.—

(1) DECLARATION OF POLICY.—Economic assistance for Nicaragua must reflect United

States support for reform of the armed forces, the establishment of an independent police force under civilian control, identification and retirement of military and police officers guilty of human rights abuses, implementation of judicial reform and appointment of judges committed to the rule of law, privatization of state-owned enterprises, establishment of the right to private property, and the maintenance of a dialogue between the government and the United Nicaraguan Opposition (UNO) coalition.

(2) PROHIBITION ON ASSISTANCE.—The President may not provide economic assistance for Nicaragua for a fiscal year unless the President determines and reports to the Congress for that fiscal year that—

(A) there is significant progress in improving human rights in Nicaragua, especially progress in eliminating the continuing political violence directed against former contras, much of it perpetrated by or with the connivance of Sandinista-controlled or affiliated organizations, and by bringing the violators to justice;

(B) the Nicaraguan Government is complying with the recommendations of the Tripartite Commission;

(C) progress has been made in resolving the murder cases of Enrique Bermudez, Arges Sequeira, and Jean Paul Genie;

(D) there is significant progress in settling property claims of both United States citizens and Nicaraguans, including evidence that the property claim mechanism in Nicaragua adequately provides for the resolution of appeals, there has been a physical return of properties, and there is a demonstrated commitment to resolving these cases with the greatest possible speed;

(E) there is clear evidence that the Nicaraguan Government has established effective control over Sandinista-controlled government institutions, particularly the security forces;

(F) military officers implicated in human rights abuses have been removed from the military; and

(G) the position of commander-in-chief of the armed forces in Nicaragua held on the date of the enactment of this section has passed to another individual who is not implicated in human rights abuses, or such position will pass to such an individual as soon as possible.

(b) PROHIBITION ON MILITARY EDUCATION AND TRAINING ASSISTANCE.—The President may not provide military education and training assistance for Nicaragua for a fiscal year unless the President determines and reports to Congress for that fiscal year that military officers implicated in human rights abuses by the Tripartite Commission, the Inter-American Commission on Human Rights, the Nicaraguan Association for Human Rights, the Permanent Commission for Human Rights, or the judiciary in Nicaragua, have been removed or suspended from military service.

Mr. GOSS. Mr. Speaker, I yield 1 minute to our distinguished colleague, the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, I intended to offer an amendment today which would have given the Members of this House an opportunity to openly debate the crisis in former Yugoslavia. The Rules Committee has not allowed my amendment, and denied us that opportunity.

The war in the Balkans marks its third year next week. We, as a body, have done little to stop the killing or to reduce the human carnage. Hundreds of thousands are dead, well over a million refugees are homeless, and the fear and horror of war in the Balkans is growing stronger; not weaker.

Two years ago, I stood here and urged that that America show its leadership and support democratic republics, rather than choosing the side of a Communist dictatorship.

My effort was beaten back by the same people who are preventing us from debating this matter today. Their actions have done nothing but aid Serbian aggression. Two years ago the "experts" called my approach "a mistake," and, in spite of all that we have seen, the "powers that be" are still saying that America should be neutral in the Balkans. We should not be sending troops, but we should not be neutral.

Our policy in the Balkans has been unprincipled and incompetent. It has contributed to the chaos and bloodshed, rather than deterring it. We need an open debate.

We have consistently sent the wrong message. We continuously tell the Serbs that we will tolerate their aggression. By not letting me offer my amendment today, we are letting them know that our policy of appeasement has not changed much.

On June 12, 1991, Jim Baker gave a speech in Belgrade asserting his commitment to the unity of Yugoslavia and turned his back on democratic reformers. The Serbian regime understood his message, and launched a rampage of pillage and bloodletting that destabilized the region and killed over 100,000 people.

Adding insult to injury the United States backed a move supported by Belgrade to impose an arms embargo on all republics of the former Yugoslavia—thus beginning the trend to place the aggressors and the victims in the same category. Moral equivalence on scale never seen before has been the result, leaving the aggressor with tanks, heavy artillery, and huge stocks of ammunition while the victims have been left essentially unarmed.

The reality created by our policy is doing to the Balkans what domestic gun control advocates would do here: Bad guys have overwhelming firepower eliminating all deterrence to acts of savagery and genocide, which is what we have witnessed.

The time has long since passed when the ill-conceived embargo should have been lifted. It should never have been put in place.

Lifting the embargo would be a first step to confronting aggression. Furthermore, if Croatia is permitted to procure arms it will serve as a controlling force on ethnic Croatian militias in Bosnia.

The democratically elected government in Zagreb has renounced any territorial claim to any part of Bosnia. Zagreb could be a responsible influence on Bosnian Croats, instead our embargo has created a chaotic grab-what-you-can area in central Bosnia where there is little control of military forces and gangsters rule the day.

When you back away from principle, you back into chaos and undermine long-term stability. We chose not to back freedom and independence, it fueled chaos. Now is the time to rethink our moral position, and lift the embargo on not just the Bosnians, but on all the victims, including Croatia.

Mr. GOSS. My Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. DIAZ-BALART].

Mr. DIAZ-BALART. Mr. Speaker, I rise in opposition to House Resolution 197.

□ 1210

Mr. GOSS. Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, many of us urged the House leadership to provide an open rule for debate on legislation framing our Nation's foreign aid programs. At this moment there is no broad constituency among the people we represent that enthusiastically supports foreign assistance.

Although the leadership denied our request for an open rule, we have been given a rule that will allow significant debate.

I know the Democrat leadership spent a good portion of the day yesterday grappling with more than 50 amendments proposed for this bill. They worked for hours behind closed doors to craft a detailed and complicated rule. Although we will have a chance to consider 27 amendments to this bill, several worthwhile proposals were left out.

Among those issues we will not be debating were proposals relating to the bloodshed in Croatia, assistance to Nicaragua, cargo preference, and international environmental protection. Much time could have been saved and the final product would no doubt have been improved, if we simply had an open rule process.

An open rule would allow the heated discussions over the merit of amendments to take place in full view of the people of America. After all, it is the American people who need to be convinced that our foreign assistance programs are worthwhile and effective.

So again I must note that we have missed an opportunity to build the constituency that we desperately need for responsible foreign policy. But at least the rule we have today establishes a format for discussing most of the major issues in this bill.

I know that many Americans and Members who do not sit on the committees that crafted these two bills will rely on today's debate to learn

about the provisions of this complex legislation. It is an important subject and it deserves our careful and thorough consideration

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes, the balance of our time, to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in support of the rule for H.R. 2404, the foreign aid authorization bill. I do so because I believe it is in our self-interest to pass this bill.

One need only look around the globe to see that the need for resolute, responsible, and active American leadership is as needed as ever. In the territory of the former Soviet Union, instability thrives and nationalist factions seek to return that part of the world to communism and totalitarianism. In the Middle East, a peace process enters its 10th round. Without U.S. leadership, that process would have failed long ago. In the Balkans, the pictures we see every night on the news cry out for our attention. The needs are many and this bill provides the framework for U.S. foreign policy.

Regardless of the need for American leadership, I stand here today and urge adoption of the rule and passage of the bill for reasons of simple self-interest.

Foreign aid accomplishes a great deal at a relatively small cost. This bill represents less than 1 percent of the Federal budget. In addition, though it is called foreign aid, most of the money is spent right here in the United States; 73 percent of all foreign aid and 94.5 percent of military aid is spent in the United States. In 1991, $9.2 billion in foreign aid was reinvested in the United States, creating over 180,000 jobs. This bill represents a huge bang for the buck. In 1991 alone, export promotion programs funded by the foreign aid bill helped generate more than $16 billion in U.S. exports and 300,000 jobs at a cost of only $685 million. From 1986 to 1990, U.S. exports to foreign aid recipients increased from $79 billion to $141 billion, representing over a third of total U.S. exports and generating over 2.8 million jobs. We in the United States spend a great deal less per capita than other industrialized democracies. Germany, France and other European countries devote 300 to 450 percent more to foreign aid per capita than we do.

Mr. Speaker, this bill is a solid piece of legislation. It lays a plan to accomplish many important foreign policy goals and, at the same time, takes into account the tough fiscal realities we face. This bill cuts foreign aid funding from last year's level by $200 million. It authorizes funds below the President's request and the budget agreement.

Mr. Speaker, for reasons of foreign policy and diplomacy, and for reasons of simple self-interest, I urge my colleagues to support this rule and pass this bill.

Mr. BALLENGER. Mr. Chairman, I rise to voice my opposition to the Rules Committee's decision to not allow an amendment offered by Mr. CHRIS SMITH and myself with regard to conditioning aid to Nicaragua. The purpose of our amendment was to deliver a decisive wake-up call to President Violeta Chamorro's government and let her know that the United States is determined to bring about true democracy in Nicaragua.

Mr. Chairman, the Foreign Assistance Authorization Act of 1933, H.R. 2404, simply encourages the democratically elected Chamorro government to continue in its efforts to achieve national reconciliation. It is my belief and the belief of many others that aid to Nicaragua must be conditioned and stipulations set forth with repercussions or Nicaragua will continue to slowly implement government reform.

The amendment Mr. SMITH and I offered to the Rules Committee was straightforward and purposely crafted so as to give the President of the United States the flexibility he needs in keeping the Nicaraguan Government's attention. I might add that the Chamorro government has agreed to each of these conditions prior to the offering of this amendment. The amendment, therefore, would have given the United States the necessary teeth to ensure implementation of governmental reform in a timely manner. The amendment would have accomplished several important objectives:

First, Nicaragua must reform its armed forces by establishing an independent police force under civilian control and identify and retire military and police officers guilty of human rights abuses;

Second, Nicaragua must implement judicial reform and appoint judges committed to the rule of law;

Third, Nicaragua must privatize its state-owned and operated enterprises;

Fourth, Nicaragua must establish and ensure the right to private property for its individual citizens; and

Fifth, Nicaragua must maintain an open dialog between the Government and the United Nicaraguan Opposition [UNO] coalition.

While I believe some efforts toward revamping the Communist government of Nicaragua have been made, much more can and needs to be done to achieve a totally free and democratic society in Nicaragua. Our amendment would have delivered the necessary wake-up call the Nicaraguan Government needed to get it off Clinton time and into reality time.

Mr. Chairman, I urge my colleagues to vote "no" on the rule.

The SPEAKER pro tempore (Mr. VALENTINE). All time has expired.

Mr. HALL of Ohio. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. TORRICELLI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 294, nays 129, not voting 11, as follows:

[Roll No. 226]

YEAS—294

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilbray
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Buyer
Byrne
Calvert
Camp
Cantwell
Cardin
Carr
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Derrick
Dickey
Dixon
Dooley
Doolittle
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Ewing
Farr
Fazio
Filner
Fingerhut
Fish
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gallegly
Gejdenson
Gephardt
Geren
Gibbons
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hancock
Harman
Hastert
Hastings
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Holden
Hoyer
Hutto
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennelly
Kildee
Kim
Kingston
Kleczka
Klein
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Linder
Long
Lowey
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Mazzoli
McCloskey
McCrery
McCurdy
McDermott
McHale
McInnis
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Montgomery
Moorhead
Moran
Morella
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Ramstad
Ravenel
Reed
Reynolds
Richardson
Roberts
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp

Shays	Synar	Visclosky
Shepherd	Tanner	Walker
Sisisky	Tejeda	Waters
Skaggs	Thomas (CA)	Watt
Skeen	Thomas (WY)	Waxman
Skelton	Thompson	Whitten
Slattery	Thornton	Williams
Slaughter	Thurman	Wilson
Smith (IA)	Torres	Wise
Smith (OR)	Towns	Wolf
Spratt	Traficant	Woolsey
Stark	Tucker	Wyden
Stenholm	Unsoeld	Wynn
Stokes	Valentine	Young (AK)
Strickland	Velazquez	
Swift	Vento	

NAYS—129

Baker (CA)	Hamburg	Quinn
Baker (LA)	Hansen	Rahall
Ballenger	Hayes	Rangel
Bateman	Hefley	Regula
Bentley	Hoke	Ridge
Bilirakis	Horn	Rogers
Borski	Houghton	Rohrabacher
Bunning	Huffington	Ros-Lehtinen
Burton	Hughes	Roth
Callahan	Hunter	Roukema
Canady	Hutchinson	Santorum
Castle	Inglis	Saxton
Coble	Inhofe	Schaefer
Collins (GA)	Istook	Sensenbrenner
Combest	Jacobs	Shaw
Coyne	Johnson, Sam	Shuster
Crane	Kennedy	Smith (MI)
Crapo	King	Smith (NJ)
Cunningham	Klink	Smith (TX)
DeLay	Lantos	Snowe
Deutsch	Levy	Solomon
Diaz-Balart	Lewis (FL)	Spence
Dicks	Lightfoot	Stearns
Dingell	Lipinski	Studds
Dornan	Livingston	Stump
Dreier	Machtley	Stupak
Duncan	McCandless	Sundquist
Dunn	McCollum	Swett
Evans	McDade	Talent
Everett	McHugh	Tauzin
Fawell	McMillan	Taylor (MS)
Fields (LA)	Mfume	Taylor (NC)
Fields (TX)	Mica	Torkildsen
Flake	Mollohan	Torricelli
Fowler	Murphy	Upton
Franks (CT)	Murtha	Volkmer
Franks (NJ)	Myers	Vucanovich
Gallo	Olver	Walsh
Gekas	Packard	Weldon
Gilchrest	Paxon	Yates
Gillmor	Pombo	Young (FL)
Gilman	Portman	Zeliff
Goss	Quillen	Zimmer

NOT VOTING—11

Clinger	Henry	Matsui
Collins (IL)	Hyde	Washington
Cox	Johnson (CT)	Wheat
Dellums	Lloyd	

□ 1237

The Clerk announced the following pair:

On this vote:

Mrs. Collins of Illinois for, with Mr. Cox against.

Messrs. MURTHA, KLINK, HUGHES, POMBO, DEUTSCH, COYNE, and MOLLOHAN changed their vote from "yea" to "nay."

Messrs. PAYNE of Virginia, KASICH, and SCHIFF changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FOREIGN ASSISTANCE AUTHORIZATION ACT OF 1993

The SPEAKER pro tempore (Mr. VALENTINE). Pursuant to House Resolution 197 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2404.

□ 1239

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2404) to authorize appropriations for foreign assistance programs, and for other purposes, with Mr. MCDERMOTT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, no further general debate is in order.

Pursuant to the rule, the bill is considered as read for amendment under the 5-minute rule.

The text of the bill, H.R. 2404, is as follows:

H.R. 2404

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 Assistance Authorization Act of 1993".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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

TITLE I—REFORM OF FOREIGN ASSISTANCE PROGRAMS

Sec. 101. Need for foreign assistance reform.
Sec. 102. Evaluation and accountability.

TITLE II—AUTHORIZATIONS FOR FOREIGN ASSISTANCE PROGRAMS

Sec. 201. Authorizations of appropriations for fiscal year 1994.
Sec. 202. Child survival activities and Vitamin A Deficiency Program and related activities.
Sec. 203. Housing guarantee program.
Sec. 204. Overseas Private Investment Corporation.
Sec. 205. Special debt reduction authority.
Sec. 206. Special Defense Acquisition Fund.

TITLE III—REGIONAL PROVISIONS

Sec. 301. Sub-Saharan Africa disaster assistance.
Sec. 302. African Development Foundation.
Sec. 303. Conflict resolution initiative for Africa.
Sec. 304. SADC projects.
Sec. 305. South Africa.
Sec. 306. Sudan.
Sec. 307. Zaire.
Sec. 308. Afghanistan humanitarian assistance.
Sec. 309. Multilateral Assistance Initiative for the Philippines.
Sec. 310. Assistance for Eastern Europe and the Baltics.
Sec. 311. Assistance for the independent states of the former Soviet Union.
Sec. 312. Assistance for Mongolia.
Sec. 313. Termination of IMET program for Malta.
Sec. 314. Administration of justice and other law enforcement assistance programs for Latin America and the Caribbean.
Sec. 315. Waiver of Brooke amendment for Nicaragua.
Sec. 316. Special notification requirements for Guatemala and Peru.
Sec. 317. Assistance for the Middle East.
Sec. 318. Military drawdown for Israel.

TITLE IV—PROVISIONS RELATING TO ARMS TRANSFERS

Sec. 401. Competitive pricing for sales of defense articles and services.
Sec. 402. Increase in aggregate ceiling on transfers of excess defense articles.
Sec. 403. Eligibility of East European countries to receive nonlethal excess defense articles.
Sec. 404. Exception to payment of full cost for sales of defense training services to certain countries and international organizations.
Sec. 405. Eligibility of major non-NATO allies to receive certain contract services in connection with sales of defense articles and services.
Sec. 406. Additions to war reserve stockpiles for allies.
Sec. 407. Arab boycott.

TITLE V—OTHER FOREIGN ASSISTANCE PROVISIONS

Sec. 501. Interest accruing to nongovernmental organizations.
Sec. 502. Private Sector Revolving Fund.
Sec. 503. Development assistance through nongovernmental organizations.
Sec. 504. Impact of foreign assistance programs on jobs in the United States.
Sec. 505. Capital projects.
Sec. 506. Microenterprise development.
Sec. 507. Report on AID's implementation of Agenda 21 principles.
Sec. 508. Authority to provide reconstruction assistance under international disaster assistance.
Sec. 509. Deobligation of certain unexpended economic assistance funds.

TITLE VI—BOSNIA-HERCEGOVINA

Sec. 601. Short title.
Sec. 602. Findings.
Sec. 603. United States arms embargo of the Government of Bosnia-Hercegovina.
Sec. 604. United States military assistance for Bosnia-Hercegovina.
Sec. 605. Authority of the Secretary of Defense.

TITLE I—REFORM OF FOREIGN ASSISTANCE PROGRAMS

SEC. 101. NEED FOR FOREIGN ASSISTANCE REFORM.

(a) NEED FOR REFORM.—The Congress—

(1) remains convinced that United States foreign assistance programs and the Agency for International Development are in need of immediate reform; and

(2) remains prepared to enact reform legislation in time for the fiscal year 1995 authorization and appropriations cycle.

(b) COMPREHENSIVE REFORM PLAN.—To facilitate this reform process, the President shall submit to the Congress, within 60 days after the date of enactment of this Act, a plan for comprehensive reform of United States foreign assistance programs and of the agency primarily responsible for admin-

istering part I of the Foreign Assistance Act of 1961.

SEC. 102. EVALUATION AND ACCOUNTABILITY.

Section 125 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 125. EVALUATION AND ACCOUNTABILITY.

"(a) NEED FOR EVALUATION.—In order to effectively and responsibly manage the resources with which it is provided, the agency primarily responsible for administering this part must have a capacity to evaluate objectively the extent of its progress in achieving development results and to derive lessons from its development experience.

"(b) ACTIONS TO BE TAKEN.—In furtherance of subsection (a), the President shall establish a program performance, monitoring, and evaluation capacity within the agency primarily responsible for administering this part that will do the following:

"(1) Enhance, through training and other means, the use of program performance, monitoring, and evaluation as a management tool, by both the agency and its counterparts in countries receiving assistance, in the planning, designing, and implementation of foreign assistance projects and programs.

"(2) Develop a program performance information system to afford agency managers at all levels a means for monitoring and assessing achievement of impact and interim performance of the agency's major programs in support of the strategic management of economic assistance.

"(3) Prepare and disseminate objective and periodic reports on the progress of the agency in meeting development objectives and on lessons learned from its development programs.

"(4) Strengthen the capacity to utilize the findings of program performance, measurement, and evaluation in decisions of the agency about program direction and resource allocation.

"(5) Coordinate with the Inspector General of the agency so as to ensure appropriate complementarity of efforts, recognizing that—

"(A) it is the responsibility of the agency to direct a system of performance measurement and independent evaluations of its programs and policies, as well as the operational and management systems that affect the development impact of those programs and policies; and

"(B) it is the responsibility of the Inspector General to conduct regular and comprehensive assessments and audits of financial management and administrative systems, including the adequacy of the systems for monitoring and evaluating agency projects and programs.

"(c) ACCOUNTABILITY.—The President shall prepare an annual report to the Congress as a separate part of the congressional presentation materials of the agency primarily responsible for administering this part. This report shall include the following:

"(1) An assessment of progress toward the achievement of sustainable development objectives, based on the findings of program performance, monitoring, and evaluation studies conducted by the agency and on such other empirical analyses as may be appropriate.

"(2) An analysis, on a country-by-country basis, of the impact on economic development in each such country during the preceding 3 to 5 fiscal years of United States economic assistance programs, with a discussion of the United States interests that were served by the assistance. Each country receiving economic assistance under this part or under the Support for East European Democracy (SEED) Act of 1989 shall be included in such an analysis at least once every 5 years. For each country, the analysis shall—

"(A) describe the specific objectives the United States sought to achieve in providing economic assistance, and specify the extent to which those objectives were or were not achieved;

"(B) to the extent possible, be done on a sector-by-sector basis and identify trends (both favorable and unfavorable) within each sector and, if relevant, identify any economic policy reforms conducive to sustainable economic growth that were promoted by the assistance and the progress being made by the country in adopting economic policies that foster and enhance the freedom and opportunity of individuals to participate in economic growth in the country;

"(C) as part of the context of United States economic assistance, describe the amount and nature of economic assistance provided by other major donors during the preceding 3 to 5 fiscal years, set forth by the development sector to the extent possible; and

"(D) contain statistical and other information necessary to evaluate the impact and effectiveness of United States economic assistance on development in the country.".

TITLE II—AUTHORIZATIONS FOR FOREIGN ASSISTANCE PROGRAMS

SEC. 1201. AUTHORIZATIONS OF APPROPRIATIONS FOR FISCAL YEAR 1994.

(a) ECONOMIC ASSISTANCE.—There are authorized to be appropriated for fiscal year 1994 the following amounts for the following purposes:

(1) DEVELOPMENT ASSISTANCE FUND.—$850,000,000 to carry out sections 103 through 106 of the Foreign Assistance Act of 1961.

(2) POPULATION, DEVELOPMENT ASSISTANCE.—$395,000,000 to carry out section 104(b) of the Foreign Assistance Act of 1961.

(3) DEVELOPMENT FUND FOR AFRICA.—$900,000,000 to carry out chapter 10 of part I of the Foreign Assistance Act of 1961.

(4) INTERNATIONAL DISASTER ASSISTANCE.—$148,965,000 to carry out section 491 of the Foreign Assistance Act of 1961.

(5) AMERICAN SCHOOLS AND HOSPITALS.—$35,000,000 to carry out section 214 of the Foreign Assistance Act of 1961.

(6) MULTILATERAL ASSISTANCE INITIATIVE FOR THE PHILIPPINES.—$30,000,000 for assistance for the Philippines under chapter 4 of part I of the Foreign Assistance Act of 1961.

(7) ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES.—$400,000,000 for economic assistance for Eastern Europe and the Baltic States under the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

(8) ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.—$903,820,000 to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 and to carry out exchanges and training and similar programs under section 807 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992.

(9) INTER-AMERICAN FOUNDATION.—$30,960,000 to carry out section 401 of the Foreign Assistance Act of 1969.

(10) AFRICAN DEVELOPMENT FOUNDATION.—$18,000,000 to carry out the African Development Foundation Act.

(11) INTERNATIONAL FUND FOR IRELAND.—$19,600,000 to carry out part I of the Foreign Assistance Act of 1961, which shall be available for the United States contribution to the International Fund for Ireland in accordance with the Anglo-Irish Agreement Support Act of 1986. Amounts appropriated under this paragraph are authorized to remain available until expended.

(b) SECURITY ASSISTANCE.—There are authorized to be appropriated for fiscal year 1994 the following amounts for the following purposes:

(1) FOREIGN MILITARY FINANCING PROGRAM GRANTS.—$3,200,000,000 for grants under section 23 of the Arms Export Control Act. Funds made available under this paragraph shall be nonrepayable notwithstanding any requirement of that section.

(2) FOREIGN MILITARY FINANCING PROGRAM LOANS.—$57,000,000 for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of loans under section 23 of the Arms Export Control Act.

(3) ECONOMIC SUPPORT FUND.—$2,424,400,000 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961.

(4) INTERNATIONAL MILITARY EDUCATION AND TRAINING.—$40,000,000 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961.

(5) ANTI-TERRORISM ASSISTANCE.—$15,555,000 to carry out chapter 8 of part II of the Foreign Assistance Act of 1961.

(6) NONPROLIFERATION AND DISARMAMENT FUND.—$25,000,000 to carry out section 504 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992.

(c) PEACE CORPS.—There are authorized to be appropriated $219,745,000 for fiscal year 1994 to carry out the Peace Corps Act.

(d) REDUCTION IN PREVIOUSLY ENACTED AUTHORIZATION FOR INTERNATIONAL NARCOTICS CONTROL ASSISTANCE.—Section 482(a)(1) of the Foreign Assistance Act of 1961 is amended by striking "$171,500,000" and inserting "$135,000,000".

(e) RULE OF CONSTRUCTION.—In order to ensure that all otherwise applicable authorities, restrictions, and other provisions of law apply with respect to the amounts that are authorized to be appropriated by this section for fiscal year 1994, those amounts shall be deemed to be authorized to be appropriated by the provision of the Foreign Assistance Act of 1961 or other Act that provided the corresponding authorization of appropriations for prior fiscal years.

SEC. 202. CHILD SURVIVAL ACTIVITIES AND VITAMIN A DEFICIENCY PROGRAM AND RELATED ACTIVITIES.

(a) CHILD SURVIVAL ACTIVITIES.—The Congress expects that not less than $275,000,000 of the funds made available for fiscal year 1994 to carry out part I of the Foreign Assistance Act of 1961 (relating to development and other economic assistance) will be used for child survival activities.

(b) VITAMIN A DEFICIENCY PROGRAM AND RELATED ACTIVITIES.—The Congress expects that not less than $25,000,000 of the funds made available for fiscal year 1994 to carry out sections 103 through 106 of the Foreign Assistance Act of 1961 (relating to development assistance) will be made available for the Vitamin A Deficiency Program and activities relating to iodine deficiency and other micro-nutrients.

SEC. 203. HOUSING GUARANTEE PROGRAM.

(a) AUTHORIZATIONS.—

(1) COST OF GUARANTEED LOANS.—There are authorized to be appropriated $16,407,000 for fiscal year 1994 for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of guaranteed loans under sections 221 and 222 of the Foreign Assistance Act of 1961.

(2) PROGRAM CEILING.—Section 222(a) of that Act is amended by striking "$2,558,000,000" in the second sentence and inserting "$3,000,000,000".

(3) PROGRAM EXPIRATION DATE.—Section 222(a) of that Act is amended by striking "1992" in the third sentence and inserting "1995".

(4) ADMINISTRATIVE EXPENSES.—(A) There are authorized to be appropriated $8,407,000 for fiscal year 1994 for administrative expenses to carry out guaranteed loan programs under sections 221 and 222 of that Act. Amounts appropriated under this paragraph are authorized to remain available until expended.

(B) Amounts appropriated under this paragraph may be transferred to and merged with the appropriations for "Operating Expenses of the Agency for International Development".

(b) PREFERENTIAL TREATMENT TO PROJECTS IN POORER COUNTRIES.—Section 222 of the Foreign Assistance Act of 1961 is amended—

(1) by redesignating subsection (k) as subsection (e); and

(2) by inserting after subsection (c) the following:

"(d) PREFERENTIAL CONSIDERATION TO PROJECTS IN POORER COUNTRIES.—In issuing guarantees under this section and in carrying out related activities, the President shall give preferential consideration to projects in countries with an annual per capita income of $1,196 or less in 1991 United States dollars, and shall restrict guarantees and related activities for projects in countries with an annual per capita income of $5,190 or more in 1991 United States dollars.".

(c) FEE INCREASE.—

(1) STUDY.—The administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961—

(A) shall conduct a study to determine the feasibility of increasing the fees charged pursuant to section 223(a) of that Act for guarantees issued under sections 221 and 222 of that Act in an effort to reduce the costs (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of the guarantee program; and

(B) shall submit the results of this study to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate not later than 6 months after the date of enactment of this Act.

(2) POLICY.—The administrator should increase the fees described in paragraph (1)(A) to the extent determined to be feasible in the study conducted pursuant to this subsection.

SEC. 204. OVERSEAS PRIVATE INVESTMENT CORPORATION.

(a) PROGRAM AUTHORIZATION OF FISCAL YEAR 1995.—Section 235(a) of the Foreign Assistance Act of 1961 is amended—

(1) in paragraph (1) by striking "$9,000,000,000" and inserting "$10,000,000,000";

(2) in paragraph (2)(A) by striking "$2,500,000,000" and inserting "$3,500,000,000"; and

(3) in paragraph (2)(B)—

(A) by striking "and" at the end of clause (i);

(B) by striking the period at the end of clause (ii) and inserting "; and"; and

(C) by inserting after clause (ii) the following:

"(iii) to transfer such sums as are necessary from its noncredit account revolving fund to pay for the subsidy cost of a program level for the loan and loan guarantee program under subsections (b) and (c) of section 234 of $1,000,000,000 for fiscal year 1995.".

(b) TERMINATION DATE.—Section 235(a)(3) of that Act is amended by striking "1994" and inserting "1995".

(c) ADMINISTRATIVE EXPENSES.—Section 235(g) of that Act is amended—

(1) in paragraph (1) by striking "and";

(2) in paragraph (2) by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(3) $15,000,000 for fiscal year 1995.".

SEC. 205. SPECIAL DEBT REDUCTION AUTHORITY.

(a) AUTHORITY TO REDUCE DEBT.—Notwithstanding any other provision of law (other than the Federal Credit Reform Act of 1990), the President may reduce amounts of principal and interest owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961; or

(2) credits extended or guarantees issued under the Arms Export Control Act.

(b) IMPLEMENTATION OF PARIS CLUB DEBT REDUCTION.—The authority provided by this section may be exercised only to implement the multilateral official debt relief ad referendum agreements that are commonly referred to as "Paris Club Agreed Minutes".

(c) APPROPRIATIONS REQUIREMENT.—The authority provided by this section may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts in accordance with the requirements of the Federal Credit Reform Act of 1990.

(d) ELIGIBLE COUNTRIES.—For purposes of this section, the term "eligible country" means a country that the President determines—

(1) has a heavy debt burden; and

(2) is eligible to borrow from the International Development Association but not from the International Bank for Reconstruction and Development (commonly referred to as an "IDA-only" country).

SEC. 206. SPECIAL DEFENSE ACQUISITION FUND.

(a) DECAPITALIZATION.—Notwithstanding section 51(b) of the Arms Export Control Act, collections described in that section that are in excess of obligational authority provided in foreign operations, export financing, and related appropriations Acts for fiscal years prior to fiscal year 1994 shall be deposited in the Treasury as miscellaneous receipts.

(b) AVOIDANCE OF DUPLICATIVE PROVISIONS.—Subsection (a) shall not apply if the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994, contains an identical requirement.

TITLE III—REGIONAL PROVISIONS

SEC. 301. SUB-SAHARAN AFRICA DISASTER ASSISTANCE.

The Congress expects that not less than $100,000,000 of the funds made available for fiscal year 1994 to carry out section 491 of the Foreign Assistance Act of 1961 (relating to international disaster assistance) will be used for disaster relief, rehabilitation, and reconstruction assistance for sub-Saharan Africa.

SEC. 302. AFRICAN DEVELOPMENT FOUNDATION.

(a) CEILING ON ASSISTANCE FOR A PROJECT.—Section 505(a)(2) of the African Development Foundation Act is amended by adding at the end the following: "In exceptional circumstances, the board of directors of the Foundation may waive such dollar limitation with respect to a project. Any such waivers shall be reported to the Congress annually.".

(b) AUTHORITY TO EMPLOY ALIENS.—Section 506(a) of that Act is amended—

(1) by redesignating paragraphs (8) through (12) as paragraphs (9) through (13), respectively; and

(2) by inserting after paragraph (7) the following:

"(8) when determined by the president of the Foundation to be necessary (but subject to the limitation established by paragraph (7) on the number of Foundation employees), may employ persons who are not citizens of the United States notwithstanding any provision of law that would otherwise prohibit the use of appropriated funds to pay the compensation of officers or employees of the Government who are not citizens of the United States;".

(c) TRAVEL EXPENSES.—

(1) MEMBERS OF BOARD.—Section 507(b) of that Act is amended by striking "actual and necessary expenses not exceeding $100 per day, and for transportation expenses," and inserting "travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code,".

(2) CONFORMING AMENDMENT.—Section 507(e)(3) of that Act is amended by striking "and other expenses" and inserting "expenses, including per diem in lieu of subsistence,".

(d) INTEREST ACCRUING TO GRANTEES.—

(1) AUTHORITY TO RETAIN.—The African Development Foundation Act is amended by adding at the end the following:

"SEC. 511. INTEREST ACCRUING TO GRANTEES.

"When, with the permission of the Foundation, funds made available to a grantee under this title are invested pending disbursement, the resulting interest is not required to be deposited in the United States Treasury if the grantee uses the resulting interest for the purpose for which the grant was made.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to both interest earned before and interest earned after the date of enactment of this Act.

SEC. 303. CONFLICT RESOLUTION INITIATIVE FOR AFRICA.

(a) IMPROVING OAU'S CONFLICT RESOLUTION CAPABILITIES.—

(1) DESCRIPTION OF ASSISTANCE.—The President is authorized to provide assistance to help establish a permanent conflict resolution capability within the Organization of African Unity (referred to in this subsection as the "OAU"), as follows:

(A) Funds may be provided to the OAU for use in supporting its conflict resolution capability.

(B) Funds may be used for expenses of sending individuals with expertise in conflict resolution (who may include United States Government employees) from the United States to work with the OAU for a period of up to 2 years.

(C) Funds may be provided to the OAU to support the establishment and maintenance of an African Conflict Resolution Research Center that is linked to the OAU secretariat.

(2) FUNDING.—Of the funds that are allocated for sub-Saharan Africa, not less than $1,500,000 for each of the fiscal years 1994 through 1998 should be used to carry out paragraph (1), in addition to funds otherwise available for such purpose.

(3) REQUIREMENT FOR APPROVAL OF CERTAIN REFORMS.—Assistance may be provided pursuant to this subsection only if the President determines that the OAU has approved and is in the process of implementing the reforms proposed by the Secretary General of the OAU in February 1993 in the Interim Report of the Secretary General on the Mechanisms for Conflict Prevention, Resolution and Management.

(b) IMPROVING CONFLICT RESOLUTION CAPABILITIES OF MULTILATERAL SUBREGIONAL ORGANIZATIONS.—

(1) TYPES OF ASSISTANCE TO BE PROVIDED.—The President is authorized to provide assistance to help establish permanent conflict resolution capabilities within subregional organizations established by countries in sub-Saharan Africa, as follows:

(A) Funds may be provided to such an organization for use in supporting its conflict resolution capability.

(B) Funds may be used for the expenses of sending individuals with expertise in conflict resolution (who may include United States Government employees) from the United States to work with such an organization for a period of up to 2 years.

(2) FUNDING.—Of the funds that are allocated for sub-Saharan Africa under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), up to $1,500,000 for each of the fiscal years 1994 through 1998 may be used to carry out paragraph (1).

(c) AFRICAN DEMOBILIZATION AND RETRAINING PROGRAM.—

(1) IN GENERAL.—In order to facilitate reductions in the size of the armed forces of countries of sub-Saharan Africa, the President is authorized to provide assistance for—

(A) encampment and related activities associated with demobilization of such forces, and

(B) the retraining for civilian occupations of military personnel who have been demobilized.

(2) FUNDING.—(A) Of the funds that are allocated for sub-Saharan Africa under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) and under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act, $10,000,000 for fiscal year 1994 should be used for the assistance described in paragraph (1)(A).

(B) A portion of the funds made available for fiscal year 1994 to carry out chapter 10 of part I of the Foreign Assistance Act of 1961 (relating to the Development Fund for Africa) may be used for the assistance described in paragraph (1)(B).

(d) IMET CONFLICT RESOLUTION PROGRAM.—Chapter 5 of part II of the Foreign Assistance Act of 1961 is amended by adding at the end the following:

"SEC. 546. CONFLICT RESOLUTION PROGRAM FOR AFRICA.

"In addition to the other education and training activities carried out under this chapter, the President is authorized to establish a program to provide education and training in conflict resolution for civilian and military personnel of countries in sub-Saharan Africa.".

SEC. 304. SADC PROJECTS.

(a) WAIVER OF BROOKE AMENDMENT.—Section 620(q) of the Foreign Assistance Act of 1961 and the corresponding section of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994, shall not apply with respect to assistance provided for fiscal year 1994 under section 496(o) of the Foreign Assistance Act of 1961 (relating to support for SADC projects).

(b) TECHNICAL AMENDMENT.—Section 496(o) of the Foreign Assistance Act of 1961 is amended—

(1) in the subsection heading by striking "SADCC" and inserting "SADC"; and

(2) in paragraph (1) by striking "Coordination Conference (SADCC)" and inserting "Community (SADC)".

SEC. 305. SOUTH AFRICA.

(a) REMOVAL OF CEILINGS ON GRANTS FOR HUMAN RIGHTS PROJECTS.—Section 116 of Foreign Assistance Act of 1961 is amended—

(1) by repealing subparagraphs (C) and (D) of subsection (e)(2); and

(2) in subsection (f)—

(A) by repealing paragraph (2), and

(B) by striking "(f)(1)" and inserting "(f)" and by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively.

(b) EXCEPTION TO LIMITATION ON ASSISTANCE RECIPIENTS.—

(1) ASSISTANCE UNDER SECTION 116.—Section 116(e)(2)(B) of that Act is amended—

(A) in the fourth sentence, by striking "or to organizations financed or controlled by the Government of South Africa"; and

(B) by adding at the end the following: "A nongovernmental organization financed or controlled by the Government of South Africa that meets the criteria specified in this subparagraph may receive assistance under this paragraph only if the President determines that (i) the activities of that organization further the purposes of the establishment of a non-racial democratic state in South Africa, (ii) the provision of assistance to that organization will further the objective of this paragraph to assist disadvantaged South Africans, and (iii) the Government of South Africa is continuing to make progress toward dismantling apartheid and establishing a nonracial democracy. Before making such determinations, the President shall consult with the appropriate congressional committees and with South African organizations that are representative of the majority population of South Africa and should seek a commitment from the Government of South Africa that it will provide additional resources to meet the needs of disadvantaged South Africans. As used in the preceding sentence, the term 'appropriate congressional committees' means the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.".

(2) ASSISTANCE UNDER SECTION 117.—Section 117 of that Act (as added by section 201(b) of the Comprehensive Anti-Apartheid Act of 1986) is amended by adding at the end the following: "In addition, a nongovernmental organization that meets the criteria specified in the first 2 sentences of this section but receives funds from the Government of South Africa may receive assistance under this section if the President determines that such organization meets the requirements of the 5th sentence of section 116(e)(2)(B), and such determination is made in accordance with the 6th sentence of such section.".

SEC. 306. SUDAN.

(a) STATEMENT OF THE CONGRESS.—The Congress—

(1) strongly condemns the Government of Sudan for its severe human rights abuses and calls upon that government to improve human rights conditions throughout the country;

(2) deplores the internecine fighting among the factions of the Sudanese People's Liberation Army;

(3) urges the Government of Sudan and the factions of the Sudanese People's Liberation Army to provide full access for and to cooperate with relief organizations;

(4) encourages the Government of Sudan to lift the press ban which was imposed after it took power in June 1989; and

(5) calls on the Government of Sudan to establish a democratic system.

(b) RESTRICTIONS ON ASSISTANCE.—Except as provided in subsection (c), assistance may not be provided for Sudan for fiscal year 1994—

(1) under chapter 1 or chapter 10 of part I of the Foreign Assistance Act of 1961 (relating to development assistance and the Development Fund for Africa),

(2) under chapter 4 of part II of that Act (relating to the economic support fund),

(3) under chapter 5 of part II of that Act (relating to international military education and training), or

(4) from the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act.

(c) WAIVER OF RESTRICTIONS.—

(1) AUTHORIZATION.—The President may waive the prohibitions in subsection (b) if the President determines, and reports in accordance with paragraph (2), that there is substantial progress in southern Sudan toward respecting human rights, resolving the conflict in that region, establishing a democratically elected government, and establishing a reformed and independent judiciary system.

(2) CONGRESSIONAL REVIEW OF DETERMINATION.—A determination under paragraph (1) shall not become effective until 15 days after it is reported to the congressional committees specified in section 634A(a) of the Foreign Assistance Act of 1961 in accordance with the procedures applicable to reprogramming notifications under that section.

SEC. 307. ZAIRE.

(a) STATEMENT OF THE CONGRESS.—The Congress—

(1) strongly condemns the disruptive measures taken by President Mobutu in recent months, and holds President Mobutu responsible for the current political crisis in Zaire;

(2) stresses the importance of a successful transition to democracy in Zaire;

(3) urges the President of the United States to pressure President Mobutu to leave Zaire so that the legitimate transitional government can proceed with the process of democratization as mandated by the Sovereign National Conference;

(4) urges the President of the United States to impose, in conjunction with our allies, a variety of sanctions on President Mobutu, including—

(A) freezing the bank accounts of President Mobutu, his family and associates;

(B) denying visas to President Mobutu, his family and associates; and

(C) expelling Mobutu's ambassador;

(5) congratulates the people of Zaire for their courageous support of democracy in the face of powerful opposition; and

(6) expresses its readiness to explore further ways of providing support for democracy and political pluralism in Zaire.

(b) RESTRICTIONS ON ASSISTANCE.—

(1) SECURITY ASSISTANCE.—Except as provided in subsection (c), assistance may not be provided for Zaire for fiscal year 1994—

(A) under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

(B) under chapter 5 of part II of that Act (relating to international military education and training), or

(C) from the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act.

(2) DEVELOPMENT ASSISTANCE.—Except as provided in subsection (c), assistance under chapter 1 or chapter 10 of part I of the Foreign Assistance Act of 1961 (relating to development assistance and the Development Fund for Africa) for fiscal year 1994 shall not

be transferred to the Government of Zaire. This paragraph does not prohibit nongovernmental organizations from working with appropriate ministries or departments of the Government of Zaire.

(c) WAIVER WHEN THE DEMOCRATIC PROCESS IS RESTORED.—

(1) AUTHORIZATION.—The President may waive the prohibitions in subsection (b) if the President determines, and reports in accordance with paragraph (2), that democracy has been restored in Zaire, that President Mobutu is no longer a threat to the elected government, and that the elected government is committed to bringing about freedom of expression for the people of Zaire, a reformed and independent judiciary, and reform of, and applications of the rule of law to, Zaire security forces.

(2) CONGRESSIONAL REVIEW OF DETERMINATION.—A determination under paragraph (1) shall not become effective until 15 days after it is reported to the congressional committees specified in section 634A(a) of the Foreign Assistance Act of 1961 in accordance with the procedures applicable to reprogramming notifications under that section.

SEC. 308. AFGHANISTAN HUMANITARIAN ASSISTANCE.

(a) AUTHORIZATION.—Funds described in subsection (c) may be made available for the provision of food, medicine, or other humanitarian assistance to the Afghan people notwithstanding any other provision of law.

(b) ASSISTANCE FOR AFGHAN WOMEN AND GIRLS.—In carrying out this section, the administrator of the agency primarily responsible for carrying out part I of the Foreign Assistance Act of 1961 shall ensure that an equitable portion of the funds is made available to benefit Afghan women and girls, particularly in programs in refugee camps in Pakistan and in reconstruction projects in Afghanistan.

(c) FUNDING.—Up to $20,000,000 of the aggregate amount of funds made available for fiscal year 1994 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance) and chapter 4 of part II of that Act (relating to the economic support fund) may be used pursuant to this section.

SEC. 309. MULTILATERAL ASSISTANCE INITIATIVE FOR THE PHILIPPINES.

Part I of the Foreign Assistance Act of 1961 is amended by inserting after chapter 3 the following:

"Chapter 4—Multilateral Assistance Initiative for the Philippines

"SEC. 401. AUTHORIZATION OF ASSISTANCE.

"(a) AUTHORIZATION.—The President is authorized to provide economic assistance for the Philippines under the 'Multilateral Assistance Initiative' account. Such assistance shall be provided on such terms and conditions as the President may determine.

"(b) AUTHORIZATION FOR EXTENDED PERIOD OF AVAILABILITY.—Amounts appropriated to carry out this chapter are authorized to remain available until expended.".

SEC. 310. ASSISTANCE FOR EASTERN EUROPE AND THE BALTICS.

(a) ECONOMIC ASSISTANCE.—Section 3 of the Support for East European Democracy (SEED) Act of 1989 is amended—

(1) by redesignating subsection (c) as subsection (e); and

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

"(c) INAPPLICABILITY OF RESTRICTIONS AND REQUIREMENTS.—Assistance provided for an East European country under this Act or under part I of the Foreign Assistance Act of 1961 may be provided notwithstanding any other provision of law, other than section 634A(a) of that Act. Section 634A(a) of that Act shall also apply to funds made available to carry out this Act.

"(d) AUTHORIZATION FOR EXTENDED PERIOD OF AVAILABILITY.—Amounts appropriated for economic assistance for East European countries under this Act or the Foreign Assistance Act of 1961 are authorized to remain available until expended.".

(b) ASSISTANCE FOR VICTIMS OF WAR CRIMES IN THE FORMER YUGOSLAVIA.—Assistance provided under section 491 of the Foreign Assistance Act of 1961 (relating to international disaster assistance) and assistance provided under the Migration and Refugee Assistance Act of 1962 may include assistance for the victims of torture, rape, and other war crimes stemming from the conflict in the former Yugoslavia and for the families of such victims (especially children), with a particular focus on victims of the war in Bosnia-Herzegovina. Such assistance may include activities such as—

(1) the provision (in the United States or abroad)—

(A) of medical, psychological, and psychiatric care and crisis counseling for such victims and their families, and

(B) of training of individuals in the former Yugoslavia to provide such care and counseling; and

(2) the procurement of necessary medical and training supplies.

(c) CORRECTION OF REFERENCE.—Subsection (e) of section 3 of the Support for East European Democracy (SEED) Act of 1989, as so redesignated by subsection (a) of this section, is amended—

(1) by striking "and Slovak Federal"; and

(2) by inserting "the Slovak Republic," after "Romania,".

SEC. 311. ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.

(a) CUBA.—

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

(A) the acts of the Castro government, including its massive, systematic, and extraordinary violations of human rights, are a threat to international peace;

(B) the President should advocate, and should instruct the United States Representatives to the United Nations to support and consult with members of the Security Council with respect to, a mandatory international embargo against the totalitarian government of Cuba pursuant to Chapter VII of the Charter of the United Nations, which is similar to consultations being conducted by United States Representatives with respect to Haiti; and

(C) any resumption of efforts by any independent state of the former Soviet Union to make the nuclear facility at Cienfuegos, Cuba, operational will have a serious impact on United States assistance to such state.

(2) REPORTING REQUIREMENT.—The President shall submit to the Congress, not later than 90 days after the date of enactment of this Act, a report detailing progress towards the withdrawal of personnel of any independent state of the former Soviet Union (including advisors, technicians, and military personnel) from the Cienfuegos nuclear facility in Cuba.

(3) CRITERIA FOR ASSISTANCE.—Section 498A(a)(11) of the Foreign Assistance Act of 1961 is amended by striking "of military facilities" and inserting "the military and nuclear facilities at Lourdes and Cienfuegos".

(4) INELIGIBILITY FOR ASSISTANCE.—(A) Section 498A(b) of that Act is amended—

(i) by striking "or" at the end of paragraph (4);

(ii) by redesignating paragraph (5) as paragraph (6); and

(iii) by inserting after paragraph (4) the following:

"(5) for the government of any independent state that the President determines is providing assistance for, or engaging in nonmarket based trade (as defined in section 498B(m)(3)) with, the Government of Cuba; or".

(B) Subsection (m) of section 498B of that Act, as so redesignated by subsections (d) and (e) of this section, is amended by adding at the end the following:

"(3) NONMARKET BASED TRADE.—As used in section 498A(b)(5), the term 'nonmarket based trade' includes exports, imports, exchanges, or other arrangements that are provided for goods and services (including oil and other petroleum products) on terms more favorable than those generally available in applicable markets or for comparable commodities, including—

"(A) exports to the Government of Cuba on terms that involve a grant, concessional price, guaranty, insurance, or subsidy;

"(B) imports from the Government of Cuba at preferential tariff rates; and

"(C) exchange arrangements that include advance delivery of commodities, arrangements in which the Government of Cuba is not held accountable for unfulfilled exchange contracts, and arrangements under which Cuba does not pay appropriate transportation, insurance, or finance costs.".

(b) TRANSFERS OF SOPHISTICATED CONVENTIONAL WEAPONS TO IRAN.—Section 498A(b)(3) of that Act is amended—

(1) in the text preceding subparagraph (A), by striking "to another country";

(2) in subparagraph (A)—

(A) by inserting "to another country" after "missiles or missile technology"; and

(B) by striking "or" at the end of such subparagraph;

(3) in subparagraph (B)—

(A) by inserting "to another country" after "any material, equipment, or technology"; and

(B) by "or" at the end of such subparagraph; and

(4) by adding at the end the following:

"(C) sophisticated conventional weapons to Iran in numbers and types that are destabilizing;".

(c) AUTHORITY TO WAIVE CERTAIN RESTRICTIONS.—Section 498B(j)(1) of that Act is amended—

(1) by inserting "or 1994" after "1993" both places it appears; and

(2) by striking "by this chapter" and inserting "to carry out this chapter".

(d) ASSISTANCE IN EXCHANGE FOR COMMODITIES.—

(1) AUTHORIZATION.—Section 498B of that Act is amended—

(A) by redesignating subsection (k) as subsection (l); and

(B) by inserting after subsection (j) the following:

"(k) ASSISTANCE IN EXCHANGE FOR COMMODITIES.—The President is authorized to provide assistance under this chapter in exchange for materials or commodities, including any strategic material and any commodity the international supply of which is in such excess as to jeopardize United States production of such commodity.".

(2) STUDY OF RESOURCES IN INDEPENDENT STATES.—The President shall conduct a study of—

(A) the resources in each of the independent states of the former Soviet Union and

the prospective revenues from the production and sale of such resources;

(B) the possible use of barter or exchange of such resources as methods of reimbursement for assistance provided to such states under chapter 11 of part I of the Foreign Assistance Act of 1961; and

(C) the collateralization of loan and investment guarantees provided by the United States Government for project financing in such states using the resources or prospective revenues from the production and sale of such resources.

(3) REPORTS.—The President shall submit to the relevant congressional committees the following reports:

(A) Periodic reports describing the status of negotiations between the United States and any independent state of the former Soviet Union relating to agreements for reimbursement of assistance provided to such state under chapter 11 of part I of the Foreign Assistance Act of 1961.

(B) A report containing the results of the study conducted pursuant to paragraph (2), including the names of those independent states of the former Soviet Union capable of providing eventual reimbursement of assistance provided to such states under that chapter. Such report shall be submitted not later than June 30, 1994.

(4) DEFINITIONS.—For purposes of this subsection, the following definitions apply:

(A) RELEVANT CONGRESSIONAL COMMITTEES.—The term "relevant congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(B) RESOURCES.—The term "resources" includes commodities, raw materials (including necessary or strategic raw materials, as defined in section 663(a) of the Foreign Assistance Act of 1961), and other valuable materials.

(e) IMPROVING MONITORING OF ECONOMIC PERFORMANCE IN THE INDEPENDENT STATES.—Section 498B of that Act, as amended by subsection (d)(1) of this section, is further amended—

(1) by redesignating subsection (l) as subsection (m); and

(2) by inserting after subsection (k) the following:

"(l) IMPROVING MONITORING OF ECONOMIC PERFORMANCE IN THE INDEPENDENT STATES.—Assistance under section 498 shall include training and other technical assistance to develop capabilities to monitor economic performance in the independent states of the former Soviet Union through the collection, analysis, and dissemination of economic statistical data.".

SEC. 312. ASSISTANCE FOR MONGOLIA.

The President is authorized to use funds made available to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 (relating to assistance for the independent states of the former Soviet Union) to provide assistance for Mongolia in accordance with the same authorities, restrictions, and other provisions that are applicable to assistance under that chapter for independent states of the former Soviet Union.

SEC. 313. TERMINATION OF IMET PROGRAM FOR MALTA.

Funds made available for fiscal year 1994 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to the international military education and training program) may not be obligated for Malta.

SEC. 314. ADMINISTRATION OF JUSTICE AND OTHER LAW ENFORCEMENT ASSISTANCE PROGRAMS FOR LATIN AMERICA AND THE CARIBBEAN.

(a) EXTENSION OF PROGRAM AUTHORITY.—Section 534 of the Foreign Assistance Act of 1961 is amended by striking the last sentence of subsection (e) and by inserting after subsection (e) the following:

"(f) The authority of this section shall expire on September 30, 1994.".

(b) ELIMINATION OF PROGRAM CEILINGS.—Section 534 of that Act is amended—

(1) by repealing the second sentence of subsection (e); and

(2) by amending subsection (c) to read as follows:

"(c) Funds made available to carry out this chapter may be used to provide assistance under this section.".

(c) PROTECTION OF PARTICIPANTS IN JUDICIAL CASES.—Section 534(b)(3) of that Act is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(2) by inserting after subparagraph (B) the following:

"(C) programs to enhance protection of participants in judicial cases;".

(d) SPECIAL AUTHORITIES FOR CERTAIN COUNTRIES.—Funds made available for fiscal year 1994 to carry out section 534 of that Act may be used, notwithstanding section 660 of that Act, to provide assistance as follows:

(1) PANAMA.—Up to $10,000,000 may be made available for Panama for the following:

(A) Technical assistance, training, and commodities with the objective of creating a professional civilian police force, except that assistance under this subparagraph—

(i) shall not include more than $5,000,000 for the procurement of equipment for law enforcement purposes, and

(ii) shall not include lethal equipment.

(B) Programs to improve penal institutions and the rehabilitation of offenders, which may include programs that are not conducted through multilateral or regional institutions.

(2) EL SALVADOR.—Funds allocated for El Salvador may be used for law enforcement assistance in a manner consistent with the Salvadoran Peace Accords.

SEC. 315. WAIVER OF BROOKE AMENDMENT FOR NICARAGUA.

Section 620(q) of the Foreign Assistance Act of 1961 and the corresponding section of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994, shall not apply to funds made available for fiscal year 1994 for any assistance for Nicaragua under the Foreign Assistance Act of 1961 or the Arms Export Control Act.

SEC. 316. SPECIAL NOTIFICATION REQUIREMENTS FOR GUATEMALA AND PERU.

Funds made available for fiscal year 1994 to carry out the Foreign Assistance Act of 1961 or for the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act may not be obligated for assistance for Guatemala or Peru unless the congressional committees specified in section 634A(a) of the Foreign Assistance Act of 1961 are notified at least 15 days in advance in accordance with the reprogramming procedures applicable under that section.

SEC. 317. ASSISTANCE FOR THE MIDDLE EAST.

(a) ISRAEL.—

(1) ECONOMIC SUPPORT FUND.—Of the amounts made available for fiscal year 1994 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $1,200,000,000 shall be available only for Israel. Such funds shall be available on a grant basis as a cash transfer and shall be disbursed in accordance with paragraph (3).

(2) FOREIGN MILITARY FINANCING.—(A) Of the amounts made available for fiscal year 1994 for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act, not less than $1,800,000,000 shall be available only for Israel.

(B) To the extent that the Government of Israel requests that funds be used for such purposes, funds made available for Israel pursuant to this paragraph shall, as agreed by Israel and the United States, be available for advanced fighter aircraft programs or for other advanced weapons systems, as follows:

(i) Up to $150,000,000 shall be available for research and development in the United States.

(ii) Not less than $475,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development.

(3) EARLY DISBURSEMENT.—The assistance provided for Israel pursuant to paragraphs (1) and (2) shall be disbursed within 30 days after the date of enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994, or by October 31, 1993, whichever is later.

(b) EGYPT.—

(1) ECONOMIC SUPPORT FUND.—Of the amounts made available for fiscal year 1994 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $815,000,000 shall be available only for Egypt.

(2) FOREIGN MILITARY FINANCING.—Of the amounts made available for fiscal year 1994 for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act, not less than $1,300,000,000 shall be available only for Egypt.

(c) COOPERATIVE DEVELOPMENT PROJECTS.—Of the amounts made available for fiscal year 1994 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), not less than $10,000,000 shall be available only for cooperative projects among the United States, Israel, and developing countries, including projects under the Cooperative Development Program, cooperative development research projects, and cooperative projects among the United States and Israel and the countries of Eastern Europe, the Baltic states, and the independent states of the former Soviet Union.

(d) MIDDLE EAST REGIONAL COOPERATIVE PROGRAMS.—Of the amounts made available for fiscal year 1994 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), not less than $7,000,000 shall be available only for Middle East regional cooperative programs carried out in accordance with section 202(c) of the International Security and Development Cooperation Act of 1985.

SEC. 318. MILITARY DRAWDOWN FOR ISRAEL.

Section 599B(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991, is amended by inserting "and fiscal year 1994" after "fiscal year 1993".

TITLE IV—PROVISIONS RELATING TO ARMS TRANSFERS

SEC. 401. COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES AND SERVICES.

(a) COSTING BASIS.—Section 22 of the Arms Export Control Act is amended by adding at the end the following:

"(d) COMPETITIVE PRICING.—Procurement contracts made in implementation of sales

under this section for defense articles and defense services wholly paid from funds made available on a nonrepayable basis shall be priced on the same costing basis with regard to profit, overhead, independent research and development, bid and proposal, and other costing elements, as is applicable to procurements of like items purchased by the Department of Defense for its own use.".

(b) EFFECTIVE DATE AND IMPLEMENTING REGULATIONS.—The amendment made by subsection (a)—

(1) shall be effective as of the 60th day following the date of the enactment of this section;

(2) shall be applicable only to contracts made in implementation of sales made after such effective date; and

(3) shall be implemented by revised procurement regulations, which shall be issued prior to such effective date.

SEC. 402. INCREASE IN AGGREGATE CEILING ON TRANSFERS OF EXCESS DEFENSE ARTICLES.

Effective October 1, 1993, section 31(d) of the Arms Export Control Act is amended by striking "$250,000,000" and inserting "$375,000,000".

SEC. 403. ELIGIBILITY OF EAST EUROPEAN COUNTRIES TO RECEIVE NONLETHAL EXCESS DEFENSE ARTICLES.

(a) IN GENERAL.—Section 519(a) of the Foreign Assistance Act of 1961 is amended by inserting "or to any East European country (as defined in section 3 of the Support for East European Democracy (SEED) Act of 1989) other than an East European country that is prohibited from receiving assistance under that Act" after "in which the transfer is authorized".

(b) CONFORMING AMENDMENT.—Section 906(a) of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 is amended—

(1) by striking paragraph (2);

(2) by striking "eligible—" through "(1) to purchase" and inserting "eligible to purchase";

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by resetting their left margins on a 2-em indentation; and

(4) by striking "; and" at the end of paragraph (2), as so redesignated, and inserting a period.

SEC. 404. EXCEPTION TO PAYMENT OF FULL COST FOR SALES OF DEFENSE TRAINING SERVICES TO CERTAIN COUNTRIES AND INTERNATIONAL ORGANIZATIONS.

Section 21(a) of the Arms Export Control Act is amended—

(1) in paragraph (1)(C)—

(A) by inserting "(i)" after "sold to",

(B) by inserting "or (ii) a purchaser described in paragraph (3)" after "Act of 1961", and

(C) by striking "such assistance" and inserting "such training"; and

(2) by adding after paragraph (2) the following:

"(3) Clause (ii) of paragraph (1)(C) applies in the case of a purchaser of training under this section if the President notifies the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives, in accordance with the regular notification procedures of those committees, at least 15 days before issuing a letter of offer to sell such training. Such notification shall include a description of any reciprocal benefits that the United States Government will receive in exchange for the sale of such training on less than a full cost basis.".

SEC. 405. ELIGIBILITY OF MAJOR NON-NATO ALLIES TO RECEIVE CERTAIN CONTRACT SERVICES IN CONNECTION WITH SALES OF DEFENSE ARTICLES AND SERVICES.

(a) AUTHORIZATION.—Section 21(h) of the Arms Export Control Act is amended—

(1) in paragraph (1)(A), by inserting "or which is a major non-NATO ally" after "Treaty Organization";

(2) in paragraph (2), by striking "if that Organization or member government" and inserting "or to any major non-NATO ally, if that Organization, member government, or major non-NATO ally"; and

(3) by adding at the end the following:

"(3) As used in this subsection, the term 'major non-NATO ally' has the meaning given such term in section 2350a(i)(3) of title 10, United States Code.".

(b) EFFECTIVE DATE.—Notwithstanding section 21(h)(1) of that Act, the amendment made by subsection (a)(1) applies with respect to contracts and subcontracts entered into after the date of enactment of this Act.

SEC. 406. ADDITIONS TO WAR RESERVE STOCKPILES FOR ALLIES.

Section 514(b)(2) of the Foreign Assistance Act of 1961 is amended by adding at the end the following: "Except as provided in the last two sentences of this paragraph, the value of such additions to stockpiles in foreign countries in fiscal year 1994 shall not exceed $72,000,000, which shall be for stockpiles in the Republic of Korea. In addition, to the extent that the authority of the first sentence of this paragraph has not been exercised with respect to Israel in fiscal year 1993, that authority may be exercised during fiscal year 1994 except that the aggregate value of such additions for Israel in both such fiscal years may not exceed $200,000,000. Defense articles having an aggregate value of not to exceed $20,000,000 may be added to stockpiles in Thailand in fiscal years 1993 and 1994.".

SEC. 407. ARAB BOYCOTT.

(a) PROHIBITION ON CERTAIN SALES AND LEASES.—Defense articles and defense services may not be sold or leased by the United States Government to any country or international organization which as a matter of policy or practice is known to have sent letters to United States firms requesting compliance with, or soliciting information regarding compliance with, the secondary or tertiary Arab boycott, unless the President determines, and reports to the relevant congressional committees, that that country or organization does not now send such letters as a matter of policy or practice.

(b) WAIVER OF PROHIBITION.—

(1) 1 YEAR WAIVER.—After the effective date of this section, the President may waive, for a period of 1 year, the application of subsection (a) with respect to any country or organization if the President determines, and reports to the relevant congressional committees, that—

(A) such waiver is in the national interest of the United States, and such waiver will promote the objectives of this section to eliminate the Arab boycott; or

(B) such waiver is in the national security interest of the United States.

(2) EXTENSION OF WAIVER.—If the President determines that the further extension of a waiver will promote the objectives of this section, the President, with appropriate notification to relevant congressional committees, may grant further extensions of such waiver for successive 12-month periods.

(3) TERMINATION OF WAIVER.—The President may, at any time, terminate any waiver granted under this subsection.

(c) RELEVANT CONGRESSIONAL COMMITTEES.—As used in this section, the term "relevant congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(d) EFFECTIVE DATE.—This section shall not take effect until one year after the date of enactment of this Act.

TITLE V—OTHER FOREIGN ASSISTANCE PROVISIONS

SEC. 501. INTEREST ACCRUING TO NONGOVERNMENTAL ORGANIZATIONS.

(a) IN GENERAL.—Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by inserting after section 617 the following:

"SEC. 618. INTEREST ACCRUING TO NONGOVERNMENTAL ORGANIZATIONS.

"(a) AUTHORITY TO RETAIN INTEREST.—A nongovernmental organization may place in an interest bearing account—

"(1) funds made available on a grant basis under part I of this Act or under the Support for East European Democracy (SEED) Act of 1989; and

"(2) local currencies which accrue to that organization as a result of grant assistance provided under part I of this Act or assistance under titles I through III of the Agricultural Trade Development and Assistance Act of 1954, section 416(b) of the Agricultural Act of 1949, or the Food for Progress Act of 1985.

Any interest so earned may be retained by the nongovernmental organization and used for the purpose for which the assistance was provided to that organization.

"(b) LIMITATION ON ENDOWMENTS.—Any grant agreement entered into after the date of enactment of this section to establish an endowment pursuant to the authority of subsection (a)(1) shall provide that—

"(1) the grant proceeds shall be maintained in a separate account;

"(2) the agency primarily responsible for administering part I may terminate at any time, in its sole discretion, the endowment and recover endowment principal equal to the amount of the grant; and

"(3) unless the authority described in paragraph (2) has been exercised, not later than 20 years after the date of the grant—

"(A) the endowment shall be terminated, and

"(B) all funds in the endowment and all interest earned as a result of the endowment shall be expended for the purpose for which the assistance was provided or returned to the Government of the United States.".

(b) EFFECTIVE DATE.—The amendment made by this section applies to both interest earned before and interest earned after the date of enactment of this Act.

SEC. 502. PRIVATE SECTOR REVOLVING FUND.

Section 108 of the Foreign Assistance Act of 1961 is amended by adding at the end the following:

"(j) TERMINATION OF AUTHORITY.—After the date of enactment of this subsection, loans may not be made, loan guarantees may not be issued, previously issued guarantees may not be renewed or otherwise extended, and assistance may not otherwise be provided under the authority of this section.".

SEC. 503. DEVELOPMENT ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.

Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by inserting before section 620 the following:

"SEC. 619. ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.

"(a) DEVELOPMENT ASSISTANCE.—Restrictions contained in this or any other Act with respect to assistance for a country shall not restrict assistance in support of programs of nongovernmental organizations that is provided under chapter 1 or chapter 10 of part I of this Act. The President shall take into consideration, in any case in which a restriction on assistance would be applicable but for this section, whether assistance in support of programs of nongovernmental organizations is in the national interest of the United States.

"(b) NOTICE TO CONGRESS.—Before using the authority of this section to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the congressional committees specified in section 634A(a) of this Act in accordance with the procedures applicable to reprogramming notifications under that section. Such notice shall include a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance.

"(c) EXCEPTIONS.—This section shall not apply with respect to—

"(1) section 620A of this Act or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

"(2) section 116 of this Act or any comparable provision of law prohibiting assistance to countries that violate internationally recognized human rights.

"(d) ABORTION AND INVOLUNTARY STERILIZATION PROHIBITIONS.—Nothing in this section alters any statutory prohibition against funding for abortion or involuntary sterilizations.".

SEC. 504. IMPACT OF FOREIGN ASSISTANCE PROGRAMS ON JOBS IN THE UNITED STATES.

Funds authorized to be appropriated by this Act for foreign assistance programs for fiscal year 1994 may not be obligated or expended to provide—

(1) any financial incentive to a business enterprise located in the United States for the purpose of inducing that enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of individuals employed in the United States by that enterprise because that enterprise would replace production in the United States with production outside the United States;

(2) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

(3) assistance for any project or activity that contributes to the violation of internationally recognized workers rights (as defined in section 502(a)(4) of the Trade Act of 1974) of workers in the recipient country, including in any designated zone or area in that country.

In recognition that the application of paragraph (3) should be commensurate with the level of development of the recipient country and sector, that paragraph does not preclude assistance for the informal sector in such country, for microenterprises and small-scale enterprises, or for small-holder agriculture.

SEC. 505. CAPITAL PROJECTS.

Chapter 3 of part III of the Foreign Assistance Act of 1961 is amended by inserting after section 661 the following:

"SEC. 662. CAPITAL PROJECTS.

"(a) ESTABLISHMENT OF PILOT PROGRAM.—The Director of the Trade and Development Agency shall establish a capital projects pilot program to carry out the purpose described in subsection (b).

"(b) PURPOSE OF PROGRAM.—The purpose referred to in subsection (a) is to develop a program administered by TDA that would focus solely on developmentally sound capital projects in developing countries and in countries making the transition from a nonmarket to a market economy, taking into consideration the development needs of the host country and the export opportunities for the United States.

"(c) ACTIVITIES.—The Director, in coordination with the appropriate other members of the Trade Promotion Coordination Committee—

"(1) shall support capital projects in developing countries and in countries making the transition from a nonmarket to a market economy; and

"(2) shall periodically review infrastructure needs in these countries and shall explore opportunities for United States firms in the development of new capital projects in these countries, keeping both United States firms and the Congress informed of these reviews.

"(d) GUARANTEE AUTHORITY.—In addition to making grants to carry out this section, the Director is authorized to issue guarantees to eligible investors (as defined in section 238(c)) assuring against losses incurred in connection with loans obtained by such investors to finance their participation in capital projects described in subsection (b). A fee shall be charged for each such guarantee issued in an amount to be determined by the Director.

"(e) PROCUREMENT FROM THE UNITED STATES.—Guarantees and other financial support provided for capital projects under this section shall be provided for procurement of goods and services from the United States to the maximum extent possible, consistent with the guidelines of the Organization for Economic Cooperation and Development.

"(f) PROJECTS TO BE DEVELOPMENTALLY SOUND.—The Director, in coordination with the appropriate other members of the Trade Promotion Coordination Committee, shall ensure that each capital project for which TDA provides financial support is developmentally sound, as determined under the criteria developed by the Development Assistance Committee of the Organization for Economic Cooperation and Development.

"(g) COORDINATION.—The President shall utilize the existing interagency coordinating mechanism to coordinate activities under this section with other relevant activities of the United States Government.

"(h) NONAPPLICABILITY OF OTHER PROVISIONS.—Any funds used for purposes of this section may be used notwithstanding any other provision of law.

"(i) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, the Director shall submit to the Congress a report describing—

"(1) the extent to which United States Government resources have been expended specifically to support the capitol projects described in subsection (b);

"(2) the extent to which the activities of the United States Government have been coordinated pursuant to subsection (g); and

"(3) the feasibility of establishing a permanent program modeled on the pilot program establishment pursuant to this section.

"(j) FUNDING.—

"(1) IN GENERAL.—Notwithstanding the percentage limitations in section 610(a), the President shall transfer $300,000,000 of funds specified in paragraph (2) to TDA for use in carrying out this section, including the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990) of guarantees issued under subsection (d).

"(2) SOURCE OF FUNDS.—The funds specified in this paragraph are—

"(A) funds made available for fiscal year 1994 for assistance under chapter 4 of part II of this Act (relating to the economic support fund), excluding funds made available pursuant to subsections (a)(1), (c), and (d) of section 1317 of the Foreign Assistance Authorization Act of 1993;

"(B) funds made available for fiscal year 1994 for assistance under chapter 11 of part I of this Act (relating to assistance for the independent states of the former Soviet Union); and

"(C) funds made available for fiscal year 1994 for assistance under the Support for East European Democracy (SEED) Act of 1989.

"(3) FUNDS TO BE USED TO SUPPORT CAPITAL PROJECTS IN COUNTRIES FOR WHICH ORIGINAL FUNDING WAS PROVIDED.—(A) Any funds described in paragraph (2)(A) that are earmarked by the Congress for a specific country and that are transferred pursuant to paragraph (1) shall be used to support capital projects in that country.

"(B) Any funds described in paragraph (2)(B) that are transferred pursuant to paragraph (1) shall be used to support capital projects in countries eligible for assistance under chapter 11 of part I of this Act.

"(C) Any funds described in paragraph (2)(C) that are transferred pursuant to paragraph (1) shall be used to support capital projects in countries eligible for assistance under the Support for East European Democracy (SEED) Act of 1989.

"(k) DEFINITIONS.—As used in this section—

"(1) the term 'capital projects' means a project involving the construction, expansion, alteration of, or the acquisition of equipment for, a physical facility or physical infrastructure, including related engineering design (concept and detail) and other services, the procurement of equipment (including any related services), and feasibility studies or similar engineering and economic services;

"(2) the term 'Director' means the Director of TDA; and

"(3) the term 'TDA' means the Trade and Development Agency.".

SEC. 506. MICROENTERPRISE DEVELOPMENT.

Chapter 2 of part I of the Foreign Assistance Act of 1961 is amended by adding after title V the following:

"TITLE VI—MICROENTERPRISE DEVELOPMENT

"SEC. 251. MICROENTERPRISE DEVELOPMENT.

"(a) CENTRALLY-MANAGED FUND.—

"(1) ESTABLISHMENT AND MANAGEMENT.—The administrator of the agency primarily responsible for administering this part shall establish within the agency a centrally-managed fund to be known as the Microenterprise Development Fund (hereinafter in this section referred to as the 'Fund'). The Fund shall be managed by the office in that agency that has primary responsibility for working with private and voluntary organizations.

"(2) DISBURSEMENTS THROUGH THE FUND.—All funds made available to carry out this part that are used to promote microenterprise development shall be disbursed through the Fund.

"(b) ACTIVITIES TO BE SUPPORTED.—The Fund shall be used to support—

"(1) the institutional development of the organizations described in subsection (c);

"(2) the provision of microenterprise credit through the organizations described in subsection (c); and

"(3) research on microenterprise development and evaluation of microenterprise activities funded under this section.

"(c) INTERMEDIARY ORGANIZATIONS.—Funds disbursed through the Fund shall be primarily channeled through—

"(1) United States and indigenous private and voluntary organizations,

"(2) United States and indigenous credit union organizations, and

"(3) other indigenous governmental and nongovernmental organizations,

that have demonstrated a capacity to develop sustainable microenterprise service institutions.

"(d) ALLOCATION OF FUNDS.—

"(1) MICROENTERPRISE CREDIT.—(A) Of amounts disbursed through the Fund each fiscal year pursuant to subsection (b)(2), at least 50 percent shall be used for poverty lending. As used in this paragraph, the term 'poverty lending' means a loan of $300 or less or, in the case of an initial loan, of $150 or less.

"(B) The administrator of the agency primarily responsible for administering this part shall seek to ensure that not less than 60 percent of the borrowers of funds disbursed through the Fund pursuant to subsection (b)(2) are women.

"(2) RESEARCH AND EVALUATION.—Not more than 5 percent of funds disbursed through the Fund each fiscal year may be used for research and evaluation activities under subsection (b)(3).".

SEC. 507. REPORT ON AID'S IMPLEMENTATION OF AGENDA 21 PRINCIPLES.

Not later than 2 years after the date of enactment of this Act, the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 shall submit to the Congress a report on the incorporation of the Agenda 21 principles of the United Nations Conference on Environment and Development into the foreign assistance activities administered by that agency.

SEC. 508. AUTHORITY TO PROVIDE RECONSTRUCTION ASSISTANCE UNDER INTERNATIONAL DISASTER ASSISTANCE.

Section 491(b) of the Foreign Assistance Act of 1961 is amended by striking "disaster relief and rehabilitation" and inserting "disaster relief, rehabilitation, and reconstruction".

SEC. 509. DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.

Chapter 3 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end the following:

"SEC. 671. DEOBLIGATION OF CERTAIN UNEXPENDED ECONOMIC ASSISTANCE FUNDS.

"(a) REQUIREMENT TO DEOBLIGATE.—

"(1) ANNUAL DEOBLIGATIONS.—Except as provided in subsection (b), at the beginning of each fiscal year the President shall deobligate and return to the Treasury any funds described in paragraph (2) that, as of the end of the preceding fiscal year, have been obligated for a period of more than 4 years but have not been expended.

"(2) FUNDS SUBJECT TO REQUIREMENTS.—Paragraph (1) applies with respect to funds made available to carry out chapter 1 of part I (relating to development assistance), chapter 4 of part I (relating to the Multilateral Assistance Initiative for the Philippines), chapter 10 of part I (relating to the Development Fund for Africa), chapter 11 of part I (relating to assistance for the independent states of the former Soviet Union), or chapter 4 of part II (relating to the economic support fund) or to carry out the Support for East European Democracy (SEED) Act of 1989.

"(b) EXCEPTIONS.—The President, on a case-by-case basis, may waive the requirement of subsection (a) if the President determines, and reports to the appropriate congressional committees, that—

"(1) the funds are being used for a construction or long term participant training project that requires more than 4 years to complete; or

"(2) the funds have not been expended because of unforeseen circumstances, and those circumstances could not have been reasonably foreseen.

"(c) IG COMMENTS ON WAIVERS.—As soon as possible after submission of a report pursuant to subsection (b), the Inspector General for the agency primarily responsible for administering part I of this Act shall submit to the appropriate congressional committees such comments as the Inspector General considers appropriate with regard to the determination described in that report.

"(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—As used in this section, the term 'appropriate congressional committees' means the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.".

TITLE VI—BOSNIA-HERCEGOVINA

SEC. 601. SHORT TITLE.

This title may be cited as the "Bosnia-Hercegovina Self-Defense Act of 1993".

SEC. 602. FINDINGS.

The Congress makes the following findings:

(1) On July 10, 1991, the United States adopted a policy suspending all licenses and other approvals to export or otherwise transfer defense articles and defense services to Yugoslavia.

(2) On September 25, 1991, the United Nations Security Council adopted Resolution 713, which imposed a mandatory international embargo on all deliveries of weapons and military equipment to Yugoslavia.

(3) The United States considered the policy adopted July 10, 1991, to comply fully with Resolution 713 and therefore took no additional action in response to that resolution.

(4) On January 8, 1992, the United Nations Security Council adopted Resolution 727, which decided that the mandatory arms embargo imposed by Resolution 713 should apply to any independent states that might thereafter emerge on the territory of Yugoslavia.

(5) On February 29 and March 1, 1992, the people of Bosnia-Hercegovina voted in a referendum to declare independence from Yugoslavia.

(6) On April 7, 1992, the United States recognized the Government of Bosnia-Hercegovina.

(7) On May 22, 1992, the Government of Bosnia-Hercegovina was admitted to full membership in the United Nations.

(8) Consistent with Resolution 727, the United States has continued to apply the policy adopted July 10, 1991, to independent states that have emerged on the territory of the former Yugoslavia, including Bosnia-Hercegovina.

(9) Subsequent to the adoption of Resolution 727 and Bosnia-Hercegovina's independence referendum, the seige of Sarajevo began and fighting spread to other areas of Bosnia-Hercegovina.

(10) The Government of Serbia intervened directly in the fighting by providing significant military, financial, and political support and direction to Serbian-allied irregular forces in Bosnia-Hercegovina.

(11) In statements dated May 1 and May 12, 1992, the Conference on Security and Cooperation in Europe declared that the Government of Serbia and the Serbian-controlled Yugoslav National Army were committing aggression against the Government of Bosnia-Hercegovina and assigned to them prime responsibility for the escalation of bloodshed and destruction.

(12) On May 30, 1992, the United Nations Security Council adopted Resolution 757, which condemned the Government of Serbia for its continued failure to respect the territorial integrity of Bosnia-Hercegovina.

(13) Serbian-allied irregular forces have, over the last year, occupied approximately 70 percent of the territory of Bosnia-Hercegovina, committed gross violations of human rights in the areas they have occupied, and established a secessionist government committed to eventual unification with Serbia.

(14) The military and other support and direction provided to Serbian-allied irregular forces in Bosnia-Hercegovina constitutes an armed attack on the Government of Bosnia-Hercegovina by the Government of Serbia within the meaning of Article 51 of the United Nations Charter.

(15) Under Article 51, the Government of Bosnia-Hercegovina, as a member of the United Nations, has an inherent right of individual or collective self-defense against the armed attack from the Government of Serbia until the United Nations Security Council has taken measures necessary to maintain international peace and security.

(16) The measures taken by the United Nations Security Council in response to the armed attack on Bosnia-Hercegovina have not been adequate to maintain international peace and security.

(17) Bosnia-Hercegovina has been unable successfully to resist the armed attack from Serbia because it lacks the means to counter heavy weaponry that Serbia obtained from the Yugoslav National Army upon the dissolution of Yugoslavia, and because the mandatory international arms embargo has prevented Bosnia-Hercegovina from obtaining from other countries the means to counter such heavy weaponry.

(18) On December 18, 1992, with the affirmative vote of the United States, the United Nations General Assembly adopted Resolution 47/121, which urged the United Nations Security Council to exempt Bosnia-Hercegovina from the mandatory arms embargo imposed by Resolution 713.

(19) In the absence of adequate measures to maintain international peace and security, continued application to the Government of Bosnia-Hercegovina of the mandatory international arms embargo imposed by the United Nations Security Council prior to the armed attack on Bosnia-Hercegovina undermines that government's right of individual or collective self-defense and therefore contravenes Article 51 of the United Nations Charter.

(20) Bosnia-Hercegovina's right of self-defense under Article 51 of the United Nations

Charter includes the right to ask for military assistance from other countries and to receive such assistance if offered.

SEC. 603. UNITED STATES ARMS EMBARGO OF THE GOVERNMENT OF BOSNIA-HERCEGOVINA.

(a) TERMINATION.—The President may terminate the United States arms embargo of the Government of Bosnia-Hercegovina upon receipt from that government of a request for assistance in exercising its right of self-defense under Article 51 of the United Nations Charter.

(b) DEFINITION.—As used in this section, the term "United States arms embargo of the Government of Bosnia-Hercegovina" means the application to the Government of Bosnia-Hercegovina of—

(1) the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 Fed. Reg. 33322) under the heading "Suspension of Munitions Export Licenses to Yugoslavia"; and

(2) any similar policy being applied by the United States Government, as of the date of receipt of the request described in subsection (a), pursuant to which approval is routinely denied for transfers of defense articles and defense services to the former Yugoslavia.

SEC. 604. UNITED STATES MILITARY ASSISTANCE FOR BOSNIA-HERCEGOVINA.

(a) POLICY.—The President should provide appropriate military assistance to the Government of Bosnia-Hercegovina upon receipt from that government of a request for assistance in exercising its right of self-defense under Article 51 of the United Nations Charter.

(b) AUTHORIZATION OF MILITARY ASSISTANCE.—

(1) DRAWDOWN AUTHORITY.—If the Government of Bosnia-Hercegovina requests United States assistance in exercising its right of self-defense under Article 51 of the United Nations Charter, the President is authorized to direct the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training in order to provide assistance to the Government of Bosnia-Hercegovina. Such assistance shall be provided on such terms and conditions as the President may determine.

(2) LIMITATION ON VALUE OF TRANSFERS.—The aggregate value (as defined in section 644(m) of the Foreign Assistance Act of 1961) of defense articles, defense services, and military education and training provided under this subsection may not exceed $200,000,000.

(3) EXPIRATION OF AUTHORIZATION.—The authority provided to the President in paragraph (1) expires at the end of fiscal year 1994.

(4) LIMITATION ON ACTIVITIES.—Members of the United States Armed Forces who perform defense services or provide military education and training outside the United States under this subsection may not perform any duties of a combatant nature, including any duties related to training and advising that may engage them in combat activities.

(5) REPORTS TO CONGRESS.—Within 60 days after any exercise of the authority of paragraph (1) and every 60 days thereafter, the President shall report in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate concerning the defense articles, defense services, and military education and training being provided and the use made of such articles, services, and education and training.

(6) REIMBURSEMENT.—Defense articles, defense services, and military education and training provided under this subsection shall be made available without reimbursement to the Department of Defense.

SEC. 605. AUTHORITY OF THE SECRETARY OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall determine the manner in which defense articles from the stocks of the Department of Defense and defense services and military education and training are drawn down from the Department of Defense under this title to provide assistance to the Government of Bosnia-Hercegovina. In making this determination, the Secretary of Defense shall, at a minimum, take into account the need to preserve the readiness of the armed forces of the United States.

(b) FUNDING THROUGH REGULAR DEFENSE APPROPRIATIONS.—

(1) REPLENISHMENT OF DEFENSE ARTICLES AND RESOURCES.—Articles from defense stocks provided to the Government of Bosnia-Hercegovina under this title, and resources expended during the course of providing defense services and military education and training to such Government under this title, should be replenished.

(2) FUNDING.—Any funds necessary to accomplish the replenishment described in paragraph (1) should be authorized and appropriated in defense authorization and appropriations Acts.

The CHAIRMAN. No amendments to the bill are in order except the amendments printed in part 3 of House Report 103-132 and amendments en bloc described in House Resolution 197. Said amendments shall be considered in the order printed in the report, may be offered only by the proponent or a designee, shall be considered as read, shall not be subject to amendment, except as specified in the report, and shall not be subject to a demand for division of the question. Debate time for each amendment shall be equally divided and controlled by the proponent and an opponent of the amendment.

It shall be in order at any time for the chairman of the Committee on Foreign Affairs or his designee to offer amendments en bloc consisting of amendments printed in part 3 of the report or germane modifications thereof. The amendments en bloc shall be considered as read, except that modifications shall be reported, and shall not be subject to amendment or to a demand for a division of the question.

The amendments en bloc shall be debatable for 10 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs or their designees.

The original proponents of the amendments en bloc shall have permission to insert statements in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment made in order by House Resolution 197.

The Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

The Chair will announce the number of the amendment made in order by the rule in order to give notice to the Committee of the Whole as to the order of recognition.

□ 1240

The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

EN BLOC AMENDMENTS OFFERED BY MR. HAMILTON, CONSISTING OF AMENDMENTS NUMBERED 6, 8, 9 AND 10, AND 12 THROUGH 15 (EACH AS MODIFIED)

Mr. HAMILTON. Mr. Chairman, pursuant to the rule, I send to the desk en block amendments consisting of amendments printed in the report and germane modifications thereto. The en block amendments include the Durbin amendment, the Fazio amendment, the Traficant amendments, the Valentine amendment, the Mrs. Collins of Michigan amendment, and the Molinari amendments.

The CHAIRMAN. The Clerk will designate the amendments and report the modifications.

The Clerk read the amendments, as modified, as follows:

AMENDMENT NO. 6, AS MODIFIED (MR. DURBIN)

Page 42, after line 17, insert the following:

(f) REMOVAL OF TROOPS FROM THE BALTIC STATES.—Effective October 1, 1993, paragraph (6) of section 498A(b) of that Act, as so redesignated by subsection (a)(4) of this section, is amended to read as follows:

"(6) for the Government of Russia until the President certifies to the Congress that the Government of Russia—

"(A) has made further significant progress since the President's certification to the Congress on May 31, 1993, on the removal of all of the armed forces of Russia and the Commonwealth of Independent States from Estonia, Latvia, and Lithuania (including any units of such forces that are demobilized), or has completed with the governments of such countries negotiated agreements that include timetables for such removal; and

"(B) has undertaken good faith efforts, such as negotiations, to end other military practices by Russia and the Commonwealth of Independent States that violate the sovereignty of Estonia, Latvia, or Lithuania, including—

"(i) artillery or similar armed forces training operations on the territories of Estonia, Latvia, or Lithuania without the permission of their governments;

"(ii) interference in the air space or territorial waters of Estonia, Latvia, or Lithuania;

"(iii) the introduction of additional armed forces, military equipment, or related civilian personnel onto the territories of Estonia, Latvia, or Lithuania without the permission of their governments; or

"(iv) the imposition of an economic blockade or interruption of energy supplies upon Estonia, Latvia, or Lithuania;

except that this paragraph does not apply with respect to (I) housing assistance for officers of the armed forces of Russia and the Commonwealth of Independent States who are withdrawn from the territories of Estonia, Latvia, and Lithuania, or (II) food, clothing, medicine, or other humanitarian assistance.".

AMENDMENT NO. 8, AS MODIFIED (MR. FAZIO)

Page 48, after line 25, insert the following:

SEC. 319. TERMINATION OF IMET PROGRAM FOR INDIA.

Funds made available for fiscal year 1994 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to the international military education and training program) may not be obligated for India unless the President certifies to the Congress that the Government of India is taking steps to address the human rights problem in India, such as providing access to international human rights organizations, establishing a human rights commission, holding military personnel accountable for violations of fundamental human rights, and prosecuting human rights abusers.

AMENDMENT NO. 9, AS MODIFIED (MR. TRAFICANT)

Page 70, after line 17, insert the following:

SEC. 1510. PROCUREMENT.

Section 604(a) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(a) LIMITATIONS ON PROCUREMENT OUTSIDE THE UNITED STATES.—(1) Funds made available for assistance under this Act may be used for procurement outside the United States only if—

"(A) the funds are used for the procurement of commodities or services, or defense articles or defense services, in the recipient country or in a developing country;

"(B) the provision of such assistance requires commodities or services, or defense articles or defense services, of a type that are not available for purchase in the United States, the recipient country, or developing countries; or

"(C) the President determines, on a case-by-case basis, that procurement in a country other than the United States, the recipient country, or a developing country is necessary to meet unforeseen circumstances, such as emergency situations, where it is important to permit procurement in such other country.

"(2) For purposes of this section, the term 'developing country' shall not include advanced developing countries.".

AMENDMENT NO. 10, AS MODIFIED (MR. TRAFICANT)

Page 70, after line 17, insert the following:

SEC. 1511. VIOLATIONS OF TERMS OF ASSISTANCE.

Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended by the preceding sections of this Act, is further amended by adding at the end the following:

"SEC. 672. VIOLATION OF TERMS OF ASSISTANCE.

"(a) TERMINATION OF ASSISTANCE.—If any recipient of assistance under this Act uses such assistance in substantial violation (either in terms of amounts or in terms of the gravity of the consequences regardless of the amounts involved) of any agreement pursuant to which that assistance was furnished by using such assistance, without the consent of the United States, for a purpose not authorized under such agreement, then all assistance and deliveries of assistance to such recipient under this Act shall be terminated if—

"(1) the President so determines and states in writing to the Congress; and

"(2) the Congress enacts a joint resolution declaring that the Congress agrees with such determination.

"(b) PERIOD OF TERMINATION.—Assistance shall remain terminated in accordance with subsection (a) until such time as—

"(1) the President determines that the violation has ceased; and

"(2) the recipient concerned has given assurances satisfactory to the President that such violation will not recur.".

AMENDMENT NO. 12 (MR. VALENTINE)

Page 70, after line 17, insert the following:

SEC. 1512. FOREIGN AND REPORTING REQUIREMENT.

(a) ANNUAL FOREIGN ASSISTANCE JUSTIFICATION REPORT.—In conjunction with the submission of the annual requests for enactment of authorizations and appropriations for foreign assistance programs for each fiscal year, the President shall submit to the Congress a single report containing an integrated justification for all foreign assistance programs proposed by the President for the coming fiscal year. Each such report shall include—

(1) the total amount of assistance proposed to be provided under each foreign assistance program;

(2) the justification for that amount;

(3) the objectives that assistance under that program is intended to achieve;

(4) an explanation of the relationship of assistance under that program to other assistance provided by the United States; and

(5) the President's estimation of the date by which the objectives of that program will be achieved and the program concluded.

(b) DEFINITION.—As used in this section, the term "foreign assistance program" includes any program of assistance under the Foreign Assistance Act of 1961 or the Arms Export Control Act.

MODIFICATION OF AMENDMENT NO. 13, AS MODIFIED, (MISS COLLINS OF MICHIGAN)

Page 70, after line 17, insert the following:

SEC. 1513. DISADVANTAGED ENTERPRISES.

(a) FUNDING LEVEL.—

(I) IN GENERAL.—Except to the extent that the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 (hereafter in this section referred to as the "Administrator" and the "Agency" respectively) determines otherwise, not less than 10 percent of the aggregate amount made available for each fiscal year for assistance under chapter 1 of that part (relating to development assistance), chapter 9 of that part (relating to international disaster assistance), and chapter 10 of that part (relating to the Development Fund for Africa) shall be made available only for activities of Unites States organizations and individuals that are—

(A) business concerns owned and controlled by socially and economically disadvantaged individuals,

(B) historically black colleges and universities,

(C) colleges and universities having a student body in which more than 40 percent of the students are Hispanic American, and

(D) private voluntary organizations which are controlled by individuals who are socially and economically disadvantaged.

(2) REPORT.—If for any fiscal year less than the amount specified in paragraph (1) is used for the activities described in that paragraph, the Administrator shall submit to the Congress a report explaining why that amount was not so used.

(b) ADDITIONAL ACTIONS.—

(1) IN GENERAL.—In addition to other actions taken to carry out this section, the actions described in paragraphs (2) through (5) shall be taken with respect to assistance under chapter 1, chapter 9, and chapter 10 of part I of the Foreign Assistance Act of 1961 for each fiscal year.

(2) AUTHORITIES AND PROCEDURES.—Notwithstanding any other provision of law, in order to achieve the goals of this section, the Administrator—

(A) to the maximum extent practicable, shall utilize the authority of section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(B) to the maximum extent practicable, shall enter into contracts with small business concerns owned and controlled by socially and economically disadvantaged individuals, and organizations described in subparagraphs (B) through (D) of subsection (a)(1)—

(i) using less than full and open competitive procedures under such terms and conditions as the Administrator deems appropriate, and

(ii) using an administrative system for justifications and approvals that, in the Administrator's discretion, may best achieve the purpose of this section; and

(C) shall issue regulations to require that any contract in excess of $500,000 contain a provision requiring that no less than 10 percent of the dollar value of the contract be subcontracted to entities described in subsection (a)(1), except—

(i) to the extent the Administrator determines otherwise on a case-by-case or category-of-contract basis; and

(ii) this subparagraph does not apply to any prime contractor that is an entity described in subsection (a)(1).

(3) NOTICE OF ADVERTISING OF CONTRACTS.—Each person with contracting authority who is attached to the Agency's headquarters in Washington, as well as all Agency missions and regional offices, shall notify the Agency's Office of Small and Disadvantaged Business Utilization at least seven business days before advertising a contract in excess of $100,000.

(4) PERFORMANCE EVALUATIONS.—The Administrator shall include, as part of the performance evaluation of any mission director of the Agency, the mission director's efforts to carry out this section.

(5) ANNUAL REPORTS.—The Administrator shall submit to the Congress annual reports on the implementation of this section. Each such report shall specify the number and dollar value or amount (as the case may be) of prime contracts, subcontracts, grants, and cooperative agreements awarded to entities described in subsection (a)(1) during the preceding fiscal year.

(c) DEFINITION.—As used in this section, the term "socially and economically disadvantaged individuals" has the same meaning that term is given for purposes of section 8(d) of the Small Business Act, except that the term includes women.

AMENDMENT NO. 14, (MS. MOLINARI) AS MODIFIED

Page 78, after line 25, add the following:

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. DEPLOYMENT OF U.N. TROOPS TO KOSOVO.

The President shall direct the United States Representative to the United Nations to urge the Security Council to deploy United Nations troops to Kosovo, where their presence will have a positive and preventive influence in stopping and reversing Serbian repression.

AMENDMENT NO. 15, (MS. MOLINARI) AS MODIFIED

Page 78, after line 25, add the following:

SEC. 702. INCREASE IN CSCE OBSERVER MISSIONS IN KOSOVO

The President shall direct the United States representative to the Conference on Security and Cooperation in Europe (in this section referred to as the "CSCE") to urge the CSCE to increase the number of the permanent CSCE observer missions in Kosovo from 20 to at least 50.

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

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. Pursuant to the rule, the gentleman from Indiana [Mr. HAMILTON] will be recognized for 5 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

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

Mr. Chairman, there are eight amendments in the en bloc package. We have had extraordinary cooperation from a number of Members in this House in modifying these amendments and placing them in the en bloc package. This cooperation is saving the House many hours of debate and voting. The en bloc amendments have been agreed to by both the majority and the minority. They are supported unanimously so far as this chairman knows. They include the following:

Amendment No. 6 by Mr. Durbin, as modified, conditioning assistance to Russia (except for housing assistance for the military and for humanitarian assistance) on further progress on removal of Russian troops from the Baltic;

Amendment No. 8 by Mr. Fazio, as modified, conditioning IMET assistance for India on improved respect for human rights;

Amendment No. 13 by Miss Collins of Michigan, setting aside 10% of certain economic assistance for minority and disadvantaged enterprises;

Amendment No. 10 by Mr. Traficant prohibiting assistance to countries that have violated U.S. aid contracts;

Amendment No. 9 by Mr. Traficant, as modified, setting forth conditions on procurement of goods and services;

Amendment No. 12 by Mr. Valentine, as modified, requiring the submission of an annual report on U.S. foreign assistance;

Amendment No. 15 by Ms. Molinari, as modified, urging the deployment of U.N. troops to Kosovo; and

Amendment No. 14 by Ms. Molinari, as modified, urging the CSCE to increase the number of observer missions in Kosovo.

Mr. Chairman, I would like to submit for inclusion in the RECORD at this point the cost estimate of the Congressional Budget Office on H.R. 2333, the Department of State, USIA, and related agencies authorization, and on H.R. 2404, the foreign assistance authorization. This cost estimate was not available at the time of filing of the report to accompany those bills.

COST ESTIMATE OF THE CONGRESSIONAL BUDGET OFFICE ON H.R. 2333 AND H.R. 2404

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 16, 1993.

Hon. LEE H. HAMILTON,
Chairman Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2333, a bill authorizing appropriations for the Department of State, for foreign assistance, and for other purposes, as ordered reported by the House Committee on Foreign Affairs on June 8, 1993.

The bill would affect direct spending and receipts and thus would be subject to pay-as-you-go procedures under section 13101 of the Budget Enforcement Act of 1990.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

C.G. Nuckols,
For Robert D. Reischauer, Director.

Enclosure.

1. Bill Number: H.R. 2333.

2. Bill Title: A bill to authorize appropriations for the Department of State, the United States Information Agency, and related agencies, to authorize appropriations for foreign assistance programs, and for other purposes.

3. Bill Status: As ordered reported by the House Committee on Foreign Affairs on June 8, 1993.

4. Bill Purpose: The bill is divided into three parts. Division A would authorize appropriations for the State Department, the Agency for International Development, the United States Information Agency, and other agencies.

Division B would authorize appropriations for bilateral foreign assistance and credit programs. It would authorize the President to forgive repayment on certain credits, would create a new program within the Trade Development Agency to finance capital projects, and would otherwise amend legislation dealing with foreign assistance.

Division C would authorize the President to lift the United States' arms embargo and would provide up to $200 million in military assistance to the Government of Bosnia-Hercegovina.

5. Estimated Cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1994	1995	1996	1997	1998
Revenues	(1)	(1)	(1)	(1)	(1)
Direct spending:					
Estimated budget authority	−260	11	3	(1)	(1)
Estimated outlays	6	7	2	−1	−1
Authorizations of appropriations:					
Estimated authorization level	17,255	7,837	50	50	50
Estimated outlays	9,978	10,538	2,782	895	378

(1) Less than $500,000.

The estimate assumes enactment of the bill by September 30, 1993. Direct spending and receipts, and authorizations are discussed separately.

DIRECT SPENDING AND RECEIPTS

The bill has several provisions that would directly affect receipts, budget authority and outlays. The direct spending costs and savings in section 142 would fall in budget function 600, Income Security. All other direct spending costs and savings would fall in budget function 150, International Affairs.

STATE DEPARTMENT

Section 113 would establish an International Litigation Fund (ILF) to cover State Department costs arising from international-related litigation activities. Currently, the State Department funds these activities from appropriations or from reimbursements by non-government entities or other agencies. These funds must be obligated in the year they are received, otherwise they lapse and return to the Treasury.

Under section 113, funds in the ILF would be available without fiscal year limitation. This provision could affect direct spending because it would extend the availability of budget authority that would otherwise lapse. Based on information from the Administration, however, CBO estimates that the direct spending impact would be zero because the funds normally are obligated on other activities before they lapse.

Section 118 would authorize the State Department to train foreign government employees at its Foreign Service Institute. Under section 118, this training would be available only if foreign governments reimburse the Foreign Service Institute for the cost of providing the training. This section affects direct spending because it would give the department the authority to receive additional offsetting collections and spend those collections without future appropriations action. CBO estimates, however, that the net cost of this provision would be zero because the additional outlays would be offset by the additional reimbursements.

Section 124 would authorize the State Department to impose a new surcharge for the processing of machine-readable visas and border crossing identification cards. The State Department issues these documents to non-immigrants coming to the United States for temporary visits. The bill directs that these fees, which would normally be classified as revenues, be classified as offsetting collections. Section 124 would limit the collection of fees to $56 million during 1994 and 1995. CBO estimates that about $2.5 million in fees would be collected in 1994, and $28 million would be collected annually thereafter. Fees collected in 1994 would be substantially lower than those collected in later years due to delays in implementation while the State Department writes new regulations and establishes new administrative procedures.

In addition, section 124 would grant the department the authority to spend the new fees for consular services without subsequent appropriations action. CBO estimates that over time net outlays would equal zero because the additional spending would be offset by the additional fees. CBO estimates negative net outlays of $0.4 million in 1994, $4.0 million in 1995, and $2.8 million over the following three years, however, because the spending of the fees would lag behind the collection of the fees. Outlays were estimated using historical spending patterns for consular-related administrative expenses.

Section 142 would allow the Secretary of State, the Director of the United States Information Agency (USIA), and the Director of the Agency for International Development to offer incentive separation payments to employees who retire during 1994 and 1995. This provision would result in direct spending because some employees who retire with the incentive would receive their annuities earlier than under current law. CBO estimates that the costs of section 142 would be $6 million in 1994, $11 million in 1995, and $3 million in 1996. In 1997 and 1998, however, CBO estimates direct spending savings of less than $1 million because people who retire early would receive reduced annuities in those years.

According to these agencies, about 2000 employees will be eligible for retirement in 1994 and 1995. CBO assumes that about 35 percent of these employees would accept the incentive and retire. Based on results from the Postal Service experience, 65 percent of the retirees would have retired anyway without the incentive. The estimate assumes that the remaining 35 percent who accept the separation incentive would retire one or two years earlier than they would have otherwise.

AMERICAN STUDIES COLLECTIONS

Section 238 would authorize the Director of the USIA to establish an endowment that would be used to fund a program to support literary collections at university libraries abroad. As partial funding for the program, section 238(d)(2)(B) would authorize the Director to receive monetary gifts, deposit them in the endowment, and spend them without further action by Congress.

The acceptance of gifts by the United States would affect receipts, and the spending of these gifts would affect direct spending. CBO estimates, however, that this provision would have no net budgetary impact because additional spending would be offset by additional receipts. Additional receipts and subsequent spending are each estimated to total much less than $500,000 annually.

SPECIAL DEFENSE ACQUISITION FUND (SDAF)

Section 1206 requires that collections in SDAF be returned to the Treasury as miscellaneous offsetting receipts. The section does not increase collections, rather it prevents the funds from accumulating as unobligated balances within SDAF. Decapitalizing SDAF is estimated to reduce budget authority by $266 million in 1994 without affecting outlays.

AUTHORIZATIONS OF APPROPRIATIONS

The discussion of authorizations follow the three divisions contained in the bill. For most programs, the bill authorizes the appropriation of specific amounts and CBO assumes the amounts will be provided in subsequent appropriation acts. CBO estimated outlays using historical spending rates. Indefinite authorizations and items that otherwise affect outlays are discussed below. All authorizations fall in function 150 except for section 2104, which falls in function 050 and section 104, which falls in function 300.

DIVISION A—STATE DEPARTMENT USIA AND RELATED AGENCIES

Division A would authorize appropriations for various agencies, including the State Department, the Agency for International Development, and the United States Information Agency.

INTERNATIONAL ORGANIZATIONS

Section 103(a) authorizes appropriations of $936 million and $935 million for 1994 and 1995, respectively, for assessed contributions to international organizations. In 1994, however, section 103 would limit the obligation and expenditure of funds to $876 million. CBO has estimated the authorizations pursuant to this section based on scorekeeping guidelines in the report accompanying the Omnibus Budget Reconciliation Act of 1990. These guidelines state that budget authority is scored in the year in which funds become available for obligation. Thus, the estimated authorization is $876 million in 1994 and $995 million in 1995.

BUYING POWER MAINTENANCE

Section 112 would extend the State Department's authority to transfer certain unobligated balances from "Administration of Foreign Affairs" into the department's Buying Power Maintenance (BPM) account. The department's current authority to transfer these unobligated balances expires on September 30, 1993; the bill would extend this authority indefinitely. This transfer authority is subject to amounts provided in advance in appropriations acts.

Under section 112, the department could transfer unobligated balances that have lapsed, or are about to lapse, into the BPM account. The department could then use these balances to offset losses associated with fluctuations in the value of foreign currencies. Based on the Administration's 1994 budget request, CBO estimates $4 million would be transferred in 1994. In 1995, CBO assumes a transfer of an equal amount adjusted for inflation, or $4.1 million. The estimate does not assume any transfers in 1996 through 1998 because the bill does not contain authorizations of appropriations for those years.

INTERNATIONAL COMMISSIONS

Section 164(a) would authorize the International Boundary and Water Commission to receive payments from local beneficiaries for replacement of the Bridge of the Americas near El Paso, Texas. Payments would be credited as offsetting collections to any of the commission's appropriation accounts and would be available for spending only if provided for in future appropriations acts. Under current law, the commission already expects to receive these payments—estimated to total about $3 million—over an extended period of time. The major effect of section 164(a) would be to allow the commission to retain such receipts in an earmarked fund and to request appropriation of these funds at a later date.

Section 164(c) of the bill would create a special fund in the Treasury to retain revenues currently received from the sale of electrical power from the Falcon and Amistad dams in Texas. Amounts in the fund would be available, if appropriated, to carry out operation and maintenance activities at the dams. Information from the Department of Energy indicates that the federal government currently receives about $3.5 million annually in power receipts from these dams. The State Department estimates that annual operation costs at the dams total about $1 million. The effect of section 164(c) would be to earmark funds already scheduled to be collected by the federal government and to make these funds available for future appropriation.

MIGRATION AND REFUGEES

CBO estimates that section 183 would increase authorizations of appropriations for the emergency migration and refugee assistance account (ERMA) by $50 million annually. Current law contains a permanent authorization of such sums as may be necessary for the ERMA funds to maintain an unobligated balance of $50 million. Section 183 would increase this amount to $100 million. Although it is difficult to predict the level of subsequent appropriations under this additional authorization, CBO assumes the additional authority will be used on an annual basis. In the past, the cap has been waived often and appropriations in recent years have exceeded $50 million.

ISRAELI TRANSMITTER

Section 217 would repeal prior year authorizations of appropriations for the Israeli transmitter project, which the President has proposed for cancellation. Since appropriations have already been provided pursuant to these authorizations, the estimate does not contain a reduction in authorizations or outlays. If, however, the appropriated funds are rescinded, outlay savings would total about $17 million in 1994 and $164 million over the following four years.

BROADCASTING

The bill would provide the President with authority to reorganize international broadcasting agencies, and also would authorize appropriations of $480 million and $665 million in 1994 and 1995, respectively, for broadcasting activities. These authorizations are mainly for activities now carried out by the Voice of America and the Board for International Broadcasting. Outlays were estimated using historical spending patterns.

BUYING POWER MAINTENANCE

Section 233 would create a USIA Buying Power Maintenance (BPM) account. The BPM account would be used to help offset fluctuations in the value of foreign currencies, which are used by USIA to fund certain programs. Under section 233, if an appropriation gains value due to foreign currency fluctuations, the Director of USIA could transfer those gains into the BPM account. Conversely, if an appropriation loses value due to fluctuations, the director could transfer funds from the BPM to a USIA appropriation account.

To help capitalize the BPM, section 233 would allow USIA to transfer lapsed salaries and expense (S&E) funds into the account. This section, which is subject to appropriations, has a provision that would allow the transfer of funds that have lapsed from the S&E account within the last five years.

The five-year average of funds that have lapsed from the S&E account is $1.0 million. CBO estimates that in 1994, $6.0 million in funds that have lapsed or are about to lapse would be authorized to be appropriated under this section. In 1995, CBO estimates an authorization equal to the yearly average of $1.0 million. CBO estimates no authorizations for 1996 through 1998 because the bill does not authorize S&E appropriations for those years.

DIVISION B—FOREIGN ASSISTANCE AND RELATED PROGRAMS

Division B contains specific authorizations for appropriation of $9,728 million for various bilateral assistance programs in 1994 before a $36.5 million reduction in the authorization for International Narcotics Control Assistance. In addition, an authorization of $7 million in 1994 is estimated for the cost of modifying credits under Section 1205. This and other sections are described more fully below.

HOUSING GUARANTEE PROGRAM

Section 1203 extends the authority for the Housing Guarantee Program to operate through 1995, raises the limitation on contingent liability by $442 million, and authorizes the appropriation of $16 million for subsidy costs in 1994. The section directs the President to give preferential consideration to projects in lower income countries. Lending to lower income countries, on average, would involve a higher probability of payment problems, thereby increasing subsidy costs as defined by Section 502(5) of the Federal Credit Reform Act. Giving preference to lower income countries could reduce the amount of guaranteed loans that could be committed with the funds authorized for subsidy costs.

OVERSEAS PRIVATE INVESTMENT CORPORATION (OPIC)

Section 1204 extends the authority of OPIC to operate through 1995 and raises the limitations on contingent liability for insurance

and guarantees by $1 billion each. To provide for a program of $1 billion in loans and guarantees in 1995, the section authorizes that such sums as may be necessary for subsidy costs and $15 million for administration expenses be transferred from OPIC's non-credit account. The non-credit account is funded through offsetting collections. The authority to spend offsetting collections would be budget authority, except that the transfer authority is limited to amounts provided in appropriations acts. CBO estimates the subsidy cost of $1 billion in loans and guarantees to be $25 million. Enactment of this section is estimated to increase authorizations by $40 million in 1995.

SPECIAL DEBT REDUCTION AUTHORITY

Section 1205 authorizes the President to reduce principal and interest payments owed to the United States on outstanding Housing Guaranty Program and Foreign Military Financing guarantees and loans. The President may use the authority only to implement multilateral rescheduling agreements and only to the extent provided in advance in appropriations acts.

Estimating the cost of this section over the next five years is difficult. The United States has $19 billion in outstanding loans and guarantees under these two programs and this bill would authorize an additional $1 billion in new lending. New loans and guarantees for these two programs are valued at 85 percent of principal. Since 1990, the United States has forgiven $12.1 billion in bilateral loans owed to the U.S. government. A similar effort would involve considerable costs. Nevertheless, the cost of modifying credits under this provision in 1994 is estimated to be $7 million, or the amount provided in the Foreign Operation Appropriations bill, H.R. 2295, as reported by the House Committee on Appropriations on June 10, 1993.

PROVISIONS RELATING TO ARMS TRANSFERS

Title XIV contains two provisions that would lower collections that offset discretionary defense appropriations. Section 1404 would authorize the President to sell defense training services for less than the full cost to the U.S. government. Section 1405 would authorize the President to provide quality assurance, inspection, contract administration, audit, and cataloguing services without charge to major non-NATO allies if the governments agree to provide such services on a reciprocal basis. Currently, non-NATO allies pay a 1.5 percent surcharge for such administrative services. The authority is permissive. CBO does not have at this time sufficient information of the Administration's plans to estimate forgone collections.

CAPITAL PROJECTS

Section 1505 creates within the Trade Development Agency (TDA) a new program to finance capital projects in developing countries and countries making the transition to market economies. The Director of TDA is authorized to make grants and to guarantee loans to finance construction, plant and equipment, infrastructure, and design and engineering services. The President would be required to transfer $300 million from the economic support fund and special assistance programs to Eastern Europe and the new states of the former Soviet Union. The program appears to be similar to financing provided by the Eximbank. Therefore, CBO used Eximbank historical spend-out rates to estimate outlays from the transfered funds.

DEOBLIGATION OF UNEXPENDED ECONOMIC ASSISTANCE FUNDS

Section 1509 would require the President to deobligate and return to the Treasury economic assistance funds that have been obligated but not expended for more than four years. The requirement applies to development assistance, the Development Fund for Africa, the Economic Support Fund, and the Special Assistance Initiatives for the Philippines, Eastern Europe, and the new independent states of the former Soviet Union. Appropriations for these accounts are available until expended. Over 80 percent of development assistance disburses in the first three years; the other programs disburse over a five to seven year period.

CBO estimates that enactment of this provision would increase outlays in 1995 and 1996 by $0.5 billion and lower outlays in 1997 and 1998 relative to baseline rates. CBO estimates that enactment of this provision would create a new "use it or lose it" incentive for the affected program managers. CBO assumes that second and third year spend-out rates will increase as program managers adopt incremental funding of multi-year assistance projects and more aggressive use of deobligation/reobligation authority to avoid losing funds. These practices have been used in recent years to shorten the disbursement period in the development assistance program. The outlay rates for other programs are estimated to change to rates similar to development assistance.

DIVISION C—BOSNIA-HERCEGOVINA

Section 2103 would authorize the President to lift the United States' arms embargo of the Government of Bosnia-Hercegovina if that government requests assistance. Section 2104 would authorize the President to provide Bosnia-Hercegovina up to $200 million in military assistance by drawing down articles and services from the Department of Defense. The section does not require that the Department of Defense be reimbursed, but does authorize the appropriation of such sums as may be necessary to reimburse the applicable defense account for such defense articles or services as may be provided.

It is difficult to predict what actions the President may take under this legislation. The language contains a strong statement that the President should provide assistance to Bosnia-Hercegovina. The estimate assumes the authority will be used and that the assistance will consist of a mix of excess defense articles and training and logistic services. The estimate assumes no reimbursement for the value of excess defense articles, but that the Department of Defense will be reimbursed for such services it may provide. The estimate assumes a subsequent appropriation of $100 million for Defense Operations and Maintenance.

6. Pay-as-you-go Considerations: The Budget Enforcement Act of 1990 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1995. The enactment of H.R. 2333 would have the following pay-as-you-go impact:

[By fiscal years, in millions of dollars]

	1994	1995
Change in outlays	6	7
Change in receipts	(1)	(1)

[1] Less than $500,000.

7. Estimated Cost to State and Local Governments: None.

8. Estimate Comparison: None.

9. Previous CBO Estimate: None.

10. Estimate Prepared By: Kent Christensen, Joseph C. Whitehill, Wayne Boyington, Theresa Gullo, John Stell.

11. Estimate Approved By: C.G. Nuckols, Assistant Director for Budget Analysis.

Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I thank the gentleman for yielding time to me and for including my amendment in the en bloc package.

Mr. Chairman, I rise in support of a plan that I believe addresses the human rights problem in India in a balanced, nonpunitive way.

I have long-standing, ongoing concerns about the serious human rights abuses perpetrated by security forces and militant organizations in India—a concern which is shared with many of our other colleagues in both Houses. These abuses, which include detention without trial, torture under imprisonment, and extrajudicial killings, have been the subject of critical comment in the Department of State's annual "Country Report on Human Rights Practices," and in reports by international human rights groups such as Amnesty International and Asia Watch.

Late last year, the destruction of a respected mosque resulted in serious communal violence and riots throughout India, including most of its major cities. Additionally, even though India has denied international human rights groups access to troubled areas, serious abuses perpetrated by the security forces in the States of Punjab, Kashmir and Assam are widely acknowledged. All sources agree that the total annual death toll caused by actions by the security forces and as the result of militant attacks has been in the thousands in recent years. Those still under detention without trail also number in the thousands.

The bill that is before us today presents us, here in Congress, with an opportunity to target aid to India as a means of demonstrating our growing concern about these human rights issues. However, I firmly believe that the strategy of withholding developmental assistance to India as a means of indicating our concern is not the best one. By cutting off developmental aid to India we are directing our actions toward the poorest of India's citizens and compounding the price they must pay for the actions of the perpetrators of these abuses. Development aid is not part of the problem, and it should not be our target.

Yet, we here in Congress must still make a statement indicating that we remain concerned about these issues and that we want to see some progress toward resolving these problems. That is why I am introducing an option—included in the overall en bloc amendment—that will withhold military education and training funds, not developmental aid, for India until such time as the Indian Government begins taking steps to address the country's human rights problems.

This is an adequate response that is responsible, proactive and balanced. My amendment neither destabilizes the relationship between our two coun-

tries, nor compounds the burden placed on India's citizens. It addresses our legitimate concerns, and shows that we here in Congress are sensitive to the human cost of suppressing minority aspirations. I urge my colleagues on both sides of the aisle to support its passage.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GILMAN].

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

Mr. Chairman, I want to thank the distinguished chairman of the Foreign Affairs Committee, the gentleman from Indiana [Mr. HAMILTON], for his efforts to compromise on the eight issues reflected in this en bloc amendment. I have reviewed the en bloc amendment, discussed it with my colleagues on the committee and others in this body, and I support its adoption.

Mr. Chairman, I am in strong support of the legislation being considered today. Foreign assistance is an important, yet misunderstood, part of our U.S. foreign policy. By assisting various nations with economic support funds, food for peace, as well as developmental and military assistance, the United States promotes and contributes to regional and global security. Foreign aid comprises less than 1 percent of the Federal budget, yet U.S. foreign assistance programs have an impact far beyond the scope of their dollars.

In this changing world, foreign assistance is increasingly being used to restructure national needs. Specifically, security assistance recognizes the problems facing particular nations in their efforts to ensure adequate defenses with up to date military hardware.

A fundamental element of United States foreign policy has been support for a strong and secure Israel. A key strategic ally in the Middle East and a critical partner in our ongoing pursuit of peace and democratic ideals in the region, Israel has proven itself America's strongest and most reliable friend. As a result of the Camp David Accords signed in 1979, which brought peace to Egypt and Israel, the legislation provides $1.2 billion in economic support funds and $1.8 in foreign military financing grant assistance for Israel for fiscal year 1994, pursuant to the President's request. As the ranking Republican member on the House Foreign Affairs Committee, I want to express my strong support of this request as contained in the legislation.

Congress recognizes the many benefits to the United States resulting from our strategic and mutually beneficial relationship with the State of Israel. Since the Middle East is one of the most volatile regions in the world, U.S. interests in this area are vital. Israel, as the only stable democracy in the region, is a nation with whom the United States shares deep common values such as a commitment to democracy, freedom, and the rule of law. United States foreign assistance permits Israel, surrounded by hostile nations, except for Egypt, to maintain its much needed qualitative military superiority confident that its security interests are protected. Providing this level of assistance advances United States interests by enhancing the prospects for regional stability and a stable and secure Israel and Egypt. Most of Israel's military assistance is used for the purchase of military equipment in the United States.

Israel is to be commended for its ongoing participation in the current peace talks, and is to be especially commended for the flexibility with which it has approached the entire process. The many concessions Israel has made in the quest for a lasting peace need to be noted.

One change which would help bring peace and which should occur quickly is a cessation by the Arab States of the Arab boycott. The decision to lift the Arab boycott is long overdue. According to some estimates, the cost to Israel has been over $16 billion in investments and more than $1 billion annually in lost exports.

The secondary Arab boycott in particular has sought to punish United States businesses that trade with Israel. This is a violation of free and fair trade and must be a regular item on our agenda during diplomatic discussions with the Arab States. Moreover, an unequivocal anti-Arab boycott statement, with explicit expectations of a lifting of the secondary and tertiary boycotts must be forthcoming from the G–7 nations during their meeting in Tokyo next month.

Mr. Chairman, in conclusion, let me once again express my support for the legislation currently pending before us. The ongoing support of the United States for Israel is multifaceted and sincere. The assistance provided is important, not only for the maintenance of the peace between Israel and Egypt since 1979, but also for the promise that some day in the future, peace, freedom, and democracy will come to the entire region.

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

Mr. HAMILTON. Mr. Chairman, I yield such time as he may consume to the gentleman from New York, Mr. ENGEL, a distinguished member of the committee.

Mr. ENGEL. Mr. Chairman, I rise in support of the en bloc amendments, particularly the Molinari Kosova amendments.

Mr. Chairman, I support the en bloc amendment and it has several important provisions. I wish to highlight two provisions that I believe are of particular urgency.

The situation in Kosova is very tense. Human rights violations by the Serb authorities against the ethnic Albanian population continue at an alarming rate. The Serb strategy is to make life so unbearable for the 90 percent of the population that is ethnic Albanian that they will flee Kosova to find a better life. This amounts to quiet ethnic cleansing. We must do all we can to ensure that this campaign of quiet ethnic cleansing does not escalate to a more violent campaign, such as that perpetrated in Bosnia-Hercegovina.

International scrutiny is one method the world community can utilize to attempt to deter further Serbian aggression in Kosova. Currently, there are only a handful of Commission on Security and Cooperation in Europe monitors in Kosova. There are only three Americans. While these courageous individuals no doubt have an affect on Serbian behavior, there are simply too few of them.

This amendment would increase the number of CSCE monitors to 50. In a country as small as Kosova, 50 monitors could cover a lot of ground. In addition, the amendment would direct the President to urge the United Nations Protection Forces to station troops in Kosova. These important provisions were drafted by my colleague from New York, Ms. MOLINARI, and I strongly support them.

I was in Kosova with several of my colleagues in April. We met with the Serbian authorities there and they claimed that ethnic Albanians exercise all internationally recognized civil and political rights. I asked them if this were the case, would they object to the stationing of U.N. or EC troops in Kosova, such as are stationed in the former Yugoslav Republic of Macedonia.

The answer was very memorable. "If you beat your wife, would you want someone stationed in your house?" In my view, their answer is the strongest argument in favor of sending peacekeepers to Kosova. In fact, I believe we should go further. The United States Information Agency should open a permanent office in Pristina, the capital of Kosova. Current law provides the authorization for such an office, but gives USIA an out, by allowing it to postpone the establishment of an office there pending an improvement in the security situation. There are already American personnel based in Kosova as CSCE monitors and there is risk involved. However, in my view the risks are outweighed by the importance of a higher profile American presence in Kosova. The risks that ethnic Albanians take everyday as they try to exercise their civil and political rights are far, far greater than any danger faced by Americans based in Kosova.

Mr. HAMILTON. Mr. Chairman, I yield 3 minutes to our distinguished majority whip, the gentleman from Michigan [Mr. BONIOR].

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

Mr. Chairman, I rise in strong support of the amendments being offered, particularly the ones being offered by the gentlewoman from New York [Ms. MOLINARI] and supported by the gentleman from New York [Mr. ENGEL] calling for an increase in the number of observer missions and U.N. troops in Kosova. The world must act soon to end Serbian aggression in Kosova.

The brutal human rights violations in Kosova are well documented. Ethnic

Albanians have been subjected to the detention of their journalists, closure of their schools, political imprisonment, beatings, killings, and rapes. These abuses have been going on for years, even predating what we have witnessed in terms of violence in what was formerly known as Yugoslavia.

Remarkably, Kosova remains unbowed. In the face of terrible oppression, the peaceful people continue their struggle for freedom. Kosova has overwhelmingly expressed its desire for independence, and it deserves to be recognized.

Mr. Chairman, clearly we have a vital security interest in this region and in Kosova. Further Serbian aggression could easily lead to a widening of the Balkan war. It is, however, the stronger moral imperative in Kosova that I believe should be the basis for our action.

This same moral imperative exists in Bosnia today. As we speak, Gorazde is on the brink of falling under a furious Serbian onslaught. Before that, it was Zepa, and before that, it was Serbenica and countless other towns and villages throughout Bosnia.

How many times can we witness the sickening process of ethnic cleansing and continue to do virtually nothing?

Serbian aggression has left tens of thousands murdered and killed, and there are over 2 million refugees. Imagine that, 2 million refugees. An estimated 30,000 to 50,000 young women and girls, perhaps even more, have been raped.

□ 1250

Such brutality cannot be allowed to continue unchallenged. We can and we must do more.

I am pleased that this legislation allows the President to provide $200 million in military equipment to Bosnia. The arms embargo has only benefitted the better armed Serbian forces. It should be lifted to allow Bosnians to defend themselves.

Many people say that the situations in Kosovo and Bosnia are too complicated, that we do not understand, that we cannot become involved because it is too risky.

Yes, there are risks, but there are greater risks if we fail to act. What will future generations say to us if we lack the humanity and the moral fiber to stand up to this brutality and this aggression? Until we act, it is defenseless Albanians and Bosnians who will take all the real risks and suffer the consequences that we have witnessed, the despicable consequences we have witnessed on our television sets. And they pay that each and every night in tears and in blood.

Mr. Chairman, I wish to commend again the chairman of the committee as well as the gentlewoman from New York [Ms. MOLINARI], the gentleman from New York [Mr. ENGEL], and others for bringing this important set of amendments to us.

Mr. HAMILTON. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, this amendment, while obviously well-intentioned by its sponsor, would not achieve the positive results on promoting human rights in India that is its intention. This amendment would cut off any type of information exchanges between the armed forces of our two nations. I believe very strongly that cutting off the links of communication and cooperation is not the way for America's voice of moral persuasion to be heard. In fact, in the name of making a statement or sending a message, we could wind up with a situation where the human rights issues we are concerned about are further aggravated.

This amendment unfairly targets all of India's armed forces—the Navy and the Air Force, which have had absolutely no role in internal security operations. It is true that Army units normally deployed at border areas have been brought in for internal security or policing operations in extraordinary situations, such as in Kashmir and Punjab, areas where separatist organizations have carried out attacks. I do not wish to minimize the concerns raised by the actions of certain elements in the Indian security forces. I only want to make two important points: First, the actions by the armed forces should be seen in a larger context of the threat of severe violence and instability provoked to a large degree by separatist factions; and, second, that cutting off IMET contacts eliminates any meaningful United States role in correcting the kinds of behavior by the Indian armed forces that we find objectionable.

The Government of India will obviously feel isolated and threatened by this act, and the ramifications could be extremely negative to United States long-term interests. India may well decide not to participate in the IMET program at all. The implications could be far-reaching. It could affect India's participation in U.N. operations, such as the operation in Somalia. Any cooperative programs involving United States and Indian armed forces would be put in question.

Mr. Chairman, if we are serious about trying to positively influence the behavior of other nations, including their armed forces, cutting off our links with those nations is not the way to do it. I urge my colleagues to vote against this amendment.

Mr. DURBIN. Mr. Chairman, I rise in support of the en bloc amendment offered by the gentleman from Indiana [Mr. HAMILTON]. This amendment includes a very important provision which the gentleman and I have worked on, concerning the removal of Russian and CIS troops from the independent Baltic States of Lithuania, Latvia and Estonia.

This provision will condition aid to Russia on a Presidential certification to Congress that:

First, further significant progress, since the President's certification to Congress on May 31, 1993, has been made on the removal of all Russian and CIS Armed Forces, including demobilized units, from the independent Baltic States; or, negotiated agreements between Russia and the Baltics have been completed, including timetables for withdrawal; and

Second, Russia has undertaken good faith efforts, such as negotiations, to end other military practices that violate the sovereignty of the Baltics, including:

Artillery and similar armed forces training operations in the Baltics without the permission of the Baltic governments; interference in Baltic air space and territorial waters; the introduction of additional forces in the Baltics without the permission of the Baltic governments; and the imposition of an economic blockade or interruption of energy supplies.

This provision is necessary because, according to the Department of State, there are still between 38,400 and 49,000 Russian and CIS troops in the Baltics, including as many as 17,000 in Lithuania, 23,000 in Latvia, and 9,000 in Estonia.

Negotiated agreements for Russian and CIS troop withdrawal, including timetables for withdrawal, have still not been concluded with Estonia or Latvia. Although an agreement has been concluded between Russia and Lithuania, it is possible that the August 31 deadline in that agreement could be missed.

Latvia and Estonia have repeatedly said they want to negotiate the removal of Russian and CIS troops, and they have completed many side agreements with Russia related to Russian and CIS troops. However, timetables for withdrawal have been the most difficult issue to resolve.

Although progress has been made in the removal of Russian and CIS troops from the Baltics, it is in large measure a result of incentives provided by the Congress in foreign aid laws. This provision will continue those incentives.

American taxpayers—who continue to face difficult economic times at home—should not be asked to provide economic aid to a country that continues to practice the cold war policies of its Soviet predecessor.

This provision contains exceptions for funds for food, clothing, medicine, and other humanitarian assistance, and for funds intended for housing assistance for Russian and CIS officers who are withdrawn from the Baltics.

It also leaves intact the exceptions to ineligibility contained in the Freedom Support Act, which allow funds to be furnished to Russia if the President:

First, determines that furnishing assistance is important to the national interest of the United States;

Second, determines that furnishing assistance will foster respect for internationally recognized human rights and the rule of law or the development of democratic institutions; or

Third, decides that furnishing assistance is necessary for the alleviation of suffering resulting from a natural or man-made disaster.

If we abandon our insistence that troops be withdrawn from the Baltics, we will only strengthen the hardliners in Russia who wish to expand Russian influence and regain lost territory. These are the same forces that want to see President Yeltsin ousted from office.

Russia has said that it needs to keep troops in the Baltics to protect ethnic Russian minorities. However, the State Department's 1993 Human Rights Report finds no evidence of human rights abuses against ethnic Russians in the Baltics.

The United Nations Centre on Human Rights, the CSCE High Commissioner for

Human Rights and National Minorities, the experts of the Council of Europe, and the judges of the European Human Rights Court have all investigated Russia's claims against the Baltics and found no evidence of human rights violations against ethnic Russians in the Baltics.

No country has the right to station troops on the territory of another without that country's explicit permission, and the Baltic countries have repeatedly asked Russia to remove its troops.

This amendment is a continuation of longstanding American policy. The United States never accepted the illegal occupation of the Baltic countries, and every administration since World War II has insisted that Russian troops be withdrawn from the Baltic countries.

The Baltic countries are fragile democracies, and the continued presence and activity of Russian and CIS Armed Forces in the Baltics is a violation of the Baltic countries' internationally recognized sovereignty, a threat to Baltic political stability, and a barrier to social and economic reform.

Mr. Chairman, I support this en bloc amendment and urge my colleagues to support this provision.

Ms. MOLINARI. Mr. Chairman, as the confusion continues over what policies should be pursued to stem ethnic genocide in Bosnia and Herzegovina, the situation in the Republic of Kosova rapidly deteriorates. Indeed, during the last 2 years over 27 articles of the United Nation's Universal Declaration of Human Rights have been violated including disregard for basic individual freedoms, justice, and peace.

For those who are unfamiliar with this area, Kosova was one of the eight federal units of the former Yugoslavia before it was annexed by Serbia. Although Kosova's ethnic Albanian population is about 90 percent of the entire province, the 8-percent Serbian population represses the majority under a Communist police state.

In addition, despite the fact that the Kosovars have conducted free elections and seek a democratic system of government, martial law conditions have allowed Serbia's gross apartheid tactics to continue. As in Bosnia and Herzegovina, human rights violations, brutal murders, beatings, and torture in so-called prisons are prevalent throughout Kosova.

Almost 4 months ago, the U.N. Human Rights Commission approved a resolution which required the international community to, among other things: expand a CSCE permanent observer mission, and dispatch a further U.N. mission to examine human rights violations in Kosova. Despite urgent appeals to the various international entities responsible for fulfilling these actions, little has been done to implement this U.N. resolution.

Today, I have introduced two amendments which take decisive steps toward staving off the same destiny for Kosovars that have befallen the victims in Bosnia and Herzegovina. Specifically, my amendments direct President Clinton to urge the United Nations and the Conference on Security and Cooperation in Europe to increase their presence within Kosova where their presence will have a positive and preventive influence in stopping and reversing Serbian repression.

I am heartened by the recent action of the United States and United Nations to station a stronger U.N. presence in Macedonia. However, I believe it is imperative that the United States should give no indication to Serbian President Milosevic that we are willing to concede the Republic of Kosova and only draw the line at the border of Macedonia.

As Dr. Jeane Kirkpatrick, former U.S. Ambassador to the United Nations said recently, "the genocide in the heart of Europe violates the standard of our civilization and offers an invitation to other aggressive acts." I strongly urge Members to support my amendments and not allow the ongoing ethnic genocide to spread to the Republic of Kosova. Clearly, any further delay in acting to thwart this situation will very likely lead to the annihilation of an ethnic group not paralleled since World War II.

Mr. HAMILTON. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendments en bloc, as modified, offered by the gentleman from Indiana [Mr. HAMILTON].

The amendments en bloc, as modified, were agreed to.

AMENDMENT OFFERED BY MR. GILMAN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILMAN: Page 11, after line 24, insert the following:

(f) REDUCTION IN AUTHORIZATIONS.—The amount appropriated for fiscal year 1994 pursuant to the authorizations of appropriation in this title may not exceed the amount which is $360,000,000 less than the sum of the specified authorization amounts for that fiscal year.

The CHAIRMAN. Pursuant to the rule, the gentleman from New York [Mr. GILMAN] will be recognized for 10 minutes, and a gentleman opposed will be recognized for 10 minutes. Is any Member in opposition?

If not, the Chair recognizes the gentleman from New York [Mr. GILMAN] for 10 minutes.

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

Mr. Chairman, we all face a dilemma of how to maintain a strong foreign assistance program in the face of our current budget crisis. This amendment is intended to reconcile those competing concerns.

Mr. Chairman, my amendment would cut the amount of money available for foreign assistance in fiscal year 1994 by $360 million. This represents a total reduction of foreign assistance funding of about 5 percent from last year's appropriated level. That cut will permit funding of the essential programs we have identified in our authorization bill and will permit full funding of the foreign operations appropriations bill which we will be considering tomorrow.

Mr. Chairman, this amendment, which I am joined in by Chairman HAMILTON, the gentleman from Ohio [Mr. KASICH], and the gentleman from Wisconsin [Mr. ROTH], still permits a responsible level of funding while we are awaiting a much needed reform of our foreign assistance program. It keeps faith with the American people, who want our foreign assistance to reflect the same discipline we are requiring of them at home.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we have an amendment here before us that deals with an issue that I have been working on for a long period of time. What our amendment would do is begin the reform of foreign aid, which we think is definitely needed.

Mr. Chairman, our amendment is in two parts. The first part we have already passed, in the first Gilman amendment. When the majority in the House is pushing the largest tax increase in American history, when we have a $29 billion Social Security tax that the majority in this House has put on our senior citizens in this country, it is time that we at least make some foreign aid cuts, too. So we have made a cut of $360 million.

The second part of our amendment, which we have before us now, changes the basic principles governing foreign aid, to be more accountable to the American people. Our amendment says we will not provide new aid to countries, which are in arrears on their bills to the United States.

Our amendment sunsets AID at the end of fiscal year 1994, to insure that the House does indeed deal with reform of Foreign aid, in this 103d Congress. In short, we say: "No more delays".

We note that, 10 years ago, the Carlucci Commission identified basic problems in AID, but nothing was done. Last year the Ferris Commission gave us a blueprint to make reforms in AID. That commission recommended abolition of the agency. Now it is time to act. And that is why it is time for this House to pass the Gilman, Roth, Kasich amendment.

Mr. Chairman, I am gratified that wisdom has prevailed and the House has agreed to our $360 million in cuts in foreign aid. To cut $360 million is the least that we can do.

Now, the House must deal with our reform amendment. It is easy to vote against reforms. But I am asking Members to deal with the reforms that are so necessary.

Mr. Chairman, the cold war is over, our overseas policy is bankrupt, and, with $400 billion deficits, we can no longer afford business as usual. It is time for this House to look at how foreign aid legislation disadvantages our people. It is time to consider where the money is coming from to pay for foreign aid.

Mr. Chairman, I know it is not easy to vote for reform, but now is the time to start voting for it. Out on the campaign trail many people talk about reform. Everyone agrees that reforms must be made. But when we come to the House here it seems to be awfully difficult to find the votes to make those reforms.

The easy vote is to keep business as usual. The easy vote is to keep the money flowing overseas to the same old governments, for the same old worn out programs. But we need change, and we need change now. That is why this amendment is so important. I urge my colleagues to vote for this Gilman, Roth, Kasich amendment to begin reforming foreign aid.

Mr. GILMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I would like to compliment the gentleman from New York [Mr. GILMAN] on his amendment. We are prepared to accept it on this side of the aisle. It reduces the amount authorized to be appropriated in fiscal year 1994 for foreign aid by $360 million, reducing the total amount provided in the bill from $9.696 billion to $9.336 billion. As I understand it, this would allow some flexibility in determining where to apply these further cuts.

Mr. Chairman, I commend the gentleman from New York [Mr. GILMAN] for his amendment. The amendment will bring H.R. 2333 to a level only $35 million above the Foreign Operations, Export Financing, and Related Programs appropriation for 1994 which will be considered in the House tomorrow. It seems to me that is a prudent cushion. Recognizing the budget realities that confront us, I accept the amendment.

Mr. GILMAN. Mr. Chairman, I thank the distinguished chairman for accepting the amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from Ohio [Mr. KASICH], our distinguished leader who has been working on our budget problems.

The CHAIRMAN. The gentleman from Ohio [Mr. KASICH] is recognized for 4 minutes.

Mr. KASICH. Mr. Chairman, at the outset I want to thank the gentleman from New York [Mr. GILMAN] for his work in trying to push forward in some reform areas that we think are absolutely necessary, and I want to thank the chairman of the committee [Mr. HAMILTON] for accepting the $300 million-plus cut that is in this bill. I do think that is a positive, but I do not think it goes far enough, because it is only a cut in spending.

What I want to do is talk about the amendment that is going to come up, where we are only going to have 10 minutes on our side to speak, and it involves trying to sunset reform and change the Agency for International Development.

For those who are worried about the tax increases that are passing this House and where the money is going to be spent, I want to tell you a little bit about the Agency for International Development.

Virtually everybody who has studied this agency over the last 10 years, we have studied, we have studied, we have studied, and restudied over the last 10 years and concluded what the Washington Post concluded on Sunday, and that is that the Agency for International Development does not work.

□ 1300

It has got to be reformed and fixed, and our amendment, the next amendment, is going to sunset that operation, also to get back to the basics in terms of what their earliest missions were.

Let me tell my colleagues what they are doing right now. The Agency for International Development took 200 tons of food donated by AID, American contractors, in Ruwanda, took 200 tons of food donated by AID, to feed the hungry, and they sold it and made a profit on it.

Do my colleagues know what they did with it? They built a set of tennis courts that faced east and west. And they got a lot of complaints in the early morning. Do my colleagues know why? Because the Sun was getting in their eyes.

They went back and ripped up the tennis courts, and they put them in another direction so the courts would face north-south.

This is the Agency for International Development doing this kind of crazy stuff.

In Zimbabwe, the United States put money up so a company could import more than 200 drums of dry cleaning fluid. They sent it over there, but there was only one problem. When they opened up the drums, they did not find any dry cleaning fluid. They found that the barrels were filled with toxic waste.

I can go on and on and on.

In Peru, the USAID story is even more tragic. Here children were killed not by starvation but by medicine, poisoned medicine. It was supplied by the Agency for International Development.

I do not want to spend all day; I could go example after example. These are just several that show my colleagues that the Agency for International Development is broken. Foreign aid in this country is broken. It needs to be fixed.

I have voted for these foreign aid bills. I have voted for the foreign appropriation bills. I will continue to.

But the American people deserve their money to be spent efficiently and effectively. We do not need any more studies. We do not need any more task forces.

What we need to do is we need to pass the Gilman-Kasich-Roth amendment today that calls for a fundamental restructuring of the Agency for International Development as endorsed by virtually every professional organization that has had a chance to look at it.

The Agency for International Development was created to take countries from the developing stage and put them into the developed stage. Over the last 30 years, there has not been one single country that has gone from developing into developed.

That means that this program is broken, and it needs to be fixed. Regardless of how my colleagues felt about the tax bill, if there are going to be more taxes, if we are going to try to run this Government efficiently, and some think we need the taxes, let us clean up that in our Government that does not work.

I want to join with everybody to try to restructure the Agency for International Development, as will come up in the same amendment.

What does it do in a nutshell? One, it sunsets the Agency for International Development, forces them to come back here and justify its creation, based along a set of principles, four principles that were established when the Agency for International Development was first created.

We now have 39 principles. It is too dispersed. It does not work. And to get us back to serving 50 countries, which the new Director of the Agency for International Development has targeted for the maximum number of countries that we can effectively serve.

We are not opposed to these programs, but we are opposed to programs that go on and on and on and do not work and are not effective and are a ripoff to the taxpayer and do not help anybody overseas.

Vote for the Gilman-Roth-Kasich amendment, when the next amendment comes up.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from Ohio and the gentleman from Wisconsin and our distinguished chairman for their support of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider Amendment No. 2.

AMENDMENT OFFERED BY MR. GILMAN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILMAN: Page 3, after line 18, insert the following:

(c) ELEMENTS OF REFORM PLAN.—The plan submitted pursuant to subsection (b) shall include the following elements:

(1) PRINCIPAL OBJECTIVES.—All United States economic assistance shall have as principal objectives the following 4 elements of sustainable development, which are interrelated and mutually reinforcing:

(A) ECONOMIC OPPORTUNITIES.—Expanding economic opportunities for all women and men, especially the poor, to increase their productivity, earning capacity, and income in ways that do not harm the environment.

(B) BASIC HUMAN NEEDS.—Meeting the basic human needs for food, clean water, shelter, health care, and education necessary for all people to be productive and to improve their quality of life.

(C) ENVIRONMENTAL PROTECTION AND SUSTAINABLE USE OF NATURAL RESOURCES.—Promoting environmental protection and sustainable use of land, water, forests, and other natural resources, taking into account the needs of present and future generations.

(D) PLURALISM, DEMOCRATIC PARTICIPATION, AND HUMAN RIGHTS.—Promoting pluralism, democratic participation in economic and political decisions that affect people's lives (especially participation by poor men and women), and respect for human and civil rights, of females and indigenous peoples.

(2) COUNTRIES IN DEFAULT ON REPAYMENT OF FOREIGN ASSISTANCE LOANS.—The plan shall provide that a country that is in default for a period of more than 3 months on its payments of principal or interest on any foreign assistance loan shall be ineligible to receive foreign assistance.

(3) INCREASED PROCUREMENT OF UNITED STATES GOODS AND SERVICES.—The plan shall propose an increase in the amount of funds provided for the procurement of United States goods and services through tied-aid and other programs.

(4) REPORTING REQUIREMENTS.—The plan shall identify and propose the elimination of obsolete, unnecessary, or burdensome reporting requirements.

(5) REDUCTION IN NUMBER OF ECONOMIC ASSISTANCE RECIPIENTS.—The plan shall provide for a reduction in the number of countries receiving development and other economic assistance to 50, such reduction to be consistent with the objectives specified in paragraph (1) and focused to take advantage of United States comparative advantage as an assistance donor, for example its technical assistance capabilities.

(d) ABOLITION OF AID.—The Agency for International Development shall cease to exist as of the close of business on September 30, 1994.

AMENDMENT OFFERED BY MR. HAMILTON AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. GILMAN

Mr. HAMILTON. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment offered as a substitute for the amendment is as follows:

Amendment offered by Mr. HAMILTON as a substitute for the amendment offered by Mr. GILMAN: Page 7, after line 25, insert the following:

SEC. 103. ECONOMIC ASSISTANCE REFORM.

(a) BASIC OBJECTIVES.—Section 102 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 102. BASIC OBJECTIVES OF ECONOMIC ASSISTANCE PROGRAMS AND UNITED STATES DEVELOPMENT COOPERATION POLICY.

"(a) FOUR BASIC OBJECTIVES.—The primary purpose of United States economic assistance is the promotion of broad based, sustainable, participatory development, with particular focus on the poor. In pursuit of that purpose, economic assistance programs to the extent specified in this Act, and United States economic cooperation policy generally, shall have the following four basic objectives, which are interrelated and mutually reinforcing:

"(1) SUSTAINABLE ECONOMIC GROWTH.—Promotion of broad based economic growth.

"(2) SUSTAINABLE RESOURCE MANAGEMENT.—Improvement of resource management designed to bring about environmentally and economically sustainable patterns of development.

"(3) POVERTY ALLEVIATION.—Alleviation of the worst manifestations of poverty through the development of human resource capacity.

"(4) DEMOCRACY.—Promotion of democracy, respect for human rights, and social and economic pluralism.

"(b) SUSTAINABLE ECONOMIC GROWTH.—

"(1) RATIONALE.—Broad based, sustainable economic growth is in the interest of the United States because it permits countries to progress toward economic self-reliance, to improve the living standards of their citizens, and to increase international markets for trade and investment. Market-oriented economic growth establishes the basis for sustainable development and reinforces democratic ideals and practices. Successful long-term development cannot occur without broad based, sustainable economic growth that enables the poor to increase their incomes and access to productive resources and services so that they can satisfy their basic needs and lead lives of decency, dignity, and hope.

"(2) ELABORATION ON OBJECTIVE.—(A) Implementation of the objective of promoting broad based economic growth should recognize that economic, social, political, and environmental conditions vary among countries. While taking account of such differences, the economic assistance programs carried out in furtherance of the four basic objectives set forth in this section shall emphasize the following principles:

"(i) Security of economic rights for all citizens without regard to sex, race, religion, language, or social status, including the right to own property, the right to fair return from one's labor, and the right to engage in productive use of available assets.

"(ii) Economic policies based on free market principles as a means for establishing prices and for allocating goods and services.

"(iii) Economic reforms that benefit or are sensitive to and minimize adverse impact on the poor.

"(iv) Market base reforms—deregulation, privatization, labor market reform, reduction in barriers to the free flow of trade and investment—which increase the opportunity for all, especially, the poor, to participate in economic activity.

"(v) Government policies protecting economic rights, fair and open markets, and the fulfillment of basic human needs.

"(vi) Adherence by governments to international economic agreements, particularly those relating to free and fair trade practices and to respect for worker rights.

"(B) A primary test of the effectiveness of economic assistance programs designed to promote broad based economic growth is the extent to which the poor and disenfranchised can participate in and benefit from these programs and are thereby brought into the development process.

"(c) SUSTAINABLE RESOURCE MANAGEMENT.—

"(1) RATIONALE.—The economic and social well-being and the security of the United States and other countries are affected by how the world's environment and physical resource base are managed. Consumption patterns, systems of industrial and agricultural production, demographic trends, and the manner of use of natural resources all impact on the opportunities for long-term development and growth and survival for all countries. Both developed and developing countries share responsibility for the rational and sustainable management of natural resources. Responsible management of physical resources is necessary to insure the availability of resources for future generations and to assure that the burdens of improved resource management do not fall disproportionately on the poor.

"(2) ELABORATION OF OBJECTIVE.—(A) Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Economic assistance programs authorized by this title should assist countries to adopt policies and programs that promote ecologically sound patterns of growth. Improved resource management tailored to the conditions and capabilities of the particular developing countries should be an integral part of all planning, programming, and reporting activities with respect to economic assistance.

"(B) Sustainable resource management should be promoted through research and through the establishment and implementation of public policies and programs that provide incentives for better long-term management of resources and private and public investment toward resource-conserving technologies of production in energy, agricultural, and industrial production. To achieve this objective will entail, among other things—

"(i) more efficient and resource-conserving systems of sustainable agricultural production, with special emphasis on rain-fed agriculture, maintenance of soil structure and fertility, and minimization of soil erosion and soil and water contamination;

"(ii) adoption of appropriate use of fertilizer and pesticides;

"(iii) greater attention to forestry management for sustainable yields, agroforestry, reforestation, and watershed conservation, including better resource monitoring and assessment systems;

"(iv) improved water use management, including watershed protection, sustainable and efficient irrigation projects, and efforts to reduce costs and improve delivery of potable water and sanitation systems for both urban and rural areas;

"(v) more systematic collection, preservation, and sharing of original and evolved plant and animal genetic material, including preservation of ecosystems and natural habitats;

"(vi) attention to more efficient management of existing energy systems, to the promotion of increased use of least-cost energy resource planning procedures, and to the development of economically viable and more efficient systems of energy production and consumption that seek to maximize resource conservation;

"(vii) attention to resource conserving systems of urban development and industrial-

ization that make efficient use of energy and natural resources, minimize the adverse effects of air and water pollution, facilitate safe waste disposal, including toxic wastes, and provide for improved environmental health and safety of the urban and surrounding rural populations;

"(viii) efforts to analyze and to reduce man-made contributions to changes in the global climate, including factors that may be contributing to global warming in the Earth's atmosphere; and

"(ix) greater attention to the relationships among demographic pressures, poverty, and environmental degradation.

"(C) Growth that is not environmentally sustainable cannot be economically sustainable in the long run. Improved resource management is a critical element of a balanced pattern of development.

"(d) POVERTY ALLEVIATION.—

"(1) RATIONALE.—It is in the interest of the United States to assist developing countries to achieve patterns of growth and development that will measurably and sustainably, alleviate the worst manifestations of poverty in rural and urban areas and allow all people, especially those with low incomes, to lead economically and socially productive lives. As a people endowed with a spirit of humanitarian generosity, United States citizens have long demonstrated a moral imperative to help those in need. Further, peace and stability in the world cannot be achieved without economic development that also alleviates the worst manifestations of poverty.

"(2) ELABORATION OF OBJECTIVE.—(A) Broad based economic growth is necessary for the alleviation of the worst manifestations of poverty. Conversely, neither growth nor the alleviation of poverty can be sustained unless all people, especially the poor, have the basic assets and capabilities that foster the exercise of choice and participation in the economic, social, and political life of the country. Women, female children, and children of poor people have been especially disadvantaged in their access to these assets. Governments, together with nongovernmental organizations and international and multilateral organizations, should give special attention to alleviating the worst manifestations of poverty among these groups. Long-term poverty alleviation depends on patterns of broad based economic growth and the productivity generated by investments in the expansion of human well-being, capacity, and choice.

"(B) To achieve the objective of alleviating the worst manifestations of poverty will entail, among other things—

"(i) the expansion of education to all segments of the society, with particular attention to universal access to basic education, to sustainable improvement in the quality and diversity of educational opportunity, and to female education at all age levels;

"(ii) improvement in coverage, quality, and sustainability of health services, with special emphasis on universal access to primary health care, epidemiological detection and prevention programs, and sustainable systems of health care for mothers and children;

"(iii) a consistent program of support for systematic expansion of voluntary family planning services, with special emphasis on the role of the private voluntary and commercial sectors as providers of such services and on the development of more effective, acceptable family planning technologies appropriate to the conditions of developing countries;

"(iv) support for activities that enhance secure access of all to adequate food and nutrition derived from sustainable agricultural production, including the effectiveness and development contribution of food assistance made available under the Agricultural Trade Development and Assistance Act of 1954 and other food assistance programs; and

"(v) support for activities that enhance universal access to safe drinking water, basic sanitation, and basic shelter necessary for health.

"(e) DEMOCRACY.—

"(1) RATIONALE.—The promotion of democracy throughout the world is in the basic interest of the United States. Democratic development, political pluralism, and respect for internationally recognized human rights are intrinsically linked to economic and social progress. Democracy can only be sustained in a society in which the legitimacy of the government rests firmly on the expressed consent of the governed; the rights of all citizens, including minorities, are respected and protected; and there is effective civilian control over the military and security forces. It is in the interest of the United States and in keeping with our democratic traditions to support democratic aspirations and values, foster the spread of democratic institutions, and encourage universal respect for civil and political liberties.

"(2) ELABORATION ON OBJECTIVE.—(A) Furtherance of the basic objective of democracy requires that the United States promote—

"(i) the ability of all citizens of a country to organize and associate freely and independently of the government;

"(ii) the ability of all citizens to freely choose their government, to hold that government accountable, and to participate in political life;

"(iii) increased respect for internationally recognized human rights and the rule of law;

"(iv) respect for the diversity among the citizens of a country; and

"(v) acceptance of and respect for civilian authority by all elements of society.

"(B) An essential ingredient of development is the growth of indigenous nongovernmental organizations that are committed to democratic values and active in the promotion of democracy. United States efforts to foster democratic pluralism and build democratic institutions are most likely to create enduring bounds of democratic cooperation when United States nongovernmental organizations are involved in strengthening the capacity of nongovernmental organizations in other countries.

"(C) Democracy requires honest and open participatory government. United States assistance should help governments to establish processes of accountability and transparency to eliminate corruption and abuses of power and assist nongovernmental organizations to develop the capability to monitor the government's performance.

"(D) With regard to economic assistance under this Act or the Support for East European Democracy (SEED) Act of 1989 for countries that are in transition from communism to democracy, it shall be the policy of the United States, to the extent feasible, to provide assistance directly to democratically elected governments of states whose incorporation into the Union of Soviet Socialist Republics has never been recognized by the United States: *Provided*, That economic assistance to Yugoslavia otherwise authorized by law shall not be prohibited as a consequence of this provision. As used in this subparagraph, the term 'democratically elected' means elected through open, free, and fair elections. Nothing in this paragraph shall be construed to preclude assistance to agencies of such federal governments that promote democratic reforms, human rights, the rule of law, and/or market oriented reforms, provided that funds are not provided directly to any such agency.

"(f) EFFECTIVE USES OF ASSISTANCE.—

"(1) BENEFICIARY COUNTRIES.—Assistance furnished under this title should be concentrated in countries that will make the most effective use of that assistance in promoting the four basic objectives set forth in subsection (a).

"(2) ASSISTANCE WITHIN COUNTRIES.—Activities should be undertaken in regions of recipient countries that offer potential for successful development and should not be undertaken if the relevant sector or national economic policies of the country are clearly unfavorable to the sustainability or broadest possible impact of the assisted program or project.

"(3) TYPES OF ACTIVITIES.—Assistance should focus on those types of activities that the United States can provide most effectively.".

(b) REPEAL OF DEVELOPMENT ASSISTANCE AUTHORITIES.—Effective October 1, 1995, sections 103 through 107 of the Foreign Assistance Act of 1961 are repealed.

The CHAIRMAN. In this instance, the Chair will consider the time fungible. The gentleman from Indiana [Mr. HAMILTON] will be recognized for 20 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

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

Mr. Chairman, I rise in opposition to the Hamilton substitute and in support of the Gilman-Kasich-Roth amendment.

It's rare when such diverse interests as the Washington Post, the Heritage Foundation, the Council on Foreign Relations among others agree on an issue. But that is exactly what has happened when it comes to foreign assistance and AID. They all agree that foreign aid is in dire need of reform, and that the time has come for action now.

That's what my amendment is all about. No more studies, no more delay. Mr. Chairman, the amendment submitted by myself and my colleagues, the distinguished gentleman from Wisconsin and senior member of the committee, Mr. ROTH, and the gentleman from Ohio, the ranking member of the Budget Committee, Mr. KASICH, are designed to force that action. It tells the world that this bill is the last that Congress will consider under the old ways of doing our foreign aid business.

There is general consensus that the four objectives outlined in the report of the task force that I jointly chaired with our distinguished chairman in 1989 provides a sound basis for foreign assistance reform. We all know that AID tries to do too much, in too many different countries, with too few resources. That has to change now.

This amendment tells the world that AID will cease to exist on September 30, 1994. The Hamilton-Gilman task

force called for the end of AID and the creation of a new, streamlined foreign assistance and cooperation agency in 1989. The Ferris Commission called for merging AID into the State Department. Other suggestions have been offered, but one theme has remained constant—AID needs to be replaced if true reform is going to begin.

This amendment tells the administration that our foreign assistance will become more directed, by limiting it to 50 countries that can most benefit from our assistance and where the United States has a comparative advantage to other donors in providing that assistance. It's not a novel concept. In fact, it comes from the mouth of the current administrator of AID who told us in Congress that AID lacks the resources to maintain an overseas presence in more than 50 countries.

We all know how hard of a sell foreign assistance has become for the American people. This amendment is intended to reassure them that we will stop throwing good money after bad by making the recipients of our foreign assistance loans live up to their obligations to pay us back first before they are eligible for new assistance. After all, our assistance is to help developing countries achieve self-sufficiency—it is not intended to create a climate for their continued dependency. Being responsible for one's own obligations is a lesson that's important to learn.

Reform must also include America getting smart. Our goods and services need not take a back seat to any others in the world. They should be included with pride as part of our foreign assistance program.

This amendment promotes all of these values. More importantly, it tells the administration what we expect foreign assistance reform to achieve and when we expect their plan for reform to be submitted to Congress. We expect it now.

Mr. Chairman, I speak as a supporter of foreign aid. But, I must say, I feel like a parent who has come to the end of his rope with a difficult child. The time has come for some tough love.

Mr. Chairman, I take pause to remember what worked in bringing a conclusion to the cold war—trust but verify.

That's what we need now, no more delay but tangible results. That's what this amendment does and that is why I ask your support for the Gilman-Kasich-Roth reform amendment.

Mr. Chairman, I strongly oppose the amendment offered by my good friend, the distinguished gentleman from Indiana. The chairman and I have been together more often than not on issues of foreign policy and foreign assistance. We both share the same commitment to bringing about meaningful reform to our foreign assistance programs. And we both agree on the guiding principles for that reform.

Where we diverge is with regard to timing. Clearly, the chairman is a more patient man than I am. I believe we need reform now—not 2 years from now, maybe. At the heart of it, that's the major difference between his amendment and mine. My amendment closes AID by the end of fiscal year 1994. Unfortunately, the Chairman's does not.

The editorial in last Sunday's Washington Post says it best. We need to take action now to close a demoralized, discredited agency and replace it with a structure that meets our foreign assistance objectives in the post cold war era. We need to liberate the talent in this country to creatively address the development opportunities presented by the newly Independent States of the former Soviet Union, to help African nations reach their potential now that they are no longer viewed simply for their strategic relevance, and to respond to the opportunities of flourishing democracies throughout the world.

With all due deference, reform needs the clarion call contained in the Gilman-Kasich-Roth amendment, not the light tap on the shoulder the chairman is offering as an alternative.

□ 1310

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

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

Mr. Chairman, first let me say that I think that all of us agree on the need for foreign aid reform. There just is not any doubt about that. The gentleman from New York [Mr. GILMAN] is quite right when he says that this has been very frequently studied and it is broadly agreed that we need major reform in the foreign aid program.

I do want to say that the gentleman from New York has been a leading proponent of that reform, and he and I have worked closely together to achieve that reform, and we will continue to do so. We do have a difference with respect to this amendment, but I want to extend my appreciation to the gentleman from New York [Mr. GILMAN] for the work he has done on reform and I know that he and I will be together on these reform issues more often than we are apart.

The questions presented by this amendment are: what tactics do we use, how do we push for reform, how do we approach reform? Do we do it as the Gilman amendment proposes, by mandates to the executive branch, or do we give the executive branch more flexibility in trying to achieve that reform?

The choice here is very, very clear. The Gilman amendment legislates reform in a straitjacket. It imposes mandates. The Hamilton substitute, on the other hand, pushes reform while allowing the Administration flexibility on how it is carried out. The Gilman amendment prejudges reform. It says where reform ought to go, and directs what the recommendations should be in very specific ways.

The Gilman amendment is a classic example of congressional micro-management. The Hamilton substitute requires a reform plan in 60 days and forces reform in directions we all want without predetermining the outcome.

The Gilman amendment arbitrarily sunsets an entire agency in 1 year. I would suggest that the Hamilton substitute goes to the heart of the problem, not the agency and its people. There are very many dedicated people there, but the problem is, rather, what the agency does.

The administration is clearly committed to reform. I have had any number of conversations with administration officials, and they strongly support reform. The Administrator of AID, Mr. Atwood, has delivered to me a very extensive letter as of this morning, which I would include in the RECORD at this point, indicating very specifically what he is doing with respect to reform. Deputy Secretary of State Wharton is committed to reform, and they are going to give us a draft reform bill within a matter of a few weeks.

U.S. AGENCY FOR
INTERNATIONAL DEVELOPMENT,
June 16, 1993.

Hon. LEE H. HAMILTON,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: When confirmed as I.A.D. Administrator on May 10, I promised to undertake a top to bottom examination of the organization and structure of the Agency and its management practices. This letter reports on the actions I have taken to revitalize A.I.D. since I assumed my new responsibilities as Administrator. I will submit additional reports as part of a regular consultative process, and look forward to testifying before your committee on efforts to reform A.I.D. at an early date.

First it should be noted that I did not start this reform effort from scratch. I had the benefit of recommendations from a number of studies, including the report of a Presidential Commission ordered by President Bush, a very thorough Transition Team report and the reports of several Congressional Committees and individual members of Congress, including the Hamilton-Gilman report of 1989. These confirmed my own initial impressions: A.I.D. has too many layers of bureaucracy in its Washington headquarters, with a diffuse focus and blurred lines of communication.

I have commissioned a complete review of the structure and functions of A.I.D.'s traditional geographic and central support Bureaus. This will result in specific recommendations for organizational changes that will make A.I.D. more efficient and field-oriented.

We are also examining the number and type of overseas missions that A.I.D. requires to carry out its mandate in the post-Cold War era. I expect this to result in a reduction in the absolute number of countries in which A.I.D. maintains a field presence. These reductions will allow for a consolidation and focus.

I have also begun a process by which the Agency will measure success in terms of re-

sults. Our sustainable development program will have four strategic objectives, related to the environment, population and health, economic growth and democracy. Recipient countries will have to give us direct access to the people who will make sustainable development possible and invest their own resources in the development effort.

I have directed that the Agency develop the capacity to respond rapidly to openings for democracy, to opportunities to ameliorate conflicts, and to natural disasters. With an increasing number of countries losing their sovereignty to anarchy and chaos, the United States needs to provide more than disaster relief. The capacity of rapid response will permit the Agency to help these nations shore up their governmental institutions and rebuild their societies.

All of these changes require administrative actions to protect the rights of employees and, in some cases, coordination with other Departments and the White House to ensure foreign policy and other national interests are appropriately considered and safeguarded. While these consultations and actions prevent me from more specifically detailing the proposed organizational changes we will be making, I can assure you that in the short time I have been on the job, I have identified a number of concrete steps that we will implement, following consultation with Congress, by late summer.

I can also report that A.I.D.'s new organizational structure, in addition to eliminating layers of management, will consolidate policy and budget responsibilities to ensure resources are used to accomplish prioritized and relevant objectives.

I have established a new Quality Management Council to involve all employees in the process of revitalizing A.I.D. We are also coordinating fully with Vice President Al Gore's reinvention of government program. As a matter of fact, I have offered up the entire Agency as a reinvention laboratory. We will see the results of this process by the end of this fiscal year.

Approval has been given to a total revision of the handbook system A.I.D. uses to plan and design its projects and programs. This new system will be operational by September.

I also want to ensure that the involvement of individuals at the community level in both the planning and implementation of development programs, will become a centerpiece of the A.I.D. programming system. We must make our programs more people-oriented if we are to suceed in sustaining our development objectives.

We also will have in place, by July 31, a new system for reporting on the status of all overseas projects. This will provide me and A.I.D.'s program managers with a much clearer picture than available at present of which programs are succeeding and which need to be modified or eliminated.

I hope this preliminary summary gives you a sense of my commitment to refocus A.I.D. on results-oriented programs. We are taking concrete steps to deregulate A.I.D., to consolidate functions and eliminate redundancies. We are prioritizing our activities to work in areas where we have the best chance for achieving results. And we are insisting that A.I.D. field managers expand their efforts beyond the capital cities of developing countries to bring the development process down to the local level.

I am aware of the difficulty of the task ahead. The problems A.I.D. faces did not evolve overnight, and yet there is an urgent need to fix them as expeditiously as possible. I am hoping that the obvious need to create an agency that effectively addresses the new strategic threats our country faces will continue to generate bipartisan support. The proposed amendment calling for the sunsetting of A.I.D., while I am sure is well-intentioned, will not assist the reform effort as its proponents claim, but rather will make such reform more difficult. It would be ironic indeed if our nation sent a message to the rest of the world that it might dismantle its foreign assistance agency at a time when we are attempting to reassert U.S. leadership in the development field.

Sincerely,

J. BRIAN ATWOOD.

To get reform we have to work with the administration. We cannot dictate to it. That is the difference. The Gilman amendment tries to dictate what reform should be. The Hamilton substitute, on the other hand, proposes an approach to reform by working with the administration.

I must say I have some question in my mind about where all of these ardent advocates of reform have been for these past few years when we tried without success to get the preceding administrations to engage in foreign aid reform. Why are they suddenly seeking today to legislate preemptively some concepts of reform at the very time that the executive branch is showing a willingness to work on reform?

I believe that the Gilman amendment is not productive. It tries to dictate to the administration by arbitrarily limiting assistance to 50 countries. Of course, it is desirable to limit the number of countries that receive assistance. Where did the figure 50 come from? It is not a rational way of making policy. We should determine what the American national interests are and not pick some arbitrary figure.

Terminating assistance to countries more than 3 months in arrears with no waiver provisions is also a worthy objective, but it is a very arbitrary approach. What we come down to, then, is an amendment, the Gilman amendment, that lacks flexibility, that prejudges the process of reform, that is the very worst kind of congressional micromanagement, telling the administration how to organize their own program. I think if enacted it would simply be bad law.

I want to say to my friend, the gentleman from New York [Mr. GILMAN], who has been a key player in pushing for foreign aid reform, that no matter how this amendment comes out, he and I will continue to work together in developing a good reform program. We will be players in the reform process. There is no question about the need for reform in this program.

I do not think the Gilman amendment is the way to go if we are to be a serious player in that reform process, however, I urge a vote for reform in the responsible way. Do not put reform in a straitjacket. Vote for the Hamilton substitute and against the Gilman amendment.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH], a cosponsor of the Gilman-Kasich-Roth amendment, and a senior member of the Committee on Foreign Affairs.

Mr. ROTH. Mr. Chairman, I thank my friend, the gentleman from New York, for yielding time to me.

Mr. Chairman, I want to associate myself with the remarks of the gentleman from New York [Mr. GILMAN] and my friend, the gentleman from Ohio [Mr. KASICH].

To the gentleman from Indiana [Mr. HAMILTON], let me say the gentleman is an outstanding lawyer but he asked a question, and I want to answer it for him. He asked, "Where have all these advocates for reform been hiding over the years?" Well, I have been working here every single year for reform. If the gentleman will remember, 2 years ago most of our Foreign Affairs Committee and most of the House leadership opposed me when I brought a reform amendment to the floor: the AID pipeline amendment.

I say to the gentleman from Indiana that I have a great deal of respect for him. But when I brought that amendment up here on the floor for a vote, when the entire committee and leadership were against me, when it won 216 to 203, how did the gentleman from Indiana vote? When it came in the House-Senate conference committee, how did he vote on this amendment? That was a reform amendment.

I would ask the gentleman if he knows what my reform amendment was based on. It was based on a General Accounting Office report to our committee. I asked GAO to look at how the AID pipeline was administered. I crafted that amendment to dovetail with their recommendations, but the House-Senate conference committee threw it out.

We get the same message all the time: "Oh, yes, we are for reform, but not now; oh, yes, we are for reform, but not on this amendment; oh, yes, we are for reform, but not on this bill."

Today the House has a chance to vote for reform. Today we have a couple of men with solid conviction, the gentleman from New York [Mr. GILMAN] and the gentleman from Ohio [Mr. KASICH], who together with this gentleman have brought up this amendment. I am asking the Members of this House to vote for our amendment, because it is true reform.

Remember, my colleagues, we are talking about AID. We are talking about an Agency which in this bill will get over a half a billion dollars for operating costs. I want to repeat that. In this bill this Agency has over half a billion dollars for operating costs, with some 3,000 employees.

The gentleman from Indiana [Mr. HAMILTON] had mentioned that we had studies of AID. Yes, we had. We had the

Carlucci study. When was that? Last month? No, the Carlucci study was 10 years ago.

□ 1320

Nothing was done.

We had the Ferris Commission. That was last year. My good friend, the gentleman from Indiana, asks where were the reformers in the Bush administration. Well, the Ferris Commission report was made under the Bush administration. Do Members know what they said? They gave us an entire outline for reform. Our amendment is based on the Ferris report.

Did the Ferris Commission advocate streamlining AID? No, the Ferris Commission said this Congress should look at abolishing the Agency. And that is why this amendment is so important.

Our amendment is the reform amendment that the American people want. I ask this House to join us in starting the reform of foreign aid. Vote for the Ailman-Roth-Kasich amendment.

Mr. HAMILTON. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin [Mr. OBEY], the distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I thank the distinguished gentleman for yielding me the time. I simply wanted to take the time to say that I think reform is best obtained not by having the Congress of the United States send down a straitjacket to the executive branch that it has to climb into. I think reform is best obtained by squeezing the foreign aid budget so that lack of resources forces whatever administration is in power to change the way of doing business in delivering these programs. And that, I would suggest, is exactly what has happened in the last 5 years.

If Members take a look at the appropriated levels for foreign assistance, they will see that in the last 5 years those levels have declined by about one-third. If they take a look at the appropriations bill which will follow this bill on the floor tomorrow, we will be taking another $1 billion out of foreign assistance below last year and $1.4 billion below the President's request.

To me, the largest defect in the so-called reform amendment being offered by the gentleman from New York is the suggestion that AID ought to be abolished. The problem with foreign aid is not AID. The problem with AID, in my view, is that it has been headed by a succession of people, with one exception, who were terribly weak administrators, who had no in-depth understanding of the programs. As a result, the agency was allowed, in my view, to be ripped off by a whole range of private contractors who saw economic development as being something quite different than I think most people in the House would see it as being.

In my view, the best way to make programs work is a very old-fashioned way. You simply find the best people available and put them into the job. You give them time to organize the agencies, and then you hold them accountable for results. That is what I think we have now.

I think that Brian Atwood, the new Director of AID, is by anyone's measure a superb public servant. I think that he knows as well as anybody in this town the needs and requirements of an intelligent, effective, and disciplined aid program. And I am confident that if given the chance he will be able to bring the kind of discipline to this program that has been lacking over the last decade.

But it seems to me to suggest that the best way to proceed is to throw the baby out with the bath, and to throw out the many dedicated people who populate that agency, who have the expertise both by subject matter and region, geographical area in the world, to produce intelligent policy is at best a quaint way of doing business.

So I would suggest that the Hamilton amendment is much the preferable course. It allows the administration the time it needs to reorganize the effort, and yet at the same time it makes clear that if that reorganization effort is not forthcoming, the authorization for these programs is at an end.

That is in my view the way it ought to be handled, and I commend the chairman of the committee for producing the alternative.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Ohio [Mr. KASICH], a cosponsor of the Gilman-Roth-Kasich amendment.

Mr. KASICH. Mr. Chairman, you know, I wanted to go to see a movie last weekend called "Jurassic Park." It is all about the dinosaurs. I am told there is a great scene in that movie where they take the three former Directors of the Agency for International Development, and they are riding on the backs of the dinosaurs. And in fact, I understand that they tried to take a clip of the Agency for International Development Building, and all of those people, and put it in "Jurassic Park," because that is where it all belongs.

Now, you say you do not want to micromanage. Let me tell you something. The taxpayers want us to straitjacket, the taxpayers want us to micromanage.

I have already talked about the tennis courts that were put in down there in Africa, the funds raised by food that was sold on the black market, and they did not like the tennis courts, the Sun was in their eyes, and so they took out the tennis courts and they put in new ones.

Let me tell you a few other things that they do down there. The IG found that we spent $45 million to inform or improve the education of people in Zimbabwe, so they went down there to find out about the building, and they went into the lecture hall, and they found out there was not any lecturing going on in the lecture hall to educate people in Zimbabwe. They were storing garbage in the building in Zimbabwe.

In 1988 a quarter of a million Sudanese died of starvation, and the United States tried to help by donating millions of dollars in aid. But some of the aid, including more than 500 tons of powdered milk, just never got there.

Listen to what the Heritage Foundation found. AID supported collectivization of agriculture in El Salvador. And get this one, they gave ice cream makers, they gave ice cream makers to Egyptian schools. They do not have ice in Egyptian schools.

But you see, these are the kind of lame-brain things that have been going on in that department, in that Agency for 10 years.

Now, the chairman, who I praise more passionately than virtually any other Democrat, says we have got to do something to slow this down, that maybe really we ought to have another study. I want to read about what the Washington Post said in an article called "Doing Something About Foreign Aid." By one accounting, there have been four Agency for International Development management and program initiatives, including a management action plan, 14 separate AID management studies, seven different AID inspector general audits and reports, 14 General Accounting Office reports, a special task force report for the House Foreign Affairs Committee, a Presidentially appointed Carlucci Commission study, a Senate Foreign Relations Committee AID oversight hearing, several insightful and critical reports by the Senate Appropriations Foreign Assistance Subcommittee, and a host of studies by distinguished private groups and organizations, all within the last 8 years. And what we need to do is have another study? Come on, folks, let us take the action now and sunset this.

They say, well, you are coming in and pulling numbers out of the air in terms of how many countries you want to serve. We did not pull any numbers out of the air. Mr. Atwood himself testified in the Senate that we ought to serve 50 countries. I met with Mr. Atwood yesterday, who said, "You're precisely right. We do have to cut the number of countries we serve." In my Senate testimony I said 50. That is exactly what we have in here.

Now, why did we sunset the agency? Because we want that whole bureaucracy down there to understand that we are serious, that we want to see change in the operations of the Agency for International Development. And I told Mr. Atwood that I would work personally with him to help him and support

him in his reform efforts. He needs help with that bureaucracy. Why? Because the bureaucracy in these international institutions do not care about who the President of the United States is. They do not care what the party is. George Bush had no success in managing this foreign aid operation. Bill Clinton is going to run into the same obstacles now. Why? Because they see Presidents come and they see Presidents go, and they do it their way.

We better micromanage this agency, because we are going to read about more ice cream makers being sent to Egypt, to Egyptian schools where they do not have any ice. We are going to read about more tennis courts being torn out.

□ 1330

We ought to put them in a straitjacket. We should have closed them down years ago and shown that we were serious.

The Sunday editorial in the Washington Post says,

> The thought that AID, with its documented record of waste, inefficiency and condescension towards grantees will be responsible for assisting the former Soviet Union ought to bring the most solemn Member of Congress and make them wide awake.

The Washington Post says, "Waste, inefficiency and condescension." What we want to do is take AID back to its original designation, its original charter.

We want to take it back to 50 countries which the Director himself says he wants to do.

Finally, we want to sunset it, because we want to show them that Congress is serious. We want to show the bureaucracy down there; we want to help Mr. Atwood to show them we are serious that if they do not clean up their act and make this program work they are going to be gone for good, and that is what they ought to be, and that is what the American people will want. They want their money spent wisely, and it has been wasted in this operation.

Vote for Gilman-Kasich-Roth.

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

Mr. Chairman, I thank the gentleman from Ohio for his words in support of the measure.

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

Let us be clear about this. Nobody is arguing over here for another study of AID.

I agree with the statements that have been made by those who have preceded me who say that we are long past the time for a study. We have had too many studies already, and it is time for action.

What you have today is a Department of State that is moving aggressively on the question of reform for the first time in a long time. You have an Administrator at AID who is moving aggressively on reform for the first time in a long time.

The question is: How are we going to relate to that reform effort? Are we going to sit in this body and try to micromanage the reform? Are we going to tell them precisely how many countries that they can assist and how many they cannot? Are we going to say, "You must abolish AID"? All of those things prejudge the question of reform.

Just use common sense here about the best way to proceed with reform. If you were in the executive branch, would you like the Congress of the United States mandating how you set up your agency, to abolish your agency and to tell you precise requirements? Of course, you would not, and they do not either.

What they have done is come to us and say, "We want reform, and we are prepared to work with you for reform." The proper response to that is, "Okay, let us work together on it." Let us not, on the other hand, try to dictate what the reform ought to be.

So there is no question here of another study.

I agree with my colleagues who criticize the agency. I agree with my colleagues who have said that we need fundamental reform. That is not the question. The question is: How do you best approach reform? Do you do it by dictating to the executive branch? Or do you do it by working with the executive branch to bring forward a reform proposal?

I think you do it the latter way.

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

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON], another senior member of our Committee on Foreign Affairs.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for yielding me this time.

Since we are talking about reform, we ought to talk about the American taxpayer just a little bit today. We are facing the largest debt in U.S. history. It has gone from $1 trillion to $4.35 trillion in debt in just 10 years. We are heading toward economic calamity if we do not get control of Government spending and wasteful programs.

Toward that end, we need to take a hard look at how we are giving foreign assistance. There are certain areas of the world where it is in our national interest to give foreign assistance for security purposes and other things, but there are other areas where we do not have to give foreign assistance.

Now, I am going to give you an example: We are concerned about the Soviet Union. We are concerned about those 30,000 nuclear warheads that may fall into the wrong hands, that are pointed at us. We are all concerned about a reignition of the cold war, if you will. And so what we are doing is we are throwing money at the problem.

Russia and the new foreign states over there have in the pipeline somewhere around $138 billion in assistance. It is coming at such a fast rate that they cannot possibly disburse it all, and a lot of it is going into people's pockets. A lot of it is being wasted, and it is our tax dollars, Americans' tax dollars.

We are authorizing another $907 million, I believe, and they cannot deal with what is already in the pipeline.

Now, when we are talking about reform, why do we not look seriously about buying something from them that we can use instead of giving them our taxpayers' money? They have unlimited natural resources, trillions and trillions and trillions of dollars of gold, diamonds, manganese, oil, natural gas. They have unlimited natural gas that we could use in this country. In Kazakhstan, Chevron is going in there, and they are working with them to expand a huge oil refinery.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. GINGRICH], the whip of the minority party.

Mr. GINGRICH. Mr. Chairman, I think the issue boils down here in a very simple way.

All over America people want us to reform Government. They want us to reform bureaucracies, and there is, I think, an almost universal agreement that there is hardly an agency more desirous of reform than the Agency for International Development.

The very distinguished gentleman from Indiana is going to offer an amendment which I respect which basically says, "Let us postpone it for another year, and then maybe in another year we will postpone it for another year."

This body has been postponing necessary reforms for a long time.

On the other hand, the Gilman-Kasich amendment clearly says, "Let us get the job of reform done now." We are going to spend the taxpayers' money now. We ought to get the reform done now, no delays. Let us reform it now.

So I would urge my colleagues to vote "no" on the Hamilton substitute, which delays the process for a year, and to vote "yes" on Gilman-Kasich, which creates the correct pressure to force the bureaucracy to reform the foreign aid program now.

As a supporter of the bill, I urge "no" on Hamilton and then "yes" on Gilman-Kasich.

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

Mr. Chairman, I thank the gentleman for his supporting words.

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. GILMAN], and I ask

unanimous consent that he may control that time for the purposes of yielding.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GILMAN. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. BURTON], a member of the Committee on Foreign Affairs.

Mr. BURTON of Indiana. Mr. Chairman, to pick up where I left off about a minute ago, in Kazakhstan in the former Soviet Union, Chevron has gone in there, and they are creating a lot of jobs, and they are buying oil. They are getting something for their money. That is the way we ought to be dealing with foreign assistance if we can. In the case of the Soviet Union, we are giving American taxpayers' money away when we could be getting something in return.

My argument is that before we start saying, "Let us just throw more money at a problem around the world," let us see first if we can get a contractual agreement with that government that will benefit our country and not cost the taxpayers a dime. That is the way we ought to be doing it, especially at a time of fiscal irresponsibility.

This debt and this deficit continue to grow at an extremely rapid rate. It is not going to stop until we start making hard decisions, and one of those decisions is to not throw money at a problem if you can buy something and get something in return.

Mr. HAMILTON. Mr. Chairman, I yield myself 1 minute.

I just want to correct two, I think, misimpressions with respect to statements that have been made.

Again and again we have heard the statement that we on this side are advocating a study. We are not advocating a study. We are advocating that we move ahead right now, in a cooperative manner with the administration, on reform.

□ 1340

And the key question presented by the Gilman amendment and the Hamilton substitute is: How do you approach that reform, do you mandate it, or do you work with the administration to achieve it?

Now, the second statement that was made just a moment ago by the distinguished minority whip was that we are seeking to delay for 1 year. That is not in the bill. The bill provides that the President shall submit within 60 days of enactment of this bill a plan for comprehensive reform.

Where does the gentleman get the idea that we are seeking to delay for a year? The bill is very specific on that point: 60 days from enactment we want a plan for reform.

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

Mr. Chairman, contrary to the chairman's characterization, my amendment does not dictate any reform legislation. However, it does pressure the administration in submitting its reform plan.

Some of the provisions which the chairman objects to come from the AID Administrator's own words to us in the Congress: "Reduce the number of countries where AID works."

The bottom line difference between the Hamilton substitute and our amendment is whether we demand reform action now, which my amendment does, or whether we let it slip away, regrettably, as the chairman's proposal permits.

Our proposed sunset of AID by the end of fiscal 1994 provides ample time for its successor to be established, just as the chairman and I suggested back in 1989. It does not end foreign aid programs.

My amendment puts the ball squarely in the administration's court. They promised recommendations by May 1; we are still waiting, but we have waited long enough.

Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island [Mr. MACHTLEY].

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

Mr. Chairman, I rise in support of the Gilman amendment and in opposition to the Hamilton substitute.

Facts have shown that whatever its aims, the goals of the Agency for International Development have gone bust.

News reports have provided innumerable reports of waste and mismanagement of AID programs.

As we focus on cutting resources at home in order to save money and cut the deficit, we should at very least promote the same reforms with the money we spend abroad.

A restructured and reformed economic assistance program should not include more money for bloated bureaucracies which operate at great expense to the American worker and American firms.

It is time to sunset a discredited agency and provide much needed reforms to our foreign aid program. I ask you to join me in supporting the Gilman amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HAMILTON] as a substitute for the amendment offered by the gentleman from New York [Mr. GILMAN].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GILMAN. Mr. Chairman, I demanded a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the time within which a recorded vote, if ordered, on the amendment offered by the gentleman from New York [Mr. GILMAN], as amended or not, without intervening business or debate following the vote on the amendment offered by the gentleman from Indiana [Mr. HAMILTON].

The vote was taken by electronic device, and there were—ayes 246, noes 186, not voting 7, as follows:

[Roll No. 227]

AYES—246

Abercrombie	Ford (TN)	Minge
Ackerman	Frank (MA)	Mink
Andrews (ME)	Frost	Moakley
Andrews (NJ)	Furse	Mollohan
Andrews (TX)	Gejdenson	Montgomery
Bacchus (FL)	Gephardt	Moran
Baesler	Geren	Murtha
Barca	Gibbons	Nadler
Barcia	Glickman	Natcher
Barlow	Gonzalez	Neal (MA)
Barrett (WI)	Gordon	Neal (NC)
Becerra	Green	Norton (DC)
Beilenson	Gutierrez	Oberstar
Bereuter	Hall (OH)	Obey
Berman	Hall (TX)	Olver
Bevill	Hamburg	Ortiz
Bilbray	Hamilton	Orton
Bishop	Harman	Owens
Blackwell	Hastings	Pallone
Bonior	Hayes	Parker
Borski	Hefner	Pastor
Boucher	Hilliard	Payne (NJ)
Brewster	Hinchey	Payne (VA)
Brooks	Hoagland	Pelosi
Browder	Hochbrueckner	Penny
Brown (CA)	Holden	Peterson (FL)
Brown (FL)	Hoyer	Peterson (MN)
Brown (OH)	Hutto	Pickett
Bryant	Inslee	Pickle
Byrne	Jacobs	Pomeroy
Cantwell	Jefferson	Porter
Cardin	Johnson (GA)	Poshard
Carr	Johnson (SD)	Price (NC)
Chapman	Johnson, E. B.	Rahall
Clay	Johnston	Rangel
Clayton	Kanjorski	Reed
Clement	Kaptur	Reynolds
Clyburn	Kennedy	Richardson
Coleman	Kennelly	Roemer
Collins (MI)	Kildee	Rostenkowski
Conyers	Kleczka	Roukema
Cooper	Klein	Rowland
Coppersmith	Kopetski	Roybal-Allard
Costello	Kreidler	Rush
Coyne	LaFalce	Sabo
Cramer	Lambert	Sanders
Danner	Lancaster	Sangmeister
Darden	Lantos	Sarpalius
de la Garza	LaRocco	Sawyer
de Lugo (VI)	Laughlin	Schenk
Deal	Lehman	Schumer
DeFazio	Levin	Scott
DeLauro	Lewis (GA)	Serrano
Dellums	Lipinski	Sharp
Derrick	Long	Sisisky
Deutsch	Lowey	Skaggs
Dicks	Maloney	Skelton
Dingell	Mann	Smith (IA)
Dixon	Manton	Spratt
Dooley	Margolies-Mezvinsky	Stark
Durbin	Markey	Stenholm
Edwards (CA)	Martinez	Stokes
Edwards (TX)	Matsui	Strickland
Engel	Mazzoli	Studds
English (AZ)	McCloskey	Stupak
English (OK)	McCurdy	Swett
Eshoo	McDermott	Swift
Evans	McHale	Synar
Faleomavaega (AS)	McKinney	Tejeda
Fazio	McNulty	Thompson
Fields (LA)	Meehan	Thornton
Filner	Meek	Thurman
Fingerhut	Menendez	Torres
Flake	Mfume	Torricelli
Foglietta	Miller (CA)	Towns
Ford (MI)	Mineta	Underwood (GU)
		Unsoeld

Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Whitten
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—186

Allard
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Condit
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hughes
Hunter
Hutchinson
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Lloyd
Machtley
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Murphy
Myers
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Santorum
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shaw
Shays
Shepherd
Shuster
Skeen
Slattery
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Weldon
Williams
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Collins (IL)
Farr
Henry
Hyde
Romero-Barcelo (PR)
Rose
Tucker

□ 1406

Mr. TAYLOR of North Carolina, Mr. CONDIT, Mrs. LLOYD, Ms. SHEPHERD, Mr. FISH, and Mr. TRAFICANT changed their vote from "aye" to "no."

Ms. WOOLSEY and Mr. STENHOLM changed their vote from "no" to "aye."

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GILMAN], as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the provisions of clause 2(c) of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the pending question.

The vote was taken by electronic device, and there were—ayes 421, noes 2, not voting 16, as follows:

[Roll No. 228]

AYES—421

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Faleomavaega (AS)
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hutchinson
Hutto
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—2

Gekas
Williams

NOT VOTING—16

Collins (IL)
Costello
Dornan
Durbin
Farr
Gutierrez
Henry
Hinchey
Hunter
Hyde
McCloskey
McHugh
Molinari
Romero-Barcelo (PR)
Rose
Slaughter

□ 1416

Mr. MCCANDLESS changed his vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FARR. Mr. Speaker, on rollcall Nos. 227 and 228, I am recorded as not

voting. I was detained at a hearing regarding a closure of the Defense Language Institute in Monterey. Had I been present, I would have voted "yes."

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in part 3 of House Report 103-132.

AMENDMENT OFFERED BY MR. KYL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KYL: Page 9, line 11, strike "$903,820,000" and insert "$200,000,000"; and at the end of line 16, add the following: ", except that none of the funds authorized to be appropriated by this paragraph may be used with respect to Russia".

The CHAIRMAN. Pursuant to the rule, the gentleman from Arizona [Mr. KYL] will be recognized for 20 minutes, and the gentleman from Indiana [Mr. HAMILTON] will be recognized for 20 minutes in opposition.

The Chair recognizes the gentleman from Arizona [Mr. KYL].

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

Mr. Chairman, today I offer an amendment to reduce by $700 million the amount of funding to Russia in this foreign aid bill. We leave $200 million for the other Republics, to be earmarked for their support.

There are three primary reasons for reducing the aid to Russia. The first is established by the chart which is before me here.

What the chart shows is, according to the General Accounting Office, that the United States and other G-7 nations in the last 3 years have pledged to Russia a total of $138.95 billion, almost $140 billion. Of that, about 40 percent, according to the GAO, has been expended or allocated for support purposes, including commodity credit guarantees, direct unilateral loans, and multinational bank commitments and support.

Mr. Chairman, the first reason we do not need to authorize an additional $700 million in aid is that there is already far more money in the pipeline than can be economically and productively spent over the course of the next 2 or 3 years.

Mr. Chairman, I have been one in this body who has supported various kinds of aid to Russia. As a matter of fact, I led a delegation to Russia a year and a half ago on behalf of the Committee on Armed Services to determine how we could spend the Nunn-Lugar funds, the funds established to help the Russians dismantle their nuclear weapons.

What we found on that trip is that it is very difficult to spend the money that we authorized and appropriated because of the situation in Russia and because they are simply not equipped to handle these large sums of money in an economic way. Our report, when we came back, to the Defense Department and State Department said we need to really focus on how we can help them constructively spend the money.

□ 1420

They are still far behind schedule in being able to expend that money in any meaningful way; and that is one reason to reduce this funding.

We can see by this chart that, according to President Clinton's promises, just since he has taken office, at the Vancouver summit we have pledged $1.6 billion; at the Tokyo G-7 summit, another $1.6 billion. There is, in the defense bill, a request for 0.45 billion in defense, primarily dismantlement funds. And then this bill asks for a new $900 million for Russia. That is a total of $4.5 billion.

My point is that at this point we simply do not need to be authorizing any more money. We are not going to be able to spend even a fraction of this in the course of the next 2 or 3 years. And we do not know what is going to happen over the course of the next 2 or 3 years.

So all our amendment does is to take $700 million out of this line for this year and defer it until some appropriate time down the road. That is the sum and substance of our amendment.

The first reason, Mr. Chairman, to support this amendment is that we simply do not need to be authorizing any more money at this point. There is a second reason, and it has to do with some of the policy choices that Russia has made, both in its economic and its foreign policy.

Mr. Chairman, the International Monetary Fund very much wants to loan money to Russia, and we have committed a lot of money to the IMF for that purpose. But it has stopped loaning money to Russia because even the limited conditions established by the IMF are no longer met. And as a result, Russia has not received all of the funds that we have authorized from the IMF, because of its inability to meet the conditions required before release of their funds.

In March of this year, Jean Foglizzo, the Director of the IMF Mission in Moscow, stated that the IMF was unlikely to negotiate a new credit program for Moscow in the near future, because the policy conflicts between the Russian Government, Parliament, Central Bank and other bodies make it difficult to do so.

I am quoting, "To negotiate an agreement with a country we need to make sure the different organs of power have a common view of what the future and the development of the economy should be. Today we don't have this convergence."

Mr. Chairman, with all of this money already in the pipeline, why should we be authorizing an additional $700 million, when the head of the IMF says we cannot get that money to them because they do not have the cooperation necessary between the different parts of their government to effectively utilize these funds.

And the situation with the IMF is not unique. The World Bank President, Lewis Preston, reports that Russia has used only $50 to $60 million of the $600 million import rehabilitation loan that was approved last November.

Just last Saturday, in the Washington Post, there was an article about the IMF's concerns about economic reform in Russia. It was evident that Russia is still not ready for loans because, as stated in the article, the IMF cannot be "provided guarantees that the money will not be wasted."

Last week, a very troublesome thing occurred, Mr. Chairman. The Russian Defense Minister, Gen. Pavel Grachev, discussed with our Secretary of Defense, Les Aspin, the possibility of revising Russia's commitment to the CFE treaty. This is very, very troublesome, because what Russia wants to do is to revise the treaty so that it can amass troops, more troops along Russia's southern border, and the targets obviously are the Ukraine, Georgia, and Moldova.

These are difficult things for us to work out with the Russians, because it is a treaty between the United States and Russia. And it seems to me that they should be a little bit more willing to cooperate with our goals, which surely should not be for them to station more troops along those borders to intimidate the Ukrainians, for example; and that, perhaps, our aid at least ought to be conditioned a little bit on action on their part to be cooperative with us.

Another point, Russia has declared its intention to violate the Missile Technology Control Regime by selling rocket technology to India. And another point, with regard to its economic situation, Russia has accumulated debt throughout the world and has defaulted on loan after loan, including almost a billion dollars that Russia now owes the Credit Commodity Corporation. They are racking up the debt to the extent of $150 million a month.

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

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

Mr. HUNTER. Mr. Chairman, I thank the gentleman for his explanation of why, perhaps, this is not a wise move to send this money to the Soviet Union.

I would ask him to comment on capital flight, because I think that is a major concern of Members, when we are investing money in Russia's proposed movement toward freedom.

According to the figures I have seen estimates are between $4 and $40 billion

in capital flight, and the conservative guess is about $1 billion a month leaving the country for Western bank accounts.

That would tend to indicate that there is a good chance that the dollars we send to the Soviet Union are not going to do the job in revitalizing a freedom-oriented economy that we would like to see.

Mr. KYL. Mr. Chairman, the gentleman makes an excellent point. A lot of the money has gone into what is called the Russian Mafia or has been taken abroad to banks in Europe, for example.

In fact, according to the Journal of Commerce, while the West has loaned Russia $17 billion last year, $10 billion of that has been sent abroad. And one Journal analyst questioned "whether the West is wasting much of the money it is spending helping the economy." And another one stated. "It seems useless to put additional money into that economy," or precisely for the reasons that my colleague, the gentleman from California [Mr. HUNTER], pointed out.

Just two final points, Mr. Chairman. We are going to be considering funding for the space station very shortly. A lot of Members of Congress are going to be asking themselves whether we should begin cutting spending first, including funding for a very important project for the United States, our own space station. And we may well decide that we do not want to borrow any more money in order to fund the U.S. space station.

But if we do not approve the Kyl amendment here, we are going to be borrowing money to send it to Russia so that they can continue to fund their space station. And it does not seem to me that the American taxpayers are going to be too pleased about that.

Finally, the Deputy Prime Minister of Russia recently called on the West to set up guarantee funds which would cover foreign suppliers who are currently owed an estimated $6 billion in payments. He suggested this could be financed with part of the aid package offered by the G-7 industrialized nations.

What this means, Mr. Chairman, is that the American public could be paying off the debts to German banks that were accumulated by Mikhail Gorbachev. It simply does not make sense for us to be sending this kind of money to Russia when that potential exists. That is the ultimate reason why we ought to be very careful about sending money to Russia, when we cannot control where that money is going to go.

Mr. Chairman, in the end, it will be argued that we cannot cut back at all, not one dime, because it would send a bad signal to Russia, that we want to help Boris Yeltsin succeed.

Every one of us in this Chamber wants to help Boris Yeltsin succeed. Obviously, the United States and other Western nations are going to go beyond the pale to help Boris Yeltsin succeed, to the tune of $140 billion. Striking $700 million from this today is not going to reverse all of that.

Surely, Mr. Chairman, if the success of Russia and all of the good will that we have built up is going to stand or fall on whether we defeat the Kyl amendment today, we have done a very poor job in assisting Russia and demonstrating our commitment to its success. Surely, all of these billions have been wasted if it all depends on the $700 million that we would strike by the Kyl amendment today.

I do not think that that is a credible argument. All I am suggesting is, defer that $700 million until at least we have spent a good share of this money down. Because until then, it is obviously not needed.

Mr. HUNTER. Mr. Chairman, if the gentleman will continue to yield, just one quick question. We are walking a tightrope of sorts with respect to the other former Soviet Republics, Belarus, Kazakhstan, and Ukraine, and as we know, they have at least physical control, if not the pink slip, on a number of nuclear weapons.

Some of the gentleman's money would go to those countries, would it not? And how would the gentleman anticipate it being used?

Mr. KYL. Mr. Chairman, the gentleman is correct. Out of the $900 million requested in new funds, we would strike $700 million for Russia, but we would preserve $200 million for all of the other Republics to be distributed according to the plans that our own Government, the President, and the State Department, would have.

So we do not affect the aid to those countries. In fact, we guarantee that they would receive $200 million.

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

□ 1430

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California [Mr. LANTOS], a subcommittee chairman on the Committee on Foreign Affairs.

Mr. LANTOS. Mr. Chairman, I want to thank the distinguished gentleman, the chairman, for yielding time to me.

I want my colleagues on both sides of the aisle to understand that this is the most important amendment we will be voting on today. Far transcending Somalia and Bosnia and Cambodia and all the other issues that we face on our foreign policy agenda is the success of a democratic government in Russia.

This is the greatest achievement of the last half century, and I am appalled at the irresponsibility displayed at this time to cut Yeltsin off at the knees. Boris Yeltsin was elected the first democratic President of Russia in the thousand-year history of that country. He resisted and reversed the coup, and he began sweeping economic reform. He is our friend, and he is hanging in there by his fingernails.

The greatest foreign policy achievement of the Clinton administration has been to come out for Yeltsin before the referendum, of putting together a $30 billion multinational aid package that will make the difference Yeltsin being replaced by the new Fascists and the old Communists of Russia, or Yeltsin remaining in office as a friend and ally of the United States.

What difference will it make if Yeltsin collapses? Our defense spending will go up again. It will go up again, as will our debt and our deficit. Nuclear threat, something which we have pushed into the background, will come into the foreground again. There will be a devastating reverberation of Yeltsin's collapse in all of the former Soviet Republics, in central and eastern Europe.

If we defeat the amendment we will be able to continue to reduce the defense burden on the American people. We will be helping American farmers who will be able to export to Russia. We will open a whole spectrum of new business opportunities for American business. We will open up vast natural resources to peaceful commerce. We will increase energy supplies at lower prices. We will boost economic growth in the United States, reduce unemployment, and increase American exports.

What will we do for the people of the region? We will give them a chance to build societies based on the rules of law. We will give them a chance to build governments accountable to the governed. We will increase respect for human rights, individual rights, minority rights. We will provide ourselves with a dependable democratic ally in Russia.

When the bipartisan congressional leadership took a visit to Russia a little while ago, we visited with the Vice President of Russia, Mr. Rutskoy, who had behind his desk a map of the Soviet Union; not a map of Russia, a map of the Soviet Union.

When we asked him why does he have the map of the Soviet Union on his wall, the Soviet Union, which theoretically disappeared, it collapsed, it imploded, it does not exist, he indicted that he thinks that is the new Russia. From the old Communists to the new Fascists, there are powerful forces in Russia trying to bring Yeltsin to his knees. This amendment will help them do that.

I urge my colleagues to overwhelmingly defeat the Kyl amendment. Give the democratic forces in Russia a chance to survive. Give our Nation a chance to live in peace and harmony with what used to be a superpower.

Mr. KYL. Mr. Chairman, according to the time, I believe the gentleman from Indiana [Mr. HAMILTON] has considerable more time than I, and I would defer to him.

The CHAIRMAN. The gentleman from Indiana [Mr. HAMILTON] has 15 minutes remaining, and the gentleman from Arizona [Mr. KYL] has 9 minutes remaining.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes and 30 seconds to the distinguished gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. Mr. Chairman, I rise in support of H.R. 2333, the foreign aid bill, and in opposition to amendments that would cut our aid to Russia.

More than any time in recent memory, foreign aid is a tough vote for Members. It should not be. Foreign aid is one of our best investments, and this year's aid bill plays a critical role in addressing perhaps our most urgent foreign policy task: encouraging and supporting reform in Russia.

It wasn't so long ago that we were living under the threat of nuclear war and spending trillions of dollars to match Soviet military power all over the globe.

Now the cold war is over. Russia is no longer our enemy and they are looking to us for help. Its nuclear missiles no longer threaten us, and it no longer attempts to undermine United States interests.

There is no guarantee, however, that this situation will continue. Even as we discuss this measure, Russian legislators are debating the terms of a new constitution. Communists, nationalists, and other hardliners are clawing after power in Moscow. They want to abandon Boris Yeltsin's reforms and peaceful foreign policy and re-establish the Great Russian Empire.

The end of the cold war has brought as many responsibilities as rewards. The future of Russia is being decided, and our own national security hangs in the balance. We must help Yeltsin and the reformers succeed.

If we fail, the consequences will be disastrous. Russian aid czar Strobe Talbot makes a telling analogy: If Russia falls apart, the resulting conflict will be like Yugoslavia with nuclear weapons, spread across 11 time zones.

And there are economic stakes, too. Our aid to Russia helps stabilize and gain United States entry to what may become the world's next great consumer market. If reform collapses, a new cold war would force us to redouble defense spending and would destroy our efforts to reduce the deficit and revitalize our civilian economy.

Many things we do here today, many issues we decide, will quickly be lost to history. But make no mistake, one decision will live for decades as a symbol of how the U.S. Congress responded to what may be most important historical moment of the century. That decision is Russian aid.

Russian aid is in our national interest. It deserves the support of Congress and the American people. I urge the Members to support H.R. 2333 and reject this amendment.

Mr. KYL. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. DIAZ-BALART].

Mr. DIAZ-BALART. Mr. Chairman, I rise quite cognizant of the responsibility of our decisions today with regard to this extraordinarily important decision. I feel, however, that it is not contrary to the interest of the survival of Boris Yeltsin for both his friends and his adversaries to hear debates like the one taking place at this time.

I do not think it should be understood as sufficient, either to the friends or adversaries of Mr. Yeltsin, that the mere survival in office of Boris Yeltsin constitutes forever and ever friendship with the United States and the interests of the United States.

Yes, we are very happy to see the progress that has occurred and the great events that have taken place in Russia under the leadership of Boris Yeltsin. Yes, we are supportive of Boris Yeltsin, but we also recognize that friends of the United States do not sell submarines to Iran; that friends of the United States do not subsidize tyrannical enemies of the United States, like the Castro regime, and maintain listening posts, intelligence gathering posts, 90 miles off of our shores to gather intelligence on our activities. Friends of the United States do not do that.

□ 1440

Now, we hear that those are things that are remnants from the past, and we accept that. But at the same time we accept debates such as this as messages to Russia that progress must be maintained, and that just like we recognize that in this foreign aid bill we are making progress and that we are conditioning, for example, Russian trade with Castro on a nonsubsidy basis and we are requesting the administration to go to the Security Council of the United Nations and take seriously and ask for an international embargo against Castro, like what is being asked against the Haitian dictatorship, those are positive things we are doing. But at the same time the mere existence of this debate will serve as a message to the Russians and to Yeltsin, both pro and con, that progress must continue on a consistent basis.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. TORRICELLI], chairman of a subcommittee of the Committee on Foreign Affairs.

Mr. TORRICELLI. Mr. Chairman, it is not often in this institution that we get an opportunity to touch history. It is rare in fact when we can rise above the issues of the moment, but this is that kind of an opportunity. The question of whether or not our children will live in peace, whether the next generation will have an opportunity to use its resources for education and building up communities, not as a spiraling of plans for new weapons, is being decided today, every day, but not in this institution. It is being decided on the question of whether or not democracy survives in Russia.

In truth, we will not in a material way decide the outcome of that struggle, but we can do more than hope for the best and watch the outcome. We can prove that democracy has its own rewards, that those who choose freedom in the world do not stand alone, that we will stand with them and prove that not only can democracy improve the quality of life but it can improve an economy as well.

Those who served before us in this institution during the Second World War must have wondered what it would have been like if the democracies of the world had stood with the Weimar Republic in 1931, but they failed. During the cold war they must have wondered what it would have been like in 1917 if the democracies of the world had stood with the Kerensky government in Moscow, but they failed. Generations of Americans have paid a price because we did not understand that the only democracy that is important in the world for our security is not our own.

Today we do not defend American democracy at our borders. It is defended in capitals around the globe. What happens in Moscow is our defense.

Mr. Chairman, I ask the Members to support Russian aid, support the committee, and defeat the amendment.

Mr. KYL. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Arizona [Mr. KYL] because it cuts aid to Russia and other Soviet republics.

Russia has supported Communist Cuba in spite of its verbal assurances to the contrary. Although Yeltsin said to me that no aid will be provided to Castro, many experts believe that subsidies are still being given to Fidel by the independent republics. If this spigot were to be cut off once and for all, the Castro regime, already profoundly weakened, would surely be brought down.

There are no human rights respected in Cuba, there are no liberties, there is no freedom to even practice one's religion. Yet the Russian presence is still felt in Cuba.

Let us say, "Nyet," "No mas," and "Enough is enough. Russians, get out of Cuba." They must abandon the nuclear base in Cienfuegos and the intelligence facility in Lourdes. There should be no more shipments of oil.

Just yesterday Castro announced that the Cuban military will be scaled down, but not because he does not have aggressive intentions, merely because

Russia is not bailing out Cuba as before.

Mr. Chairman, cutting aid to Russia will assure that the Russians will not be able to continue to prop up the failing regime of Fidel Castro.

Mr. HAMILTON. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Chairman, I thank the gentleman for yielding time to me, and I rise today to request that we give some consideration to the largest country in Europe, Ukraine, a country that is struggling to change its military-industrial complex and feed and house its people.

Mr. Chairman, the foreign aid bills we consider this week provide urgently needed assistance to the newly independent states of the former Soviet Union. I rise today in support of language in the report accompanying the Foreign Assistance Authorization Act (H.R. 2404) which makes clear congressional intent that, while Russia remains the central focus of United States policy, we must initiate a more ambitious assistance program for Ukraine.

To date, Ukraine has been largely neglected by United States economic and technical aid programs. With more than 18 percent of the former U.S.S.R.'s population, Ukraine received under 6 percent of the total United States aid provided to the former Soviet Union in fiscal year 1992 and fiscal year 1993. To let this continue would be neither fair nor prudent. Ukraine and her people play an undeniably important role in this post-cold war world and we would be foolish not to recognize this fact and do everything we can to foster stability and development in that nation.

Geographically, Ukraine is the largest nation solely in Europe. Seven decades of Soviet rule and collectivization destroyed Ukraine's once-rich agricultural system, while militarization and the arms race left a huge military-industrial complex which does nothing to feed or house Ukraine's 52 million people. This complex must be converted to nonmilitary uses. If a humanitarian interest in helping our Ukrainian friends is not a compelling enough reason to support the aid provisions in H.R. 2404, then certainly, my colleagues will agree that the United States has a significant security interest in making sure this conversion takes place.

Mr. Chairman, I urge my colleagues' support for the people of Ukraine and their vote in favor of this bill.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, in a letter dated March 31 of this year, four former Presidents expressed their strong support for providing assistance to the former Soviet Union. Because the text of this letter is so directly relevant to the debate today, I will read portions of it here. I ask the Members to please listen to the words of George Bush, Ronald Reagan, Gerald Ford, and Richard Nixon as they write to Bill Clinton, President of the United States:

"DEAR MR. PRESIDENT:

"We welcome your commitment to help sustain and develop democracy and free market reforms in Russia, Ukraine and the other succession states, and we urge our fellow citizens and the Congress to support your effort in keeping with the best traditions of bipartisanship in American foreign policy.

"Americans have sacrificed much treasure to oppose communism and bring political freedom to those who lived under the Soviet yoke * * *.

"Unless we take action now to help the reformers in the successor states, we are likely to find any peace dividend shortlived and to face a world conceivably as dangerous and threatening to us as what we faced before * * *.

"As leaders of the United States, we often in the past called for sacrifices to help end the Cold War. The American people always responded, for which we can be proud and the newly-freed peoples of the region can be grateful. Now we need to make a comparatively small additional investment to win the peace. It would be tragic if we failed to act because then we could very well face a world in which even heavier sacrifices would be demanded of us and even heavier burdens would be borne by others."

Mr. Chairman, I agree with our former Presidents, and on this important issue I ask the Members to join me in defeating the Kyl amendment.

Mr. KYL. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. GILMAN].

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2 minutes also to my good friend, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank both of these gentlemen for yielding this time to me.

Mr. Chairman, I sympathize with many of my colleagues in their concerns about aid to the former Soviet Union. Russia has not met IMF economic guidelines; previously appropriated funds have been obligated at a low rate.

However, I would note that Russia freely took on most of the international debt run up by the former Soviet Union, which, before it collapsed, bankrupted the country. Therefore, the best solution is to reschedule their debt while they work through their economic and political troubles. I would note that President Yeltsin is still not yet able to control the Russian central bank's economic policies, since that institution answers to the parliament, and Yeltsin still has to resolve a political struggle over the future of Russian reform with that other branch of the Government.

Moreover, the transition to a market-based economy in Russia will end up throwing a lot of people out of work for a considerable period of time. I do not think so-called shock therapy should be introduced here.

With regard to the low expenditure rate of funds already appropriated, expenditure rates are rising. Now that we have had over a year's experience in setting up offices, getting people into the region, identifying worthwhile projects, et cetera. I would expect that those rates will continue to rise, but this is something we intend to follow closely.

I also share the concerns of Mr. KYL over inappropriate arms sales to Iran and other countries by Russia. I suspect that much of this is done by large enterprises operating outside of President Yeltsin's control. Still, the conditions in the 1992 Freedom Support A which are to govern the $903.82 million in this bill, allow the President to cut off aid to the Government of Russia if it knowingly transfers to another country. The bill now before us applies an additional, more specific prohibition on aid to Russia if the President determines that it has knowingly transferred "sophisticated conventional weapons to Iran in numbers and types that are destabilizing."

I share the concerns of Mr. KYL over Russia's continuing plans to modernize its advanced strategic missiles. We need to watch that issue very closely. Implementation of both the INF Treaty and the CFE Treaty are proceeding. In addition, the United States is working very hard with the Russians to implement agreements to dismantle and destroy their nuclear weapons and chemical weapons capabilities. To date, nearly $400 million of the Nunn-Lugar funds has been allocated for these purposes.

Accordingly, I urge a vote against this amendment.

□ 1450

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the very distinguished gentleman from Nebraska [Mr. BEREUTER], the ranking Republican on the Subcommittee on International Security, International Organizations and Human Rights.

Mr. BEREUTER. Mr. Chairman, my colleagues, and I speak primarily to my colleagues on the Republican side of the aisle, reluctantly I oppose the well-meaning amendment of the gentleman from Arizona [Mr. KYL]. But I oppose it strongly, and I urge my colleagues on our side of the aisle to oppose it.

Before President Clinton went to the Vancouver summit, he consulted extensively with the leadership on our side of the aisle, as well as with the Democratic leadership, and he consulted with the leadership of the key authorizing and appropriation committees. He went to that summit with the bipartisan support. And, the kind of assistance that has been offered to Russia and the former Republics of the Soviet Union, authorized and appropriated last year, and again, hopefully, this year has bipartisan support, and it should.

Indeed, I do not hesitate a moment in saying that if we had President Bush in the White House today, he would be

asking for at least as much, if not more, assistance to the Republics of the former Soviet Union.

I ask my colleagues to think what we have spent on the cold war confrontation in the last 40 years. In today's dollars, it would be over $10 trillion, $80,000 per household.

We are asking in the legislation only that 10 percent of the smaller bilateral aid authorization package offered for fiscal year 1994 be approved for the former republics of the Soviet Union, primarily Russia and the Ukraine. As we cast this vote on the Kyl amendment, bear in mind that the majority of Americans have lived their entire life under the nuclear threat of nuclear obliterating by the former Soviet Union. As Russia and the other major Republics of the former Soviet Union move haltingly along toward pluralism and democracy and toward economic reform, it is important that we provide a pittance of properly crafted assistance, and that is what it is, a pittance, compared to our cold war expenditures.

As you cast this vote, I ask you to think about the alternatives that wait after Mr. Yeltsin—quite possibly an authoritarian, aggressive, and threatening regime.

Now, Mr. Chairman, the gentleman from Florida [Mr. DIAZ-BALART] suggested that the Russians are not our friends when they make various weapon sales. Indeed, they are not. These newly emerging nations are not our fast friends or allies at this point. But they are moving along toward such friendship, and they are no longer threatening adversaries in every way. Send a message to the Russians and Ukrainians that we are watching their actions quite closely. Say, "yes, on conditions," and "yes, on emphasizing humanitarian aid," but do not vote for this drastic reduction and break of faith with the Kyl amendment.

Mr. KYL. Mr. Chairman, I yield 1 minute to our colleague, the gentleman from New York [Mr. SOLOMON], a member of the Committee on Rules.

Mr. SOLOMON. Mr. Chairman, I just heard my former classmate and colleague, the gentleman from Nebraska [Mr. BEREUTER], say that President Clinton had consulted with this Congress.

Let me assure you, President Clinton did not consult with this Congress on giving aid and grants. He did not discuss with this Congress, giving loans and credits. He did not discuss with this Congress, the whole concept of barterism.

Let me tell you what the Japanese are doing. The Japanese are doing what President Clinton said. They are putting up $1.8 billion in cold, hard cash, but 80 percent of it is being repaid to the Japanese treasury.

Guess what we Americans are doing: We Americans are putting up $1.8 billion, but we are giving 80 percent of it in grants and only 20 percent of it in moneys to be paid back to the U.S. Treasury. That is an outrage. We do not have the money. We have a $4 trillion debt.

The American people do not want us to give the money. They want it loaned to them in the form of loans and credits, repayable to the Treasury. Believe it or not, that is what the Russians want. They want to do the same thing with us that they are doing with Japan.

Why in the world then are we giving them the money when they only want to borrow it?

Vote for the Kyl amendment.

Mr. KYL. Mr. Chairman, I yield 30 seconds to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, there are inappropriate sales to terrorist states coming from Russia. They are continuing to support Castro's Cuba right 90 miles off our coast with millions of barrels of oil. They have got $10 billion that has been stuck into Swiss bank accounts. We are funding their space station, but we cannot fund our own.

We ought to be buying minerals from them instead of giving them U.S. taxpayer dollars.

We want Yeltsin to survive, but we should not be doing it by giving them money when we could barter with them.

It is inappropriate.

Support the Kyl amendment.

Mr. LANTOS. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the distinguished Republican leader, the gentleman from Illinois [Mr. MICHEL].

Mr. KYL. Mr. Chairman, I yield 2 minutes to the distinguished Republican leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I thank the distinguished gentlemen both very much for yielding me this time.

Mr. Chairman, in April, along with the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT], and other House colleagues, I had the opportunity to visit Ukraine and Russia, and we found the Russian and Ukraine people engaged in the task of trying to undo the economic, political, spiritual, and psychological damage of 75 years of Communist tyranny. They are trying to create a new way of governing. They are attempting to forge a new free-market system out of the ruins of the old Communist economy. They are attempting to move toward elimination of the most destructive strategic weapons.

They are being asked by the world to do all of these things successfully, swiftly, and simultaneously. It is truly a heroic undertaking, one fraught with peril and filled with significance for the entire world, and especially for the United States of America.

It was the consensus among our congressional delegation that the United States must help this process, because it is in our own economic and political best interests.

But it was equally agreed that our Nation should help those parts of the Russian economy that are showing a commitment to free enterprise, "oases of reform," as one American official put it, I believe.

We must avoid the old trap of directing aid predominantly at government agencies. That is out at this point.

The big question arises: What is in it for us? Let me put it this way: There are three equations for disaster in world affairs. First, strategic weapons plus political instability equals nuclear crisis. Second, economic hardship multiplied by hopelessness equals social chaos. And, third, ethnic strife minus principled democratic leadership equals political disaster. All of these equations have the inexorable logic and explosive potential of another famous equation, $e=mc^2$. These three equations are right now in danger of becoming realities in Russia.

Crisis, chaos, disaster, nuclear weapons, economic failure, ethnic divisions:

Can our aid magically solve all of those problems of the former Soviet states? Of course not. It cannot, and no one claims it can. But our aid can help the Russians and the Ukrainians and others begin to solve those problems.

A democratic, prosperous Ukraine and Russia can, in time, become trading partners helping our own economy. There is the potential in the former Soviet Union today for one of history's largest markets for American products.

Mr. Chairman, when the American journalist Lincoln Steffens visited Lenin's Soviet Union in its first years, he came back to the United States and said words that have passed into legend, "I have been over into the future, and it works." Well, Steffens was dead wrong. Soviet communism never worked.

If by work we mean meeting the needs of the ordinary people and allowing them the freedom to create their own destinies. After our visit in April, we can say we have been over into the future, and we do not know if it will work, but one thing is clear: Not to help Russia and Ukraine is to abandon them, and to abandon them is to harm them, and to harm them is to harm ourselves.

To vote against helping them is to put our own future in danger, and to allow the ghost of communism to have its last cruel triumph over them and over us.

Our aid cannot transform these nations overnight. No one expects that to happen. And how we had to indicate to those Soviet citizens, or Russian citi-

zens, who came up to us in our country, it took our young Nation well over 13 years to get a constitution.

□ 1500

And after 80 years, we had a terrible civil war on one issue that we could not resolve. So do not expect it to happen overnight. But make a start, make an effort, and we are going to be trying to help Russia and Ukraine to do that.

I will tell you that younger generation of people over there—and I have been over there five times—this is the first time I have noted the kind of change in the attitude of the people yearning for what we have just always accepted so easily in our own country.

I recall all those billions and trillions we spent earlier on in my lifetime of nothing but war when Russia was the enemy. But all of that is broken down now to an opportunity that we can seize if we will only take the little opportunity to give them an ounce of encouragement. We ought to do that.

I urge you to vote down this amendment and help those Russian citizens over there who would like to become, as we are, free people, join in free elections, yes, and all the prosperity that flows from private free enterprise.

Mr. KYL. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, every reformer that I have met from the former Soviet Union has insisted, "We want trade, not aid." But before they could even have trade and commerce with anyone else, they must have reform.

Russia is a rich country, it has lots of minerals, lots of oil to use as collateral and barter. Giving them aid without reform is letting them—it is helping them to avoid reform. They call it shock therapy. They need the reform.

Aid is absolutely meaningless without reform, and unless they get it, it is like shoveling taxpayers' dollars into a bottomless tin cup.

Mr. HAMILTON. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, let us be very clear about the impact of this amendment. The Kyl amendment stops all assistance to Russia. This amendment is a bill-killer.

If this amendment is adopted, it kills the bill.

The highest priority of the Clinton administration in foreign policy is to support the course of reform and democracy at a critical juncture with strong, unflinching support for Yeltsin. That is the highest priority of the administration.

Far more important than the economic impact—and I understand the economic impact is important—but far more important is the vote, the signal that this vote would send if we defeated aid to Russia.

The success of reform in Russia is critical to United States foreign policy and United States domestic interests. President Yeltsin has repeatedly requested help from the United States and from the world community. Passage of this amendment would mean a stinging rebuke to the President of the United States. It would mean a stinging rebuke to the leaders of the Western World.

Passage would be a devastating setback for President Yeltsin. Passage would be a devastating setback for all of the reformers in Russia. It would give aid and comfort to those hardliners in Russia who seek to reverse democratic reforms.

Passage of this amendment would mean that the United States Congress is walking away from the biggest foreign-policy challenge of the day and the most important test for democracy and freedom in the international community at this time.

Passage of this amendment would have far-reaching implications for the United States and our role in the world community. This amendment permits aid to go to the non-Russian republics, but we have had a number of visitors from the non-Russian republics here, and they say to us, in common voice, that if Russia goes belly-up, they go belly-up. They want us to aid Russia, and that is what we seek to do here; and the Kyl amendment strikes out all the aid to Russia.

Reform can succeed if it has our support. Western assistance is a lifeline, it is a lifeline to the reformers in Russia. Our passage of aid to Russia is crucial for the success of reform. Do not throw that lifeline away.

I urge the defeat of the Kyl amendment.

Mr. KYL. I yield myself the balance of my time.

Mr. Chairman, with all due respect to the esteemed chairman of the committee, Mr. HAMILTON, I think he misspoke in one important respect. This amendment does not stop all aid or assistance to Russia. As a matter of fact, by our calculations, based upon the GAO numbers, there is still about $6.6 billion of just United States money in the pipeline; and that does not count all of the other G-7 money. As you saw on the chart, there is about $140 billion already committed. All our amendment does is defer $700 million of new money this year. Tomorrow or the following day, we will be appropriating and reprogramming funds that are already in the pipeline that do not have to be authorized. So, this does not stop all aid.

There is a red-herring here. It is said: "This is a time in history and, if we do not do it, everything will fail in Russia." Well, it was a time of history when we passed the Freedom Support Act; it was a time of history when the President spoke in Vancouver; it was a time history at the Tokyo G-6 amendment—yes, all of this is a time of history. But it does not require us to initiate an additional $700 million on top of the already billions and billions committed. Everyone agrees we cannot spend all of this money right now. Everyone agrees that we want to help Russia. The Ukrainian National Committee supports my amendment because it supports, with $200 million, the aid to the other former Soviet Republics.

The bottom line is that we are not sending a bad signal to Russia; we are simply saying, until we can logically spend this $700 million, defer it and spend what is already in the pipeline.

Mr. Chairman, I urge an "aye" vote on the Kyl amendment.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Arizona [Mr. KYL].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 118, noes 317, not voting 4, as follows:

[Roll No. 229]

AYES—118

Allard	Franks (CT)	Portman
Andrews (NJ)	Gallegly	Poshard
Applegate	Gekas	Pryce (OH)
Archer	Goss	Quillen
Baker (CA)	Grams	Quinn
Baker (LA)	Grandy	Rahall
Barcia	Green	Ramstad
Bartlett	Hall (TX)	Rangel
Barton	Hancock	Roemer
Bentley	Hansen	Rogers
Bilirakis	Hefley	Rohrabacher
Blute	Herger	Ros-Lehtinen
Bonilla	Hoke	Roth
Bunning	Huffington	Roukema
Burton	Hunter	Santorum
Buyer	Hutchinson	Saxton
Callahan	Inglis	Schaefer
Camp	Inhofe	Sensenbrenner
Canady	Inslee	Shuster
Chapman	Jacobs	Smith (TX)
Coble	Johnson, Sam	Snowe
Collins (GA)	Kasich	Solomon
Collins (MI)	Kim	Stearns
Combest	Kingston	Stump
Condit	Kolbe	Sundquist
Cox	Kyl	Tanner
Crapo	LaRocco	Tauzin
Cunningham	Lazio	Taylor (NC)
Danner	Lewis (FL)	Thomas (WY)
DeFazio	McCandless	Thurman
DeLay	McInnis	Traficant
Diaz-Balart	Mfume	Valentine
Dickey	Mica	Vucanovich
Doolittle	Miller (FL)	Walker
Dornan	Moorhead	Walsh
Duncan	Murphy	Waters
Everett	Nussle	Young (FL)
Fields (LA)	Packard	Zimmer
Fields (TX)	Petri	
Ford (TN)	Pombo	

NOES—317

Abercrombie	Barlow	Bishop
Ackerman	Barrett (NE)	Blackwell
Andrews (ME)	Barrett (WI)	Bliley
Andrews (TX)	Bateman	Boehlert
Armey	Becerra	Boehner
Bacchus (FL)	Beilenson	Bonior
Bachus (AL)	Bereuter	Borski
Baesler	Berman	Boucher
Ballenger	Bevill	Brewster
Barca	Bilbray	Brooks

Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Calvert
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Crane
Darden
de la Garza
de Lugo (VI)
Deal
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Dreier
Dunn
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Faleomavaega (AS)
Farr
Fawell
Fazio
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Fowler
Frank (MA)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastert
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Holden
Horn
Houghton
Hoyer
Hughes
Hutto
Hyde
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
King
Kleczka
Klein
Klink
Klug
Knollenberg
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
Laughlin
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Michel
Miller (CA)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Porter
Price (NC)
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Rose
Rostenkowski
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Talent
Taylor (MS)
Tejeda
Thomas (CA)
Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Tucker
Underwood (GU)
Unsoeld
Upton
Velazquez
Vento
Visclosky
Volkmer
Washington
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zeliff

NOT VOTING—4

Durbin
Henry
McHugh
Romero-Barcelo (PR)

□ 1528

Messrs. GOODLATTE, PAXON, and LINDER changed their vote from "aye" to "no."

Mr. SAXTON, Ms. DANNER, Mr. GEKAS, Ms. PRYCE of Ohio, and Mrs. THURMAN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SOLOMON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOLOMON: Page 40, after line 6, insert the following new paragraph:

(2) CONGRESSIONAL POLICY STATEMENT.—It is the sense of the Congress that—

(A) the President should encourage those independent states of the former Soviet Union capable of providing eventual reimbursement to the United States for assistance provided to such states under chapter 11 of part I of the Foreign Assistance Act of 1961 to enter into negotiations with the United States to reach agreements outlining such eventual reimbursement; and

(B) at least $744,115,000 of the amounts appropriated pursuant to the authorization of appropriations in section 1201(a)(8) of this Act for assistance for the independent states of the former Soviet Union for fiscal year 1994 should be obligated only under the terms of agreements providing for eventual reimbursement of such assistance.

Page 40, line 6, strike "(2)" and insert "(3)".

Page 40, line 23, strike "(3)" and insert "(4)".

Page 41, line 9, strike "(2)" and insert "(3)".

Page 41, line 16, strike "(4)" and insert "(5)".

The CHAIRMAN. The gentleman from New York [Mr. SOLOMON] will be recognized for 5 minutes, and the gentleman from California [Mr. LANTOS] will be recognized for 5 minutes in opposition.

The Chair recognizes the gentleman from New York [Mr. SOLOMON].

□ 1530

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

Mr. Chairman, Monday before the Committee on Rules I presented two amendments to this bill dealing with the question of bartering our aid programs to Russia.

Mr. Chairman, the first amendment would have required the President to enter into negotiations and to conclude barter arrangements with those states of the former Soviet Union which will be recipients of the assistance provided in this bill.

Mr. Chairman, the amendment would have stipulated that reimbursement should be completed within 7 years of disbursement of the aid. This was the amendment that I would have preferred to be brought to the floor today, because it would have required the President to secure reimbursement for whatever aid is being given to the former Soviet Union.

Unfortunately, the Committee on Rules did not make in order that amendment. They did, however, make in order the amendment Members are going to be voting on in a few minutes which allows me to offer a nonbinding sense of Congress resolution that $744 million of the $904 million authorized for Russia in this bill be subject to reimbursement through barter or other measures.

Mr. Chairman, as I have stated on the floor this morning, and I think Members ought to listen to this, because their election next year may be riding on it, as I stated on the floor this morning, the Japanese recently announced a $1.8 billion assistance package for the former Soviet Union, of which only 17 percent is in the form of grants.

By contrast, the overwhelming majority of the $904 million Members are voting on here today that is authorized in this bill is in the form of grants. By applying the Japanese formula, we arrive at the $744 million figure just mentioned.

Mr. Chairman, I believe the idea of securing reimbursement for our aid to Russia through barter has merit for several reasons. First and foremost is our intolerable Federal deficit. We are simply past the days when America can continue to be a sugar daddy for the entire world. Our financial situation is so precarious that this body has just passed the largest tax increase in the history of this Congress, and is asking the American people to make enormous sacrifices.

Mr. Chairman, the people are in a sour mood. In my district, 9 to 1 they want no foreign aid at all.

That is not the position I am taking with this amendment. I understand fully the enormity of the task that lies before President Yeltsin and just how important it is that he win his struggle with the hardliners. My position is simply that it would be less then responsible, given our financial situation, and absolutely unexplainable, given voter sentiment, if we do not secure reimbursement for the majority of our aid.

Mr. Chairman, let me just say this is you: The Japanese are doing the same thing we are doing. They are putting up $1.8 billion, as President Clinton asked them to do, but 80 percent of it is in the form of loans and credits to be repayable. We should be doing the same thing.

My amendment does not have the teeth of law. It is simply a sense of

Congress resolution saying that this Congress believes that aid that we give to the former Soviet Union should be repaid by barter or other means, whether it be commodities or products that are produced in their countries. That is why I would hope that Members vote for the amendment. It is a good amendment that makes a lot of sense to the American people.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN], the ranking member on the Committee on Foreign Affairs.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding time to me, and I am pleased to rise in support of this amendment.

Mr. Chairman, this amendment encourages the President to enter into negotiations with the newly Independent States of the former Soviet Union to seek agreements on eventual reimbursement of United States bilateral aid.

I agree with my colleague from New York that we need to focus our attention on such possibilities, in the interest of our taxpayers.

The bill already authorizes the President to enter into barter agreements with the newly Independent States, and it calls for a report on the resources of each of these countries, and their capability to provide eventual reimbursement.

This amendment goes a step further by encouraging the President to, in fact, enter into such negotiations. It also calls for a large portion of our aid to be obligated only under such terms.

I agree with the point Mr. SOLOMON is making with this amendment. I appreciate his support for what we have done in committee on this issue, and I am pleased with his effort to improve upon the bill. I support his amendment.

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

Mr. HAMILTON. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Chairman, I think the gentleman for yielding.

Mr. Chairman, I join with my good friend, the gentleman from New York [Mr. SOLOMON], and compliment him on his amendment. I know that in the past I have favored this type of attitude.

Mr. Chairman, may I suggest it is a sense of the Congress, and what we could do is ask the new administration, the new Secretary of State, unlike past administrations, who have failed to take this approach, that they sit down and try to formulate an international commodities exchange so that the resources of the former Soviet Union can be identified and can be put on a commodity exchange, to invite not only the private resources of the United States, but indeed the resources of the world, to help put the explorative capital into the old Soviet Union and encourage the development of their commodities so that less direct funds of the United States in the nature of grants need to flow there and help them establish their economic base, utilizing their great wealth that exists there.

Mr. Chairman, I compliment my friend from New York [Mr. SOLOMON], and I want to express, as the gentleman can see, there are Members of our side that can join with good thinking from Members of the minority side to ask this administration to do some things that should have been done by past administrations.

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

Mr. Chairman, I accept this amendment on behalf of the majority. I want to express my commendation to the gentleman from New York [Mr. SOLOMON] for this amendment. I relate this amendment to the amendment the committee accepted from the gentlewoman from Kansas [Mrs. MEYERS], which promoted the idea of barter. That is a part of the gentleman's amendment, as I understand it, as he seeks eventual reimbursement for assistance provided to the former Soviet Union.

Mr. Chairman, this is a good amendment, and we support it.

Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. SOLOMON. Mr. Chairman, I thank the gentleman for his support. I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in part 3 of House Report 103–132.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BURTON of Indiana: Page 48, after line 25, add the following.:

SEC. 319. PROHIBITION OF DEVELOPMENT ASSISTANCE TO INDIA UNLESS CERTAIN SPECIAL OR PREVENTIVE DETENTION LAWS REPEALED.

(a) FINDINGS.—The Congress finds that—

(1) each year, in both Jammu and Kashmir and the Punjab, the Government of India detains thousands of persons under special or preventive detention laws without informing them of the charges against them;

(2) most of these detainees are political prisoners, including prisoners of conscience;

(3) they are often detained for several months and sometimes even more than a year;

(4) detainees are not permitted any contact with lawyers or family members unless they are remanded to judicial custody and transferred to prison, and only then if the family on its own is able to locate the detainee;

(5) in most cases, these persons are detained under the Terrorist and Disruptive Activities (Prevention) Act of 1987, the National Security Act of 1980, and the Jammu and Kashmir Public Safety Act of 1978;

(6) the Terrorist and Disruptive Activities (Prevention) Act of 1987 authorizes administrative detention without formal charge or trial for up to 1 year for investigation of suspected "terrorist" or broadly defined "disruptive" activities;

(7) the 1-year period of permissible detention before trial violates Article 9 of the International Covenant on Civil and Political Rights, to which India is a party;

(8) Article 9 of such International Covenant provides, "Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release.";

(9) under the Terrorist and Disruptive Activities (Prevention) Act of 1987, all proceedings before a designate court must be conducted in secret "at any place other than . . . [the court's] . . . ordinary place of sitting";

(10) section 16(2) of such Act permits the designated court to keep the "identity and address of any witness secret";

(11) under such Act, a confession to a senior police officer can be admitted as evidence if there is reason to believe it was made voluntarily;

(12) such Act amends India's criminal code, which prohibits such confessions, and substantially increases the risk of torture;

(13) such Act reverses the presumption of innocence, placing the burden on the accused to prove that he or she is not guilty;

(14) the National Security Act of 1980 permits the detention of persons without charge or trial for up to 1 year in order to prevent them from acting in a manner prejudicial to the security of the state, the maintenance of public order, the maintenance of supplies and services essential to the community, or relations with a foreign power;

(15) such Act was amended to permit 2 years detention in the Punjab;

(16) under such Act, India may detain any person engaged in behavior "prejudicial to the defense of India, the relations of India with foreign powers, or the security of India";

(17) the Jammu and Kashmir Public Safety Act of 1978 empowers India to detain persons without trial for up to 1 year for a broad range of activities, including "promoting, propagating, or attempting to create, feelings of enmity or hatred or disharmony on grounds of religion, race, community, or region";

(18) the Armed Forces (Punjab and Chandigarh) Special Powers Act of 1983 and the Armed Forces (Jammu and Kashmir) Special Powers Act of 1990 empower Indian security forces to search homes without warrant, to make arrests without warrant, to destroy the "hideouts" of suspected terrorists, and to shoot to kill with immunity from persecution;

(19) Indian security forces routinely employ methods of torture, beatings, and threats to induce detainees to sign statements of confession and to identify suspected militants;

(20) the Terrorist and Disruptive Activities (Prevention) Act of 1987, the National Security Act of 1980, the Jammu and Kashmire

Public Safety Act of 1978, the Armed Forces (Punjab and Chandigarh) Special Powers Act of 1983, and the Armed Forces (Jammu and Kashmir) Special Powers Act of 1990 facilitate human rights abuses by suspending ordinary safeguards against arbitrary arrest, incommunicado detention, and torture; and

(21) these 5 laws are incompatible with the principles of a modern democracy.

(b) PROHIBITION OF DEVELOPMENT ASSISTANCE.—

(1) REPORT.—Not later than 60 days after the date of the enactment of this Act, the President shall report to the Congress whether the Government of India has repealed all of the laws specified in paragraph (4).

(2) PROHIBITION OF ASSISTANCE.—If the President reports to Congress, either pursuant to paragraph (1) or at any other time, that the Government of India has not repealed all of the laws specified in paragraph (4), the President may not provide assistance for India under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance).

(3) RESUMPTION OF ASSISTANCE.—Assistance terminated pursuant to paragraph (2) may be resumed only if the President reports to Congress that the Government of India has repealed all of the laws specified in paragraph (4).

(4) SPECIAL AND PREVENTIVE DETENTION LAWS.—The laws referred to in this paragraph are the Terrorist and Disruptive Activities (Prevention) Act of 1987, the National Security Act of 1980, the Jammu and Kashmir Public Safety Act of 1978, the Armed Forces (Punjab and Chandigarh) Special Powers Act of 1983, and the Armed Forces (Jammu and Kashmir) Special Powers Act of 1990.

The CHAIRMAN. Under the rule, the gentleman from Indiana [Mr. BURTON] will be recognized for 10 minutes, and the gentleman from New York [Mr. ACKERMAN] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, the atrocities that the world has seen in Bosnia are equally as bad in a place called Kashmir and Punjab in northwestern India. The problem is the world does not know about these atrocities because they will not allow human rights groups such as Amnesty International into the area. They will not allow television and the media in there.

□ 1540

They will not allow the International Red Cross or other governmental personnel in there to see what is going on. As a result, the world does not know of the atrocities that are taking place in this area.

Let me just list to my colleagues some of the atrocities that we know that have been going on.

One young man was thrown to the pavement by Indian soldiers, 1.1 million Indian soldiers up there imposing martial law on people who want nothing more than to be free and to have peace and have human rights. They threw this 27-year-old man to the floor, took off his clothes, poured gunpowder all over his body and then ignited it.

A young 10-year-old girl was shot in the face, even though she had her hands in the air, and also her 6-year-old brother was shot in the face.

People are being stopped on the streets because they are trying to get donors for human organs, and they are being put to sleep. And then while they are asleep, they are extracting some of their organs and selling them on the black market to people who want organs, such as kidneys.

In one particular case, a young man named Mr. Rafig Mir was picked up by Indian troops, chloroformed, and taken to a hospital where they forcibly removed his kidney, and he was later found thrown on the street.

This is not an isolated case. It is going on all the time.

In last week's Washington Post, the Governor of Kashmir, K.V. Krishna Rao, replied that he genuinely feels bad if torture leads to death.

These are some of the things that are taking place in India today: 16,740 innocent people killed in Kashmir alone; burned alive, 558; 2,800 women and children raped; 11,000 Sikhs killed since 1984; 38,000 imprisoned without charge.

The problem that we face in India is these things are going unnoticed by the world.

What we are trying to do, as we did last year, is send a very clear message to India that these human rights violations will not be tolerated. Last year we passed, by a vote of 219 to 200, this very same amendment, which cut off $27 million in developmental assistance to India until they made these changes that we have been talking about.

I submit to my colleagues today, if they believe in human rights, I hope they will support the Burton amendment and send this signal once again to the Indian Government. It passed here last year but failed in the Senate. This year we want to get it through the entire process.

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

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

I might say at the outset to the gentleman from Indiana that this gentleman supports human rights. He just does not support the gentleman's amendment.

This is not a debate about whether or not there are human rights abuses in Kashmir. There are.

This is a debate about how we can most effectively do something about those abuses. Not even my friend from Indiana can persuasively argue that his amendment will force the Government of India to do any more than they are already doing. Indeed, they are making great progress.

Nobody thinks that this blunt instrument of blackmail is likely to force the Indian Government to bow to our demands.

Keep in mind that we are talking here about very modest sums of money. We are talking about developmental assistance. We are not talking about aiding the government. We are talking about aiding the people. We are talking about $41 million, in a nation of over 800 million people. That comes out to a nickel, a nickel for every Indian in the country.

I do not see how we could think in this body that we could be bought off for a nickel a person in this country.

I might also ask the logic of cutting a developmental assistance program that is designed to help the poorest of the poor. Think about it. There are more people living below the poverty level in India alone than in all of the nations in Africa.

Do the supporters of this amendment really believe that the homeless widow in Bombay, the unemployed weaver in Calcutta, the impoverished fisherman along the Ganges really have the ability to control the actions of members of the military thousands of miles away?

The gentleman from Indiana [Mr. BURTON] may wish to penalize the government or the security forces, but, in fact, he will only punish the poor people.

The administration opposes this amendment. Human rights groups that testified before our subcommittee earlier this year, human rights groups are opposed to linking developmental assistance with human rights.

That should be an indication.

In addition to that, the gentleman from Indiana [Mr. BURTON] has told my colleagues that, but let me state that his amendment calls for the Government of India, within 60 days, to change five laws. We are talking about a democratic government, the largest democracy in the world, with a democratically elected national parliament, based and rooted in democratic principles, an inclusive government, a secular government.

If we dare to dictate to another democracy that unless they change five laws in 60 days, I dare say I know what our reaction would be, if somebody said in order to continue a relationship with us, that we would be forced to change our laws and not only that, to do it within 60 days: absolutely unreasonable and unconscionable and unworkable.

There are human rights abuses. They occur on all sides in this very, very terrible situation.

The way to resolve it is not by being one-sided and penalizing one side alone.

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

Mr. BURTON of Indiana. Mr. Chairman, I yield 1½ minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, I am as partisan as anyone in this body, when it comes to being a Democrat, when it comes to taking on the minority. But there is one thing we should be partisan on behalf of, everyone, and that is human rights.

I have good friends on both sides of this aisle. I will tell my colleagues that to try to equate developmental assistance with what is going on in Kashmir right now and in the Punjab is a sin against God. It is a sin against humanity.

We should not be associating ourselves, my colleagues, believe me, on the minority side, this is not something in which it is Democrat versus Republican.

I plead to my colleagues to make this lesson clear, that Democrat or Republican, regardless of who the authors of the amendment are or the overall legislation, that we are going to stand for fundamental human rights regardless.

I am for this amendment because it makes a statement in no uncertain terms that we will not relax our vigil, even with our friends.

Mr. Chairman, I plead with my colleagues on this basis. No one is a better friend to India than I am. No one is a better friend to human rights. I admire the Indian people. The Indian people are being sold short on their conviction and commitment to democracy by the actions of the army in Kashmir and the Punjab.

I have been there. There are no more decent people on the face of the Earth than the Sikhs. If one is in their Temple, they will eat, they will be fed.

They really believe and live their religion, as so many of the rest of us cannot do and will not do. They shelter people and feed people. They are guilty only of their common regard for all of humanity.

Vote for this amendment in order to make sure that our commitment to humanity is made manifest in our legislation. This is not Democrat versus Republican. This is human beings.

Mr. ACKERMAN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana.

Mr. Chairman, the gentleman suggests that his amendment would put pressure on the government of India to improve its record on human rights. In fact, if this amendment were to become law, it would greatly reduce America's ability to positively influence the Indian Government, not only in terms of human rights, but on a wide range of economic and security concerns. Punitive measures like this amendment will only serve to isolate the Indian Government and ultimately set back the process of political and economic reform.

What I find most disturbing about this amendment is that it sets its sights on the wrong target. Under the guise of sending a message to the government of India, the amendment punishes the poorest and neediest people in India. The development assistance in question goes to such areas as health care, child immunizations, AIDS education programs to improve the status of women, feed hungry children, provide clean drinking water, and better housing—in brief, humanitarian programs in the best tradition of American assistance to people who truly need our help. Terminating this humanitarian assistance is not the right way to make America's moral persuasion felt in the world.

Voting for this amendment may make some of us feel like we have done something in the name of human rights. But, in reality, the amendment completely misses the point. We can do better than hollow, symbolic gestures that achieve no meaningful results. Let's use our relationship and our influence with India to promote the values of human rights that are so important to every one of us. Let us not cut off those people who desperately need this development assistance. I urge my colleagues to defeat this amendment.

□ 1550

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Chairman, I rise in strong support of this amendment, which would cut developmental assistance to the country of India by $41 million unless it ends human rights abuses by the Indian security forces.

It has been widely reported that under the Armed Forces Special Powers Act of 1983 and the Punjab Disturbed Areas Act of 1983, Indian Army, paramilitary, and police members have been legally granted wide discretion in the use of lethal force against its own people. Indian human rights groups have estimated that 1,350 people were killed as a result of these laws during the first 9 months of 1992 alone.

Mr. Chairman, we must adopt this amendment today to show the Indian Government that we will no longer tolerate the systematic torture and murder of its citizens.

I urge an "aye" vote.

Mr. ACKERMAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Iowa [Mr. LEACH], the eloquent ranking Republican member on the Subcommittee on Asia and the Pacific of the Committee on Foreign Affairs.

Mr. LEACH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I have no grand eloquence to bring to this subject. I will say that the gentleman from Indiana [Mr. BURTON] has a number of valid points. Frankly, one of the tragedies in this regard is that one of the great democracies in the world has human rights problems. They are on all sides of the question. Certainly the government has problems, and certainly some of the opposition groups have problems.

One of the things we as a Congress have to deal with is how we express concern. One methodology of expressing concern is to cut off certain development assistance. In this regard, that is cutting off AIDS prevention, it is cutting off population control in a country like India.

Another type of concern is to say, "We want to work with the government. We want to see that its current democratic progress continues, its current extraordinary steps toward a free market economy continue."

My own view is that we have to recognize problems exist. They are profound, they are deep-seated, but that we are probably better off as a country to say to India, "Let us come closer together, rather than drift further apart."

With great reluctance I would urge opposition to the amendment of the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. FLAKE], my good colleague.

Mr. FLAKE. Mr. Chairman, as evidenced by the number of speakers from both sides of the aisle on this issue, this is a very delicate balancing act, one in which some of us find ourselves trying to analyze what is in the best interests of all of the citizens of India.

Clearly this is an issue that has to do with human rights. It seems to me that when we put the position before the American people that the President has some 60 days to do an analysis of what is happening in India, that will make the determination ultimately of whether or not money is spent, and then I think we are moving in the right direction.

I am supporting the gentleman from Indiana [Mr. BURTON] and I am supporting this particular amendment, because I believe that this is the right way to go in trying to make sure that human rights are guaranteed for all persons throughout all areas of the world. This is not an easy position for many of us to take, but I think it is the best position. I think it is the most informed position. I think it is one that sends a signal throughout the world, sends a message abroad that "if you intend to have use of America's resources, then you must assure human rights for all of the citizens of any country."

Therefore, Mr. Chairman, I hope that we will have support for this particular amendment.

Mr. ACKERMAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Chairman, while I strongly support reducing our foreign

aid budget, I believe that singling out India for symbolic punishment by Congress runs counter to our national interest.

No nation should be denied the right to defend itself from the type of terrorist acts that have been committed against the civilian population in India by groups based inside and outside that nation.

Here in the United States, for the first time this year, we have seen the devastating effects of acts of political terror at the Central Intelligence Agency and the World Trade Center. This is but a small fraction of the daily terror that the people of India are threatened with. We should encourage the Indian government to address any abuses that occur in fighting this threat, and India has made significant steps in that direction.

In the past several years, India and the United States have made great progress in both their political and economic relations. This is a welcome trend for the world's two largest democracies.

We should not let forces hostile to democratic society set our international agenda. The time has come to move forward in our relations with India and the Indian people.

Vote no on the Burton amendment.

Mr. BURTON of Indiana. Mr. Chairman, I would ask how much time remains on each side.

The CHAIRMAN. The gentleman from Indiana [Mr. BURTON] has 4 minutes remaining, and the gentleman from New York [Mr. ACKERMAN] has 4 minutes remaining.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the opposition says we should work with the Indian Government. In Punjab and Kashmir they have over 1 million soldiers and police doing this to the civilians. This man has had torture imposed upon him on his arm. It has been burnt all the way to the bone. They tortured him by burning him here, and then when he was about to die and he could not stand any more torture, they disemboweled him.

Women are being gang raped. One woman was gang raped by 16 soldiers when she was 9 months pregnant, and 2 days later she gave birth to a baby that had a broken arm because they kicked her in the stomach.

People are being dragged out of their homes in the middle of the night and shot, and they are calling that democracy. It is the worst kind of human rights violations and repression. The Indian Government right now is spending $8.24 billion a year on building new nuclear weapons and defense weapons. They can afford $41 million of our money.

Our taxpayers do not want to pay for this kind of thing. We need to send a message to them that we believe in human rights, democracy, and freedom. That is what this country stands for. For us to send money to them when they are doing this to men, women, and children is unthinkable.

For God's sakes, this country stands for better than that. We should not be appropriating money for a country that is that tyrannical. No matter what my colleagues say about us we should work with them, we need to send them a message. Granted, $41 million is not a very big message to send, but if we pass this amendment it will be on the front pages of papers across this world, and the Indian Government will be put under tremendous pressure to let human rights groups into the Punjab and Kashmir.

Amnesty International is not allowed in there. The International Red Cross is not allowed in there. Television cameras are not allowed in there. We are not allowed in there because they do not want the world to see this kind of thing going on. The things that are going on in Bosnia pale in many respects beside what they are doing behind the steel curtain in the Punjab and Kashmir.

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

Mr. BURTON of Indiana. I am happy to yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Chairman, I would ask the gentleman if he agrees that if there is any blackmail going on, it is using this developmental assistance money as a screen to continue precisely this same kind of action against the people in the Punjab and in the Kashmir, and that in fact we are knuckling under to blackmail if we give in on this issue?

Mr. BURTON of Indiana. Mr. Chairman, I think I agree with my colleague. We as a nation need to send a very strong signal not only to India but around the world that this Nation stands for human rights, and we will not tolerate any government with whom we are doing business doing this kind of thing.

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

The CHAIRMAN. The gentleman from Indiana [Mr. BURTON] has 2 minutes remaining.

Mr. ACKERMAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Chairman, human rights abuses in India occur on all sides, but what this amendment is doing is, it is punishing just one side. India is setting up a human rights operation.

Mr. Chairman, the Burton amendment is unbalanced, because it focuses on only one party in a multiparty dispute; targets the innocent by punishing the poorest segments of Indian society for the actions of their government; will be completely ineffectual in promoting human rights, since no Indian Government would remain in office for 24 hours if it were perceived to be bowing before an American ultimatum; will seriously disrupt our bilateral relationship with a major power; and will lessen our ability to make our voice heard in Delhi on human rights issues.

This is not a debate about whether there are human rights abuses in Kashmir. This is a debate about how we can most effectively do something about those abuses.

Not even the proponents of this amendment can persuasively argue that it will force the Government of India to respect human rights.

The Clinton administration opposes this amendment.

Human rights groups testified before the Subcommittee on Asia and the Pacific earlier this year in opposition to linking development assistance to human rights.

This amendment postures under the guise of human rights. But in fact, it would simply reduce our ability to make our voice heard in New Delhi on important human rights matters.

Mr. Chairman, the Burton amendment will punish where punishment is not necessary or productive. The Committee on Foreign Affairs has already expressed its concerns about human rights abuses in India. The committee also understands that many of the abuses occurring in India are due to insurgence in the disputed regions. Cutting India's funding is not the way to end these violations.

India needs our leadership. They are a developing nation, a proud nation, and a nation whose friendship we value. We should not penalize India by refusing them assistance in their struggle for advancement.

Development assistance fulfills a basic humanitarian responsibility of the United States. Development assistance provides funds in the areas of agriculture, population, health, human resources, the environment, and private sector development. This aid should not be used as leverage to achieve policy objectives. The United States cannot afford to send the wrong message abroad about our foreign aid program.

The end of the cold war holds great promise for United States-India relations. Although the issue of human rights in India must be addressed, we should not allow it to dominate the agenda between our two countries. The committee has called for action to better the human rights situation in India, and a cooperative effort is far better than an adversarial effort. Religious and political tolerance is essential to democracy and an expansive U.S. foreign policy is the best way to ensure this goal is met.

The Burton amendment also fails to recognize that numerous other countries have laws similar to those of

India. We should not single out one nation for political gain at home. India has a strong legal tradition and we must trust that our friends will continue to work toward a solution. This amendment goes too far in its punishment.

This amendment is wrong for many reasons, and I encourage my colleagues not to support it. Given the new context of international relations it is not right nor fair to hold India to such an arbitrary standard. U.S. foreign policy must show the maturity that leadership demands. We must cultivate strong relations abroad through cooperation rather than dissension. I urge my colleagues to vote for a robust U.S. foreign policy, and to vote against the Burton amendment.

□ 1600

The CHAIRMAN. The Chair would like to clarify the situation. The gentleman from Indiana [Mr. BURTON] has 2 minutes remaining, the gentleman from New York [Mr. ACKERMAN] has 2 minutes remaining, and the gentleman from New York, representing the committee in opposition, has the right to close debate.

Mr. BURTON of Indiana. Mr. Chairman, to close debate on our side, I yield 2 minutes to my colleague, the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Chairman, almost every basic right has been denied. For years people have been dragged from their houses, raped by government forces, tortured, and left along roadsides. It could be Bosnia, but it is not. It is the Punjab. And the worst of it is that a cynical policy of denying access to human rights organizations, denying the world press access to the victims, has worked, because Member after Member will come to the floor, government after government will speak in the councils of government about Bosnia, about Cambodia. But the death toll only mounts in the Punjab, and it is met with only silence.

Last year this Congress almost alone in the world supported an amendment by the gentleman from Indiana [Mr. BURTON] to take a stand. Today we ask Members to take a stand again, not against India, because she is a country we admire and a friendship we desire, but for India, because she is making a mistake for herself and her people and the principles in which she believes. An India which allows access to human rights organizations and the press, an India that understands that the problems of the Punjab will not be resolved by military means or oppression, but by recognizing rights, and free expression is an India we can admire, an India that will solve this problem for herself.

I do not like the fact we have to support this amendment. I do not like the fact that we have to take this stand. But I know of no other choice, any other way to communicate with New Delhi.

I ask my colleagues today to cast this vote knowing that it is the only way, with literally thousands dying, a war unfolding that may engulf India, to send a message that so desperately needs to be heard.

Support the Burton amendment.

Mr. MENENDEZ. Mr. Chairman, I rise in opposition to the Burton amendment.

This amendment would establish an entirely wrong precedent for United States relations with India. It is a misguided attempt to isolate India at a critical time in its political, economic, and cultural development.

As a member of the Foreign Affairs Committee, I respect Mr. BURTON's concern for human rights issues throughout the world. However, drastically cutting United States assistance to India unless it repeals five of its own domestic security laws will not help the cause of human rights in India.

I suggest to my colleague from Indiana that this matter is more complex than his amendment would have us believe. I'm afraid that if passed this amendment will only serve to strengthen the hands of those extremist and fundamentalist groups within India that are bent on tearing that secular democracy apart.

India is the subject of a number of allegations regarding violations of human rights. These focus on Indian Government actions in Kashmir and Punjab, two Indian States facing civil insurgencies involving terrorist acts that represent a fundamental challenge to India's national sovereignty.

By simply punishing and isolating India, this amendment will only hinder India's efforts to arrive at a solution to this difficult and complex domestic problem.

Additionally, India has the world's sixth largest economy. Only a strong democratic India will be able to secure the recent reforms it has undertaken to open its economy, making it one of the world's most promising markets for United States products.

Let us work with—and not against—the world's most populous democracy to promote the ideas of freedom, mutually beneficial development, and respect for human rights.

I urge my colleagues to vote against the Burton amendment.

Mr. ACKERMAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman for yielding the time. I have the greatest respect for the gentleman from Indiana [Mr. BURTON], the gentleman from New Jersey [Mr. TORRICELLI], and others who are supporting this amendment. But I think, unfortunately, they are wrong.

They are not wrong in what they intend, but they are wrong in the message they are trying to send. The message we need to be sending right now at this point in history is a message of an arm out to India, that has come a long way in its democracy, and a long way in the post-Soviet period to being a strong ally of the United States in the free world.

I think this is a very bad signal to send. They have just sent 5,000 troops to Somalia. We have a situation in which Iran was becoming increasingly a threat to the interests of our part of the world as well as theirs. They have terrorist acts in their country just as we may experience in the wake of the World Trade Center here. We have to recognize that they are threatened as much by Iran as anyone else. They are concerned. They are seeking support against terrorism at this point in time, just as we are seeking to galvanize world support against the terrorists emanating out of Iran.

It seems to me that instead of passing the Burton amendment we need to be sending an entirely different signal. I urge a no vote against the Burton amendment and to support India by that no vote.

Mr. ACKERMAN. Mr. Chairman, to close debate for our side, I yield my final 1 minute to the distinguished gentleman from Indiana [Mr. HAMILTON], chairman of the committee.

Mr. HAMILTON. Mr. Chairman, I thank the gentleman for yielding the time.

I oppose the Burton amendment. I do recognize the worthy objective of the gentleman from Indiana, my friend, and those who support his amendment.

But there are three things wrong with his amendment. First, it just simply is unbalanced. There are atrocities on all sides in this conflict. The gentleman is choosing to talk about atrocities by the Indians and ignoring abuses by the Kashmiri militants. He also totally ignores Pakistani aid to the militants. This is an unbalanced amendment.

Second, the people who are going to suffer if this amendment is passed are not in the Indian Government. It is the poorest people in Indian who will suffer. We have a modest program in India which tries to help on AID's, on nutrition, on health. The effect of this amendment is to take $40 million from the poorest people in the world. That is the way you are seeking to punish the Indian Government with this amendment.

The third reason is that this amendment will not work. There is no chance, none, that the Indian Government will move to repeal these five laws that are identified in this amendment. No Indian Government can stay in office for 24 hours, if they think they are being dictated to by the American Government.

It is an unbalanced amendment. It is an amendment that makes the innocent suffer, and it is an amendment that does not work.

I urge opposition to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

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

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 233, not voting 5, as follows:

[Roll No. 230]

AYES—201

Abercrombie
Allard
Andrews (TX)
Applegate
Archer
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barlow
Barrett (NE)
Barton
Becerra
Bevill
Bilirakis
Boehner
Bonilla
Bonior
Brewster
Brooks
Bunning
Burton
Byrne
Calvert
Camp
Canady
Chapman
Coble
Collins (GA)
Combest
Condit
Costello
Cox
Crane
Crapo
Cunningham
Danner
Deal
DeFazio
DeLauro
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (AZ)
English (OK)
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Fish
Flake
Franks (CT)
Furse
Gallegly
Gallo
Gejdenson
Gekas
Geren
Gillmor
Glickman
Goodlatte
Gordon
Goss
Grams
Grandy
Greenwood
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Hefner
Herger
Hinchey
Hobson
Hoekstra
Hoke
Horn
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (GA)
Johnson, Sam
Kasich
Kennelly
King
Klug
Kolbe
Kyl
LaFalce
LaRocco
Laughlin
Lehman
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Machtley
McHugh
McInnis
McKeon
Mfume
Michel
Miller (CA)
Miller (FL)
Minge
Montgomery
Moorhead
Moran
Murphy
Nussle
Orton
Packard
Parker
Paxon
Payne (VA)
Pelosi
Peterson (MN)
Pickle
Pombo
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Sangmeister
Saxton
Schaefer
Schiff
Sensenbrenner
Shepherd
Shuster
Skeen
Skelton
Slattery
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stark
Strickland
Stump
Stupak
Sundquist
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Thurman
Torres
Torricelli
Traficant
Underwood (GU)
Upton
Valentine
Velazquez
Volkmer
Vucanovich
Walker
Watt
Weldon
Williams
Wilson
Wolf
Wyden
Young (FL)
Zeliff
Zimmer

NOES—233

Ackerman
Andrews (ME)
Andrews (NJ)
Armey
Bacchus (FL)
Baesler
Barca
Barcia
Barrett (WI)
Bartlett
Bateman
Beilenson
Bereuter
Berman
Bilbray
Bishop
Blackwell
Bliley
Blute
Boehlert
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Buyer
Callahan
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Coyne
Cramer
Darden
de la Garza
de Lugo (VI)
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Durbin
Edwards (CA)
Edwards (TX)
Engel
Evans
Faleomavaega (AS)
Filner
Fingerhut
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (NJ)
Frost
Gephardt
Gibbons
Gilchrest
Gilman
Gingrich
Gonzalez
Goodling
Green
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hilliard
Hoagland
Hochbrueckner
Holden
Houghton
Hoyer
Hughes
Hutto
Inslee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kildee
Kim
Kingston
Kleczka
Klein
Klink
Knollenberg
Kopetski
Kreidler
Lambert
Lancaster
Lantos
Lazio
Leach
Levin
Levy
Lewis (CA)
Linder
Long
Lowey
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Menendez
Meyers
Mica
Mineta
Mink
Moakley
Molinari
Mollohan
Morella
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pastor
Payne (NJ)
Penny
Peterson (FL)
Petri
Pickett
Pomeroy
Porter
Portman
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Ridge
Roemer
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Santorum
Sarpalius
Sawyer
Schenk
Schroeder
Scott
Serrano
Sharp
Shaw
Shays
Sisisky
Skaggs
Smith (IA)
Smith (MI)
Spratt
Stearns
Stenholm
Stokes
Studds
Swett
Swift
Synar
Talent
Tejeda
Thompson
Thornton
Torkildsen
Towns
Tucker
Unsoeld
Vento
Visclosky
Walsh
Washington
Waters
Waxman
Wheat
Whitten
Wise
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—5

Bentley
Henry
Meek
Romero-Barcelo (PR)
Schumer

□ 1628

Messrs. YOUNG of Alaska, TUCKER, DE LA GARZA, HAMBURG, CRAMER, and SERRANO changed their vote from "aye" to "no."

Mrs. KENNELLY and Mr. TORRES changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider Amendment No. 11 printed in part 3 of House Report 103-132.

AMENDMENT OFFERED BY MR. GOODLING

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 70, after line 17, add the following:

SEC. 510. PROHIBITION ON SECURITY ASSISTANCE TO COUNTRIES THAT CONSISTENTLY OPPOSE THE UNITED STATES POSITION IN THE UNITED NATIONS GENERAL ASSEMBLY.

(a) PROHIBITION.—Security assistance may not be provided to a country that consistently opposed the United States position in the United Nations General Assembly during the most recent session of the General Assembly.

(b) CHANGE IN GOVERNMENT.—If—

(1) the Secretary of State determines that, since the beginning of the most recent session of the General Assembly, there has been a fundamental change in the leadership and policies of the government of a country to which the prohibition in subsection (a) applies, and

(2) the Secretary believes that because of that change the government of that country will no longer consistently oppose the United States position in the General Assembly,

the Secretary may submit to the Congress a request that the Congress enact an exemption from that prohibition for that country. Any such exemption shall be effective only until submission of the next report under section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991. Any request for such an exemption shall be accompanied by a discussion of the basis for the Secretary's determination and belief.

(c) WAIVER AUTHORITY.—The Secretary of State may waive the requirement of subsection (a) if the Secretary determines and reports to the Congress that despite the United Nations voting pattern of a particular country, the provision of security assistance to that country is necessary to promote United States foreign policy objectives.

(d) DEFINITIONS.—As used in this section—

(1) the term "consistently opposed the United States position" means that the country's votes in the United Nations General Assembly coincided with the United States position less than 25 percent of the time, using for this purpose the overall percentage-of-voting coincidences set forth in the annual report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991;

(2) the term "most recent session of the General Assembly" means the most recently completed plenary session of the General Assembly for which overall percentage-of-voting coincidences is set forth in the most recent report submitted to the Congress pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991; and

(3) the term "security assistance" means assistance under—

(A) chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund),

(B) chapter 5 of part II of that Act (relating to international military education and training), or

(C) the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act,

except that the term does not include narcotics-related assistance.

(e) EFFECTIVE DATE.—This section takes effect upon submission to the Congress of the report pursuant to section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, that is required to be submitted by March 31, 1994.

The CHAIRMAN. Pursuant to the rule, the gentleman from Pennsylvania

[Mr. GOODLING] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GOODLING].

□ 1630

Mr. GOODLING. Mr. Chairman, I believe the amendment I am offering today to the International Relations Act of 1993 is a first step in improving the effectiveness of U.S. foreign assistance programs. I would like to thank my friend, the ranking minority member of the House Foreign Affairs Committee, Congressman BEN GILMAN, and the chairman of that committee, LEE HAMILTON, for working with me on this amendment. Chairman HAMILTON has been extremely cooperative throughout this legislative process and I would like to thank him sincerely for his efforts and understanding.

Mr. Chairman, I an concerned the United States currently aids a large number of nations which clearly do not share our fundamental values and priorities. This is made clear by looking at the overall voting coincidence of countries with the U.S. position in the U.N. General Assembly. In 1992, countries in the General Assembly voted with the United States an average of 31 percent of the time. Last year was no exception—this voting coincidental is always appallingly low.

This illustrates that American tax dollars are spent on nations that block our initiatives and vote in opposition to values we regard so highly, such as human rights, democracy, and open markets. The amendment which I am introducing today would cut all forms of security assistance, exempting narcotics-related aid, to nations which do not vote the U.S. position in the UNGA at least 25 percent of the time, just one-fourth. The amendment exempts humanitarian aid and developmental assistance from the prohibition, because our intent should be to encourage countries to adopt our democratic traditions and commitment to human rights. Had this provision been in place, savings of fiscal year 1993 would have been approximately $187 million.

We have a right to withhold military aid if we believe that the States we are currently aiding do not share our ideals and values. In these tight budgetary times, we need to make cuts and improve all Federal programs that are not working effectively, be it foreign or domestic.

There is a waiver. However, this waiver does not provide a blank check to the Secretary of State. Members of Congress will be watching closely to see first, if this waiver is used, and second, if it is abused. For fiscal year 1993, I cannot identify sufficient reasons to waive the prohibition for a single country.

Quite simply, the days of the unconditional handout are over—finished, period. The United States is not obligated to provide aid to countries which not only oppose U.S. initiatives, but are often openly hostile to U.S. interests. U.S. foreign assistance initiatives have always been among the least popular Federal programs with the American taxpayer.

Primarily, this is because U.S. foreign aid programs seem ineffective and counterproductive. I believe Members interested in accountability, fiscal responsibility, and improving the U.S. foreign aid program will support this amendment and ensure that foreign assistance serves the interests of this country.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I do not oppose this amendment, and I am prepared to accept the amendment.

If no Member wishes to speak in opposition to the amendment, I ask unanimous consent that I be allowed to control the time provided under the rule for an opponent of the amendment, and I would do so for the purpose of yielding to the gentleman from New York [Mr. GILMAN].

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING], a senior member of the Committee on Foreign Affairs, and I commend him for bringing this issue before us.

This amendment is based upon our well-founded outrage with the continued lack of support for our position in the United Nations from countries that receive U.S. assistance. These votes reflect attitudes by those member governments which should be considered as we determine future levels of assistance.

The gentleman's amendment exempts narcotics abatement-related assistance from the prohibition. It also includes waiver authority for the Secretary of State in order to promote other U.S. foreign policy objectives.

It is a responsible amendment, with proper safeguards, and I urge its adoption.

As we come to final passage of this bill, it is important to consider our foreign assistance program in the proper context.

Reform is urgently needed, and needed now, to reshape this program to meet the challenges of this post-cold war era. Despite the lack of immediate reform, this bill is nevertheless necessary.

As my colleagues contemplate their vote on this measure, I urge them to remember how our domestic economy directly benefits from our foreign assistance program.

In my view, this program—which amounts to less than 1 percent of our total Federal budget—benefits our Nation significantly.

It helps us by the purchase of 50 percent of America's farm products by foreign aid recipients.

In fact, U.S. exports to foreign aid recipients increased by 70 percent between 1986 and 1990—from $79 to $141 billion. Today, exports to foreign aid recipients account for over one-third of our total exports and generate over 28 million U.S. jobs.

Our foreign aid program creates markets for thousands of American businesses—large and small—in developing countries. In 1991 alone, export promotion programs funded by foreign aid helped generate more than $16 billion in exports.

And—developing countries offer the greatest potential growth market for U.S. exports. Last year, U.S. exports to these countries grew four times more than exports to industrialized nations, and that growth will continue.

Our foreign aid program enables our colleges and universities to educate the future leaders of developing countries here in the United States, and to teach our democratic principles overseas.

While our aid programs are often criticized—and contrasted to the needs here at home—the fact is that our humanitarian aid programs cost each American something like 16 cents a year.

You cannot buy a pack of gum for that amount, and it is returned to the United States a thousand times over in benefits to our economy.

Americans have never liked the phrase "foreign aid"—in 1947, only 17 percent of Americans supported the Marshall plan. Yet, we all know how instrumental that was in preventing Western Europe from chaos—and from coming under the Communist sway.

Foreign aid helps secure peace in a less costly fashion than increasing our defense budget by fostering economic growth and stability.

It is our foreign aid program that has helped to ensure the security of the State of Israel—the only democracy in the Middle East—and to foster an atmosphere that has enabled us to move forward with the peace talks that are now underway.

Because the cold war has ended does not mean that competition for the values for which the United States stands, market economics, basic human rights, freedom and democracy, has also ended.

As the world's only remaining superpower, foreign aid is a vital element in our conduct of foreign policy. Most important, it enables us to project a posi-

tive American presence in areas of the world that otherwise would be torn by hopelessness and despair.

Mr. Chairman, I urge a yes vote on this all important 1-year transition bill.

Mr. GOODLING. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. SHAW].

THE LATE HONORABLE HERBERT BURKE

(By unanimous consent, Mr. SHAW was allowed to speak out of order for 1 minute.)

Mr. SHAW. Mr. Chairman, I rise not to speak on this amendment or this bill, but it is my sad duty to advise the House of the passing of our former colleague, Herbert Burke of Broward County, FL. Herb served Broward County as a county commissioner and then later as a member of the Florida congressional delegation until 1978.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GOODLING].

The amendment was agreed to.

Ms. MCKINNEY. Mr. Chairman, I rise in support of the foreign assistance bill.

My colleagues, I urge you to take notice of its provision to support microenterprise in the Third World. Microenterprise programs have shown that making small commercial loans to poor women can be a powerful tool in fighting poverty.

When this legislation was brought before the House Foreign Affairs Subcommittee, some members questioned how poor women in these impoverished countries could pay back their loans at commercial interest rates.

Well, I will tell you how. The poor are willing to work hard and take a stake in their society. What they need is access to resources like everyone else. These microcredit programs show repayment rates of over 95 percent. Why? Because all poor people want is an opportunity. When they are given an opportunity, they take it to heart and do not want to lose it.

Globally, today on five continents we are witnessing the collapse of civil societies. The U.S. taxpayers cannot afford to keep sending peacekeeping forces and famine relief every time there is another manmade disaster. Day after day, we sit in Congress debating the size and length of Band-Aid solutions to global crises when the problems have grown so insurmountable that they overwhelm the resources of this Government and the generosity of the American people.

I asked you today, let us begin being proactive instead of reactive to global problems. Democracy and free markets can only take root in societies which allow broad base participation. When I review the statistics on global poverty and see that 1 billion of the world's population lives in destitution, something tells me that the world economic order is working for the few, but not the many.

To some, a strategy to invest our scarce foreign aid dollars in the enterprises which direct their efforts toward helping poor women may seem unimportant and irrelevant to the discussion of national security. In reeaxamining our foreign aid priorities during the post-cold-war era, programs as microenterprise development is an obvious part of the solution when you consider the fact that women produce 70 percent of the food in the Third World nations and shoulder most of the responsibility for future generations.

I, therefore, ask you to vote with me today in favor of this bill which will increase our own security and prosperity by promoting economic pluralism in the world.

Mr. KING. Mr. Chairman, I rise to express strong support for Ms. Molinari's amendment to the foreign aid authorization bill which seeks to increase the presence of the United Nations and CSCE in Kosovo. My distinguished colleague from New York is to be commended for the leadership she has demonstrated in bringing the issue of Serbian aggression in Kosovo to the forefront of debate in this Chamber.

The Molinari amendment directs the President to initiate steps toward ensuring the deployment of more United Nations security forces and more CSCE observers in Kosovo. These are necessary steps to prevent a widening of the fighting in the former Yugoslavia and to ensure that Kosovo does not fall victim to the Serbian war machine.

This past April, I had the opportunity to travel to Kosovo with Representatives MOLINARI, PAXON, and ENGEL. We observed firsthand the plight of these brave people of Kosovo who are resolutely committed to the cause of freedom and justice.

Mr. Chairman, I am proud to support the Molinari amendment and urge my colleagues to join me in doing so.

Mr. POMEROY. I rise today in support of H.R. 2404, the foreign assistance authorization bill, which includes $904 million in assistance to the Newly Independent States of the former Soviet Union.

The success of market reforms in Russia and the other successor states is vital for American farmers. Historically, Russia has been a regular destination for United States ships carrying agricultural exports. A robust market in Russia and the other successor states helps boost depressed prices American farmers receive for their commodities. Moreover, by helping to feed the people of the former Soviet Union, American farmers strengthen democratic leaders, enabling them to continue their pursuit of difficult market reforms.

While Western assistance to the former Soviet Union will be substantial, it truly pales in comparison to the money that we would once again be forced to pour into defense if a regime hostile to United States interests returns to power. United States assistance to the former Soviet Union is not simply a humanitarian relief effort; it is an investment in the economic and national security interests of our own country.

The people of Russia and the other states of the former Soviet Union will ultimately decide the fate of their own political and economic systems. However, the United States and other Western Powers can play an important role by helping the leaders of reform meet the basic needs of their people—food, medicine, and housing. To that end, I urge my colleagues to support aid to the former Soviet Union and support the foreign aid authorization bill (H.R. 2404).

Mr. LEVIN. Mr. Chairman, I rise today in support of H.R. 2404, the foreign assistance authorization bill, and provisions authorizing assistance to Russia and the former Soviet Republics. As I stated last year when voting for the Freedom Support Act, we must capitalize on this rare opportunity to bring democracy and free markets to the states of the former Soviet Union. In many ways, seizing this historic moment is even more pressing now than it was last year, as reform elements in Russia struggle for power against former Communist hardliners who would return to the repressive ways of the former Soviet Union.

As ethnic strife spreads violence and bloodshed in Eastern Europe, we are reminded daily of the unacceptable alternatives to market and democratic reforms in Russia and the former Soviet Republics.

At the same time, I am concerned about whether United States assistance to the former Soviet Republics is being distributed equitably among all the Republics, not just Russia. A free-market effort is also underway in Ukraine, where reformers also face considerable obstacles. I am also concerned about whether the United States Government has information that is adequate to determine whether past disbursement of funds to the newly independent states of the former Soviet Union have been spread fairly. According to calculations done by some groups, Ukraine received a disproportionately small percentage of that aid.

It is in the national security interests of the United States to support market and democratic reforms with all the nations of the former Soviet Union. While I would have preferred clearer direction in this bill, that assistance to these nations be equitably distributed, I feel it is imperative that Congress and the administration monitor disbursement of such aid so that reform has a chance to succeed in places like Ukraine.

Mr. PORTMAN. Mr. Chairman, I rise in support of the Gilman amendment to H.R. 2404, the foreign assistance authorization.

The people of my district have voiced their disapproval of the current system of foreign aid. True, we are the world's sole superpower, and nations look to us for leadership, but with a faltering economy and Americans out of work, we need to scrutinize every spending decision we make and ensure that American companies, workers and our economy generally benefit from this aid.

Foreign aid reform has been promised by the President, and we expect him to deliver on his promise. We must take our own steps, however, to reform the process. By supporting the Gilman amendment, we can send a clear message to the President that we are serious about foreign aid reform. The Gilman amendment makes clear that all foreign assistance must meet four objectives—expansion of economic opportunities, meeting of basic human needs, promotion of environmental protection and the strengthening of democratic participation. This is good policy and will eliminate the disbursement of funds to countries and organizations which do not share the same interests as the people of the United States.

I believe that significant changes can be made in our foreign aid programs which will benefit the world while being fair to the American taxpayer. if we are going to provide foreign assistance to certain countries, we should do so on our terms. Therefore, I urge my colleagues to support the Gilman amendment.

Ms. WOOLSEY. Mr. Chairman, I rise to express my support for the 1994 foreign aid authorization. I am especially pleased that the committee has reported a bill that preserves current levels of assistance to Israel.

There are those who have criticized this bill. These critics say that in the wake of the cold war, aid levels should be cut dramatically across the board. But the fact is that this bill already reduces aid to regions which are no longer hot spots as a result of the end of the cold war. In the Middle East, however, the risk of war is still great and the conflict is still very real. In fact, any reduction in aid at this delicate stage could impede the current peace process and increase the chances of yet another armed conflict between Israel and her neighbors.

The recent round of peace talks provides cause for cautious optimism. It is possible that these countries are finally moving toward a lasting peace in this unstable, war-torn region. If the United States cuts aid to Israel, we could be sending a dangerous message to Israel and its neighbors that America's support for this democratic nation is weakening, and progress could be stalled at a critical moment in the Middle East peace negotiations. it is in our best interest that we do all we can to keep the peace talks going.

Israel is our only democratic ally in the region, and it would be contrary to our economic and strategic interests to turn our back on this tiny nation which is surrounded by enemies on every side. Not only would cutting aid damage our standing in the region, but it would undermine our domestic interests as well. Over 80 percent of United States assistance to Israel is spent in America, promoting a valuable trade relationship in a very important region of the world.

If our goal is to promote peace and to strengthen America's economic position in the world, we must support this bill. I urge my colleagues to vote for the 1994 foreign aid authorization.

Mrs. MALONEY. Mr. Chairman, I rise in strong support of H.R. 2404, the Foreign Assistance Authorization Act. First, let me commend Chairman LEE HAMILTON and ranking member BEN GILMAN, my colleague from New York, along with all the members of the Foreign Affairs Committee, for bringing this important measure forward.

I realize that many of our constituents are asking us the following question: In a time of severe budget constraints and pressing needs in our own country—particularly in urban areas—why is Congress authorizing assistance to other nations? I think there are two basic answers to that question.

First, in the post cold war era, the United States cannot abdicate its important responsibilities to the world community. We must not cease in our efforts to promote democracy in countries that had formerly been totalitarian regimes. We must continue to push for human rights and individual liberties in nations which oppress their people. And we must live up to commitments we have made to our allies around the world who share our values and help us promote our international policies.

The second answer I would give our constituents, Mr. Chairman, is that foreign aid in no way constitutes a handout to other countries. Not everyone realizes that almost three quarters of all foreign aid dollars are spent right here in the United States. It has been estimated that each year, over a billion dollars in foreign assistance is spent in my State of New York. Obviously, it would be a stretch to label the foreign aid bill a "stimulus package" for our districts. But it is important for the American people to understand that billions of foreign aid dollars come back and are spent in our country.

Mr. Chairman, there are a number of important provisions in the bill before us, and I just want to highlight a few. I strongly support the Russian aid package, which would bolster the democratic movement and forestall the reemergence of hard-line nationalism in the former Soviet Union. I am also pleased that over $300 million is designated for military assistance to our important ally Greece, and that the ratio of $7 to Greece for every $10 for Turkey is maintained. The Significant funding for the Development Fund for Africa is critical to bring relief to the many pressing social and economic problems confronting that continent. I also strongly support the provision in the bill which would fund important family planning and population assistance projects around the globe.

Finally, I wish to articulate my very strong support of the $3 billion economic and military aid package for Israel. As the Middle East peace process begins to yield some tentative results, now is not the time for the United States to back down from its commitment to support our only reliable ally in this volatile region of the world.

I would also like to call to the attention of my colleagues a provision in the bill which tracks legislation that I introduced earlier this year, the Arab Boycott Arms Sales Prohibition Act. My bill would have prohibited United States arms sales to any country that still participates in the economic boycott of Israel, perhaps the most insidious weapon in the Arab arsenal. Our colleague TOM LANTOS amended the foreign aid bill to ensure that any future arms sales would require a Presidential certification that the country in question was not asking American firms about their relationship with Israel. By conditioning arms sales on a country's participation in the secondary or tertiary boycott, the United States would send a strong signal to Arab nations like Saudi Arabia and Kuwait that we will not longer tolerate this blatantly discriminatory policy.

Mr. Chairman, I am pleased that this important new policy on the Arab boycott is included in the bill. I am likewise pleased that the legislation before us will help us fulfill so many of our important international policy objectives. I urge my colleagues to support the bill.

Mrs. LLOYD. Mr. Chairman, today I must rise in opposition to H.R. 2404 and H.R. 2333, the foreign assistance authorization and the State Department and related agencies authorization.

I have consistently opposed unnecessary foreign aid authorizations and appropriations throughout my tenure in Congress. Todays vote will be no different. The current fiscal climate in the country demands that our resources and energy be focused here at home. The people of my district in Tennessee want to know that their Government is taking care of them, not the people of other nations.

I recognize the need for U.S. assistance abroad and realize all the benefits we may reap from a robust foreign aid bill. If we had the money, it would be justified—but we do not. What we do have is a tremendous deficit, a deteriorating infrastructure and an economy that is far from stable. We must prove that we are serious about turning the country around and rescuing it from the economic plight it is facing.

Mr. Chairman, I would like to point out that I have always tried to support the nation of Israel wherever possible because I believe our relationship with the Jewish State is important to national security. We played a role in the creation of Israel, and we owe it to the Jewish population here and abroad, to continue our commitment to peace and democracy in the Middle East. Had there been a separate vote on aid to Israel I would certainly support it.

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition to H.R. 2404. I am somewhat reluctant to vote against the bill, because there is much in this legislation that I agree with. However, I am voting against H.R. 2404 for a number of reasons, especially on the grounds that it could be much better if the amending process had been fair to all Members.

I do want to note my strong support for the aid to Israel contained in this bill. I believe that such aid is in our national interest, as it greatly enhances our security and is tangible evidence of America's commitment to the continuing existence of the State of Israel.

However, I cannot support this bill for a variety of reasons. First, while the bill takes some steps towards reforming foreign aid, it does not go far enough. Second, while the bill comes in under the administration's request, I still believe much deeper cuts can and should be made. Third, I disagree with the provisions in the bill disestablishing the Coordinator for Counterterrorism, just months after the attack on the World Trade Center. Fourth, I am greatly troubled over the increase in financial support for UNESCO. I do not believe that the taxpayers need to spend $75 million to support an organization which is still in desperate need of reform. And fifth, I am dismayed by the failure to allow several key amendments under the rule.

I had hoped to offer language which would have made a 5 percent cut in the authorizations contained in section 1201 of the bill. My amendment would have saved the taxpayers $186 million, without greatly impairing U.S. aid activities. Unfortunately, my amendment was rejected by the Rules Committee.

I am also dismayed by the Rules Committee's decision to not allow Mr. SOLOMON's amendment relating to aid to the former Soviet Union and nations of eastern Europe. Our colleagues from New York had hoped to offer language which would have changed the relationship between the United States and these nations into one of trading partners. Mr. SOLOMON proposed directing that the bulk of assistance take the form of barter, and not aid.

While the bill contains some language in this direction, it does not go far enough. I believe the Solomon amendment should have been given a straight up or down vote. The former Soviet republics have vast natural resources including oil, natural gas, and minerals such as manganese, titanium and nickel. These resources can and should be used to trade for aid or to use as collateral for U.S. loans and credit guarantees. While we do provide authority for this kind of transaction, we should have adopted the much stronger language in the Solomon amendment.

Mr. Chairman, I agree that the United States has a leadership role in the world and that we do have responsibilities. But I am disappointed that this bill fails to incorporate innovative ideas to truly reform foreign aid. We could have had a much better bill, had this process been open and fair. I urge my colleagues to vote against this legislation.

Mr. CASTLE. Mr. Chairman, thank you for allowing me this opportunity to speak on the rule covering H.R. 2404, the foreign assistance authorization, and H.R. 2333, the State Department authorization. I am pleased that these two bills will be considered as two separate measures by the House. I should be allowed to vote separately on the State Department authorization and the foreign aid authorization. Members of the House have always been allowed to do so, and the recommended rule in this situation is the correct one.

Mr. Chairman, the end of the cold war has shattered our longstanding assumptions about foreign aid. With the dissolution of the former Soviet Union and the irrelevance of our old policy of containment, we need to forward a clearer strategy regarding our foreign aid allocations. The Foreign Assistance Act of 1961 has become bloated by layers of contradictory, often unrealistic objectives, and burdensome conditions. The multilateral approach to foreign aid, which we rely on too often, has entrenched bureaucratic practitioners of foreign aid and fully contributed to a lack of accountability, establishing what amounts to a permanent international entitlement program.

At this turning point in history, we have no choice: We must design new foreign aid policies and strategies that protect, serve and advance our interests and principles. A new foreign aid rationale would help eliminate the redundancy, overlapping, and micromanagement of aid for international development programs, and reduce and streamline its functions in coordination with the State Department so that these programs are more integrated with our foreign policy. Measurable and achievable goals should be established, tough standards should be adhered to and elements of reciprocity should be demanded as a result of our distribution of foreign aid. Lastly, we should oversee our foreign aid budget as closely as our constituents manage their own budgets.

We must move away from allocations of foreign aid based on traditional security-related issues, and embrace more fully a foreign aid program whose rationale is based on today's priorities of different countries' adherence to and progress on human rights and democratic principles, sustainable development, poverty and population control, certain environmental concerns, and nuclear proliferation. Available funds should be focused on those countries which are most willing to introduce effective free market and democratic reforms.

As a result of the end of the cold war, we are freer to pursue the building and sustenance of democratic countries. This is the basis of stability, growth, safety, and prosperity that will build a foundation for the future of our children's quality of life and political and economic stability.

Multilateralism, collective security, and isolationism are the utopias of the 1990's, and during this period of transition we must be careful not to abdicate our world leadership position. The promises of collective security without U.S. leadership ring hollow when we acknowledge that the Bosnias and Somalias are testaments to what happens when our leadership is not exerted and accountability is not met. Contrary to what is occurring these days, we cannot afford to defer U.S. leadership in the name of multilateralism. In this light, it is vital to keep our capacity to influence through well-thoughtout foreign assistance.

Although we are connected with the world in multiple and insoluable ways, foreign aid being a part of that connection, we must make certain that multilateral mechanisms do not inhibit our foreign aid priorities. In that regard, we must continue to support bilateral aid to Russia, to Israel, to Egypt, to El Salvador. But we must continue to pursue our foreign policy objectives through bilateral means, as multilateral assistance lacks the true capacity for accountability and bureaucratic reform.

Mr. PENNY. Mr. Chairman, I urge Members of Congress to vote in favor of H.R. 2404, the fiscal year 1994 foreign aid authorization bill. This legislation authorizes $9.7 billion for U.S. foreign aid programs in the fiscal year 1994. This is the smallest U.S. foreign aid package in over a decade, and $300 million less than last year's level of funding. The United States currently devotes less than 1 percent of its annual budget to foreign aid.

Other than the fact that this measure reflects the serious fiscal crisis which this Government is currently facing, there are several reasons to support this bill: First, this bill authorizes over $900 million in development, humanitarian, and economic assistance to the emerging democracies in the former Soviet Union; second, this bill does not earmark funds for particular countries—with the exception of Israel, Egypt, and Russia—and allows the administration to use its discretion in allocating the funds provided in this bill for broad categories of programs; and third, the bill authorizes $400 million for the emerging democracies in Central and Eastern Europe.

My only concern about the legislation is the fact that assistance to Israel and Egypt has remained at an exceptionally high level considering the deep cuts which have occurred in almost all other areas of the foreign aid budget. I would have supported a 10-percent reduction in assistance to both Israel and Egypt. It is only because of the current peace process which prevents me from introducing such an amendment to H.R. 2404. I am hopeful that next year, Congress will approve a 10-percent, or larger, reduction in aid to these two countries as our overall foreign aid budget continues to decline.

Despite this concern, H.R. 2404 deserves support. It establishes clear and important foreign policy goals for the post-cold-war era, including providing humanitarian assistance to countries in need of such assistance, promoting the peace process in the Middle East, promoting human rights, promoting democracy in the former Soviet Union, Eastern Europe, Africa, and Central America, and creating jobs in the United States by promoting economic development in and trade with lesser developed countries around the world.

Again, I urge Members to vote in favor of H.R. 2404, the fiscal year 1994 foreign aid authorization bill.

Mr. KING. Mr. Chairman, I rise to express strong support for Representative MOLINARI'S amendment to the foreign aid authorization bill which seeks to increase the presence of the United Nations and CSCE in Kosova. My distinguished colleague from New York is to be commended for the leadership she has demonstrated in bringing the issue of Serbian aggression in Kosova to the forefront of debate in this Chamber.

The Molinari amendment directs the President to initiate steps toward ensuring the deployment of more U.N. security forces and more CSCE observers in Kosova. These are necessary steps to prevent a widening of the fighting in the former Yugoslavia and to ensure that Kosova does not fall victim to the Serbian war machine.

This past April, I had the opportunity to travel to Kosova with Representatives MOLINARI, PAXON, and ENGEL. We observed firsthand the plight of these brave people of Kosova who are resolutely committed to the cause of freedom and justice.

Mr. Chairman, I am proud to support the Molinari amendment and urge my colleagues to join me in doing so.

Mr. KANJORSKI. Mr. Chairman, I would like to take a moment to bring my colleagues' attention to section 403 of H.R. 2404, which would allow Eastern European countries to receive nonlethal excess defense articles.

The authority to transfer excess nonlethal defense articles allows foreign countries to obtain supplies that are no longer needed by our Armed Forces. These articles include everything from bandages to MRE's, much of which would otherwise need to be disposed of at wasteful expense.

I commend the Foreign Affairs Committee for expanding the program to allow the newly democratized and desperately needy countries of Eastern Europe to be eligible for these supplies.

In the administration of this program, it is important to distinguish between articles that are genuinely surplus to the needs of the United States from those which can be used here at home. Legislative action I took during the last Congress ensures that we do not transfer construction or fire equipment that is valuable to American taxpayers.

Two provisions of law enacted during the 102d Congress with my strong support prevent section 403 of H.R. 2404 from affecting the transfer of Department of Defense construction or fire equipment to foreign countries. For the record, I want to clarify the relationship of these laws to section 403 of the present bill.

The first of these provisions is section 9 of the International Narcotics Control Act of 1992 (P.L. 102–583) [INCA], which amended sec-

tion 644(g) of the Foreign Assistance Act of 1961, as amended [FAA]. Section 644(g) defines excess defense articles for the purposes of the FAA, and hence identifies which articles may be transferred under section 519(a) of that act. Section 9 of the INCA excludes from the section 644(g) definition of excess defense articles all construction equipment, including tractors, scrapers, loaders, graders, bulldozers, dump trucks, generators, and compressors. As a consequence, construction equipment may not be transferred under section 519(a) of the FAA.

The second provision is section 4304 of the Defense Authorization Act of 1992 (P.L. 102–484) [DAA], which restricts the transfer of construction or fire equipment under the FAA.

Section 4304 amended title 10 of the United States Code to allow the transfer of "excess construction or fire equipment from the stocks of the Department of Defense * * * to any foreign country or international organization pursuant to part II of the [FAA] only if * * * no department or agency of the Federal Government, other than the Department of Defense, no State, and no other person or entity eligible to receive excess or surplus property under the Federal Property and Administrative Services Act of 1949" has laid proper claim to it.

Construction or fire equipment is defined in section 4304 of the DAA to include tractors, scrapers, loaders, graders, bulldozers, dump trucks, generators, pumpers, fuel and water tankers, crash trucks, utility vans, rescue trucks, ambulances, hook and ladder units, compressors, and miscellaneous fire fighting equipment.

Section 519(a) of the FAA falls under part II of that act, so transfers made pursuant to section 519(a) are subject to the DAA restrictions. The effect of this provision is to give foreign nations and international organizations last priority on construction and fire equipment.

Transfers made pursuant to section 519(a) of the Foreign Assistance Act are therefore constrained by both section 4304 of the Defense Authorization Act of 1992 and section 9 of the International Narcotics Control Act of 1992. Together, the DAA and the INCA severely restrict section 519(a) transfers of construction and fire equipment.

Section 403 of H.R. 2404 amends section 519(a) to include among eligible recipients of transfers "any East European country * * * other than an East European country that is prohibited from receiving [such] assistance." There is no change in the types of articles which may be transferred.

Section 403 of the present bill therefore has no effect on the transfer of restricted equipment; it would only increase the number of countries that will have access to non-restricted articles.

The Defense Security Assistance Agency concurs with my judgment. I submit for the RECORD a memorandum from their counsel, Defense Legal Services.

MEMORANDUM FOR THE DIRECTOR, DSAA

Subject: Effect of the Kanjorski Amendment (EDA Definition) on the Proposed Expansion of Authority to Furnish EDA to Additional Foreign Recipients.

Section 403 of H.R. 2404, 103d Cong., would amend section 519 of the Foreign Assistance Act of 1961 ("FAA") to authorize the President to grant excess defense articles ("EDA") from Defense Department stocks to authorized "East European countries." The bill would not change the definition of EDA in any way. Therefore, Rep. Kanjorski's amendment to section 644(g) FAA, contained in section 9(b) of P.L. 102-583, enacted on November 2, 1992, would remain applicable to limit the kind of defense articles that could legally be provided under section 519 FAA as it would be amended.

Moreover, the provisions of 10 U.S.C. 2552, enacted on October 23, 1992, by section 4304 of P.L. 102-484, that prohibit the sale or grant of "fire equipment" that is excess in Defense Department stocks to foreign recipients under the FAA or the Arms Export Control Act except under certain conditions would remain applicable to excess defense articles that could legally be provided under section 519 FAA as it would be amended.

JEROME H. SILBER.

Mr. COPPERSMITH. Mr. Chairman, I rise to oppose the amendment offered by my respected colleague from Arizona, Mr. KYL, to H.R. 2404. This amendment eliminates all aid to one of the world's newest democracies, the Russian Republic. While I understand my Republican colleagues may have difficulties supporting a democratically elected President, we should not and must not turn our back on Russian democracy at this time.

Last year, when President Bush tried to decide whether to propose an aid program for this emerging democracy, former President Richard Nixon sent him a letter expressing why this critical aid should not fall prey to momentary political considerations. Former President Nixon wrote:

[T]he American people overwhelmingly oppose all foreign aid. . . . the mark of great political leadership is not simply to support what is popular but to make what is unpopular popular if that serves America's national interest.

Mr. Chairman, I think one of the best explanations of how this bill serves America's best interest appeared in an editorial from the hometown newspaper that I share with Mr. KYL, the Arizona Republic, that strongly supported this aid.

The editorial follows:

[From the Arizona Republic, Apr. 6, 1993]

AID TO RUSSIA

It might be too much to hang the word "modest" on the $1.6 billion in economic aid President Clinton promised his Russian counterpart at the Vancouver summit over the weekend. Representing barely one-tenth of the $16.3 billion economic stimulus package Mr. Clinton is pushing through Congress to help boost America's economy, a Marshall Plan it is not.

Yet the multifaceted plan is a good beginning, a promising start of what Mr. Clinton, at the summit wrap-up, characterized as "immediate and tangible" support for Boris Yeltsin and the prospects of genuine democratic and economic reform in Russia.

More importantly, the aid package was tailored to meet the political needs of both leaders. It was big enough to be considered significant in both countries, but not so large as to exacerbate the budget crisis in Washington or to fuel the charges of Mr. Yeltsin's opponents in Moscow that he was allowing America too much say-so in Russia's internal affairs.

What's more, with the bulk of the direct aid targeted at Russia's emerging private sector—for new housing, in new Export-Import Bank loans, to underwrite joint-venture projects, etc.—Washington can assure U.S. taxpayers that their money will not simply be wasted in the vestiges of the old Soviet centrally planned system. The idea is to encourage economic reform from the bottom up instead of vice versa.

Whether the aid package will help Mr. Yeltsin survive a showdown vote in a few weeks remains an open question. The $700 million worth of agricultural credits should help alleviate concern among Russians about basic necessities as the market reforms he is pushing against considerable opposition begin to take hold. Nonetheless, with or without the aid package, the job of convincing Russian voters to support his agenda rests with Mr. Yeltsin himself.

Indeed, Mr. Clinton made it clear that the aid package should be considered an investment in political and economic reform in Russia, no matter who is in charge in Moscow. The U.S. strategy, as the president outlined it last week at a meeting of the American Society of Newspapers Editors, is "to strike a strategic alliance with Russian reform."

At this point, there's no question that Mr. Yeltsin is the leader of such reform, and the aid package can only help his chances of winning a vote of confidence later this month in the national referendum. An expanded package of assistance, due to be hammered out next week at the meeting of the so-called Group of Seven industrialized democracies—Britain, Germany, Japan, Italy, Canada, France and the U.S.—should bolster Mr. Yeltsin's political chances and the prospects of longer-term economic reform in Russia even more.

In their closing statements at the Vancouver summit, both presidents proclaimed his nation's support for a "new democratic partnership" rich in promise for both nations. The potential payoff for the United States in this new relationship ought to be obvious. A free and prosperous Russia can only benefit U.S. economic and strategic interests. The alternative—a return to the chilly Cold War climate—is unthinkable.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. MCDERMOTT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2404) to authorize appropriations for foreign assistance programs, and for other purposes, pursuant to House Resolution 197, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

□ 1640

The SPEAKER pro tempore (Mr. MCNULTY). Under the rule, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. KOLBE. Mr. Speaker, I demand a separate vote on the so-called Gilman amendment, as amended.

The SPEAKER pro tempore. Is a separate vote demanded on any other

amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 7, after line 25, insert the following:

SEC. 103. ECONOMIC ASSISTANCE REFORM.

(a) BASIC OBJECTIVES.—Section 102 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 102. BASIC OBJECTIVES OF ECONOMIC ASSISTANCE PROGRAMS AND UNITED STATES DEVELOPMENT COOPERATION POLICY.

"(a) FOUR BASIC OBJECTIVES.—The primary purpose of United States economic assistance is the promotion of broad based, sustainable, participatory development, with particular focus on the poor. In pursuit of that purpose, economic assistance programs to the extent specified in this Act, and United States economic cooperation policy generally, shall have the following four basic objectives, which are interrelated and mutually reinforcing:

"(1) SUSTAINABLE ECONOMIC GROWTH.—Promotion of broad based economic growth.

"(2) SUSTAINABLE RESOURCE MANAGEMENT.—Improvement of resource management designed to bring about environmentally and economically sustainable patterns of development.

"(3) POVERTY ALLEVIATION.—Alleviation of the worst manifestations of poverty through the development of human resource capacity.

"(4) DEMOCRACY.—Promotion of democracy, respect for human rights, and social and economic pluralism.

"(b) SUSTAINABLE ECONOMIC GROWTH.—

"(1) RATIONALE.—Broad based, sustainable economic growth is in the interest of the United States because it permits countries to progress toward economic self-reliance, to improve the living standards of their citizens, and to increase international markets for trade and investment. Market-oriented economic growth establishes the basis for sustainable development and reinforces democratic ideals and practices. Successful long-term development cannot occur without broad based, sustainable economic growth that enables the poor to increase their incomes and access to productive resources and services so that they can satisfy their basic needs and lead lives of decency, dignity, and hope.

"(2) ELABORATION ON OBJECTIVE.—(A) Implementation of the objective of promoting broad based economic growth should recognize that economic, social, political, and environmental conditions vary among countries. While taking account of such differences, the economic assistance programs carried out in furtherance of the four basic objectives set forth in this section shall emphasize the following principles:

"(i) Security of economic rights for all citizens without regard to sex, race, religion, language, or social status, including the right to own property, the right to fair return from one's labor, and the right to engage in productive use of available assets.

(ii) Economic policies based on free market principles as a means for establishing prices and for allocating goods and services.

(iii) Economic reforms that benefit or are sensitive to and minimize adverse impact on the poor.

"(iv) Market base reforms—deregulation, privatization, labor market reform, reduction in barriers to the free flow of trade and investment—which increase the opportunity for all, especially the poor, to participate in economic activity.

"(v) Government policies protecting economic rights, fair and open markets, and the fulfillment of basic human needs.

"(vi) Adherence by governments to international economic agreements, particularly those relating to free and fair trade practices and to respect for worker rights.

"(B) A primary test of the effectiveness of economic assistance programs designed to promote broad based economic growth is the extent to which the poor and disenfranchised can participate in and benefit from these programs and are thereby brought into the development process.

"(c) SUSTAINABLE RESOURCE MANAGEMENT.—

"(1) RATIONALE.—The economic and social well-being and the security of the United States and other countries are affected by how the world's environment and physical resource base are managed. Consumption patterns, systems of industrial and agricultural production, demographic trends, and the manner of use of natural resources all impact on the opportunities for long-term development and growth and survival for all countries. Both developed and developing countries share responsibility for the rational and sustainable management of natural resources. Responsible management of physical resources is necessary to insure the availability of resources for future generations and to assure that the burdens of improved resource management do not fall disproportionately on the poor.

"(2) ELABORATION OF OBJECTIVE.—(A) Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Economic assistance programs authorized by this title should assist countries to adopt policies and programs that promote ecologically sound patterns of growth. Improved resource management tailored to the conditions and capabilities of the particular developing countries should be an integral part of all planning, programming, and reporting activities with respect to economic assistance.

"(B) Sustainable resource management should be promoted through research and through the establishment and implementation of public policies and programs that provide incentives for better long-term management of resources and private and public investment toward resource-conserving technologies of production in energy, agricultural, and industrial production. To achieve this objective will entail, among other things—

"(i) more efficient and resource-conserving systems of sustainable agricultural production, with special emphasis on rain-fed agriculture, maintenance of soil structure and fertility, and minimization of soil erosion and soil and water contamination;

"(ii) adoption of appropriate use of fertilizer and pesticides;

"(iii) greater attention to forestry management for sustainable yields, agroforestry, reforestation, and watershed conservation, including better resource monitoring and assessment systems;

"(iv) improved water use management, including watershed protection, sustainable and efficient irrigation projects, and efforts to reduce costs and improve delivery of potable water and sanitation systems for both urban and rural areas;

"(v) more systematic collection, preservation, and sharing of original and evolved plant and animal genetic material, including preservation of ecosystems and natural habitats;

"(vi) attention to more efficient management of existing energy systems, to the promotion of increased use of least-cost energy resource planning procedures, and to the development of economically viable and more efficient systems of energy production and consumption that seek to maximize resource conservation;

"(vii) attention to resource conserving systems of urban development and industrialization that make efficient use of energy and natural resources, minimize the adverse effects of air and water pollution, facilitate safe waste disposal, including toxic wastes, and provide for improved environmental health and safety of the urban and surrounding rural populations;

"(viii) efforts to analyze and to reduce man-made contributions to changes in the global climate, including factors that may be contributing to global warming in the Earth's atmosphere; and

"(ix) greater attention to the relationships among demographic pressures, poverty, and environmental degradation.

"(C) Growth that is not environmentally sustainable cannot be economically sustainable in the long run. Improved resource management is a critical element of a balanced pattern of development.

"(d) POVERTY ALLEVIATION.—

"(1) RATIONALE.—It is in the interest of the United States to assist developing countries to achieve patterns of growth and development that will measurably and sustainably alleviate the worst manifestations of poverty in rural and urban areas and allow all people, especially those with low incomes, to lead economically and socially productive lives. As a people endowed with a spirit of humanitarian generosity, United States citizens have long demonstrated a moral imperative to help those in need. Further, peace and stability in the world cannot be achieved without economic development that also alleviates the worst manifestations of poverty.

"(2) ELABORATION OF OBJECTIVE.—(A) Broad based economic growth is necessary for the alleviation of the worst manifestations of poverty. Conversely, neither growth nor the alleviation of poverty can be sustained unless all people, especially the poor, have the basic assets and capabilities that foster the exercise of choice and participation in the economic, social, and political life of the country. Women, female children, and children of poor people have been especially disadvantaged in their access to these assets. Governments, together with nongovernmental organizations and international and multilateral organizations, should give special attention to alleviating the worst manifestations of poverty among these groups. Long-term poverty alleviation depends on patterns of broad based economic growth and the productivity generated by investments in the expansion of human well-being, capacity, and choice.

"(B) To achieve the objective of alleviating the worst manifestations of poverty will entail, among other things—

"(i) the expansion of education to all segments of the society, with particular attention to universal access to basic education, to sustainable improvement in the quality and diversity of educational opportunity, and to female education at all age levels;

"(ii) improvement in coverage, quality, and sustainability of health services, with

special emphasis on universal access to primary health care, epidemiological detection and prevention programs, and sustainable systems of health care for mothers and children;

"(iii) a consistent program of support for systematic expansion of voluntary family planning services, with special emphasis on the role of the private voluntary and commercial sectors as providers of such services and on the development of more effective, acceptable family planning technologies appropriate to the conditions of developing countries;

"(iv) support for activities that enhance secure access of all to adequate food and nutrition derived from sustainable agricultural production, including the effectiveness and development contribution of food assistance made available under the Agricultural Trade Development and Assistance Act of 1954 and other food assistance programs; and

"(v) support for activities that enhance universal access to safe drinking water, basic sanitation, and basic shelter necessary for health.

"(e) DEMOCRACY.—

"(1) RATIONALE.—The promotion of democracy throughout the world is in the basic interest of the United States. Democratic development, political pluralism, and respect for internationally recognized human rights are intrinsically linked to economic and social progress. Democracy can only be sustained in a society in which the legitimacy of the government rests firmly on the expressed consent of the governed; the rights of all citizens, including minorities, are respected and protected; and there is effective civilian control over the military and security forces. It is in the interest of the United States and in keeping with our democratic traditions to support democratic aspirations and values, foster the spread of democratic institutions, and encourage universal respect for civil and political liberties.

"(2) ELABORATION ON OBJECTIVE.—(A) Furtherance of the basic objective of democracy requires that the United States promote—

"(i) the ability of all citizens of a country to organize and associate freely and independently of the government;

"(ii) the ability of all citizens to freely choose their government, to hold that government accountable, and to participate in political life;

"(iii) increased respect for internationally recognized human rights and the rule of law;

"(iv) respect for the diversity among the citizens of a country; and

"(v) acceptance of and respect for civilian authority by all elements of society.

"(B) An essential ingredient of development is the growth of indigenous nongovernmental organizations that are committed to democratic values and active in the promotion of democracy. United States efforts to foster democratic pluralism and build democratic institutions are most likely to create enduring bonds of democratic cooperation when United States nongovernmental organizations are involved in strengthening the capacity of nongovernmental organizations in other countries.

"(C) Democracy requires honest and open participatory government. United States assistance should help governments to establish processes of accountability and transparency to eliminate corruption and abuses of power and assist nongovernmental organizations to develop the capability to monitor the government's performance.

"(D) With regard to economic assistance under this Act or the Support for East European Democracy (SEED) Act of 1989 for countries that are in transition from communism to democracy, it shall be the policy of the United States, to the extent feasible, to provide assistance directly to democratically elected governments of states whose incorporation into the Union of Soviet Socialist Republics has never been recognized by the United States: *Provided*, That economic assistance to Yugoslavia otherwise authorized by law shall not be prohibited as a consequence of this provision. As used in this subparagraph, the term 'democratically elected' means elected through open, free, and fair elections. Nothing in this paragraph shall be construed to preclude assistance to agencies of such federal governments that promote democratic reforms, human rights, the rule of law, and/or market oriented reforms, provided that funds are not provided directly to any such agency.

"(f) EFFECTIVE USES OF ASSISTANCE.—

(1) BENEFICIARY COUNTRIES.—Assistance furnished under this title should be concentrated in countries that will make the most effective use of that assistance in promoting the four basic objectives set forth in subsection (a).

"(2) ASSISTANCE WITHIN COUNTRIES.—Activities should be undertaken in regions of recipient countries that offer potential for successful development and should not be undertaken if the relevant sector or national economic policies of the country are clearly unfavorable to the sustainability or broadest possible impact of the assisted program or project.

"(3) TYPES OF ACTIVITIES.—Assistance should focus on those types of activities that the United States can provide most effectively.".

(b) REPEAL OF DEVELOPMENT ASSISTANCE AUTHORITIES—Effective October 1, 1995, sections 103 through 107 of the Foreign Assistance Act of 1961 are repealed.

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

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

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VOLKMER. Mr. Speaker, my inquiry is to the amendment that we would be voting on. Which amendment is this? Is it the amendment offered by the gentleman from New York [Mr. GILMAN], as amended by the amendment offered by the gentleman from Indiana [Mr. HAMILTON]?

The SPEAKER pro tempore. The gentleman from Missouri [Mr. VOLKMER] is correct.

Mr. KOLBE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 8, as follows:

[Roll No. 231]

YEAS—426

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha

Myers	Rostenkowski	Swett
Nadler	Roth	Swift
Natcher	Roukema	Synar
Neal (MA)	Rowland	Talent
Neal (NC)	Roybal-Allard	Tanner
Nussle	Royce	Tauzin
Oberstar	Rush	Taylor (MS)
Obey	Sabo	Taylor (NC)
Olver	Sanders	Tejeda
Ortiz	Sangmeister	Thomas (CA)
Orton	Santorum	Thomas (WY)
Owens	Sarpalius	Thompson
Oxley	Sawyer	Thornton
Packard	Saxton	Thurman
Pallone	Schaefer	Torkildsen
Parker	Schenk	Torres
Pastor	Schiff	Torricelli
Paxon	Schroeder	Towns
Payne (NJ)	Scott	Traficant
Payne (VA)	Sensenbrenner	Tucker
Penny	Serrano	Unsoeld
Peterson (FL)	Sharp	Upton
Peterson (MN)	Shaw	Valentine
Petri	Shays	Velazquez
Pickett	Shepherd	Vento
Pickle	Shuster	Visclosky
Pombo	Sisisky	Volkmer
Pomeroy	Skaggs	Vucanovich
Porter	Skeen	Walker
Portman	Skelton	Walsh
Poshard	Slattery	Washington
Price (NC)	Slaughter	Waters
Pryce (OH)	Smith (IA)	Watt
Quillen	Smith (MI)	Waxman
Quinn	Smith (NJ)	Weldon
Rahall	Smith (OR)	Wheat
Ramstad	Smith (TX)	Williams
Rangel	Snowe	Wilson
Ravenel	Solomon	Wise
Reed	Spence	Wolf
Regula	Spratt	Woolsey
Reynolds	Stark	Wyden
Richardson	Stearns	Wynn
Ridge	Stenholm	Yates
Roberts	Stokes	Young (AK)
Roemer	Strickland	Young (FL)
Rogers	Studds	Zeliff
Rohrabacher	Stump	Zimmer
Ros-Lehtinen	Stupak	
Rose	Sundquist	

NOT VOTING—8

Barcia	Henry	Schumer
Carr	Kleczka	Whitten
Geren	Pelosi	

□ 1702

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GOODLING. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GOODLING moves to recommit the bill, H.R. 2404, to the Committee on Foreign Affairs.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2404, FOREIGN ASSISTANCE AUTHORIZATION ACT OF 1993

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill H.R. 2404, to authorize appropriations for foreign assistance programs, and for other purposes, the Clerk be authorized to correct section numbers, cross references, punctuation, and grammatical and spelling errors, to make appropriate revisions in the table of contents, and to make such other technical and conforming changes as may be necessary, including the following:

In paragraph (2)(B) of the text added on page 40 after line 6 by the amendment offered by Mr. SOLOMON of New York (amendment No. 5), change "1201(a)(8)" to "201(a)(8)".

Page 64, line 4, change "1317" to "317".

In the section added to the bill by the amendment offered by Mr. GOODLING of Pennsylvania (amendment No. 11), change "sec. 510." to "sec. 514.".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

STATE DEPARTMENT, USIA, AND RELATED AGENCIES AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995

The SPEAKER pro tempore. Pursuant to House Resolution 197 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2333.

□ 1705

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2333) the United States Information Agency, and related Agencies, and for other purposes, with Mr. DE LA GARZA (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, no further general debate is in order.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill, modified by the amendments printed in part 1 of House Report 103–132, is considered as an original bill for the purpose of amendment and is considered as read.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

H.R. 2333

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 "State Department, USIA, and Related Agencies Authorization Act, Fiscal Years 1994 and 1995".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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

TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES

PART A—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Administration of foreign affairs.
Sec. 102. Agency for International Development operating expenses.
Sec. 103. International organizations, programs, and conferences.
Sec. 104. International commissions.
Sec. 105. Migration and refugee assistance.
Sec. 106. Other programs.
Sec. 107. United States Arms Control and Disarmament Agency.

PART B—AUTHORITIES AND ACTIVITIES

Sec. 111. Authorized strength of the Foreign Service.
Sec. 112. Transfers and reprogrammings.
Sec. 113. Expenses relating to certain international claims and proceedings.
Sec. 114. Child care facilities at certain posts abroad.
Sec. 115. Notification to Congress of proposed reprogrammings of AID operating expenses.
Sec. 116. Prohibition on discriminatory contracts.
Sec. 117. Emergencies in the diplomatic and consular service.
Sec. 118. Role of the Foreign Service Institute.
Sec. 119. Reporting requirement on American prisoners abroad.
Sec. 120. Consular authorities.
Sec. 121. Requirement for authorization of appropriations for AID.
Sec. 122. Report on consolidation of administrative operations.
Sec. 123. Local guard contracts abroad.
Sec. 124. Visas.
Sec. 125. Consular and diplomatic posts abroad.
Sec. 126. Annual country reports on terrorism.

PART C—DEPARTMENT OF STATE ORGANIZATION

Sec. 131. Organizing principles.
Sec. 132. Organization of the Department of State.
Sec. 133. Technical and conforming amendments.
Sec. 134. Director General of the Foreign Service.

PART D—PERSONNEL

Sec. 141. Labor-management relations.
Sec. 142. Voluntary retirement incentive program.
Sec. 143. Waiver of limit for certain claims for personal property damage or loss.

Sec. 144. Salaries of chiefs of mission.
Sec. 145. Senior Foreign Service performance pay.
Sec. 146. Reassignment and retirement of former Presidential appointees.
Sec. 147. Report on classification of Senior Foreign Service positions.
Sec. 148. Limitation on number of limited career extensions.
Sec. 149. Amendments to title 5.
Sec. 150. Amendments to chapter 11 of the Foreign Service Act.

PART E—INTERNATIONAL ORGANIZATIONS

Sec. 161. International Atomic Energy Agency safeguards.
Sec. 162. Agreement on State and local taxation of foreign employees of public international organizations.
Sec. 163. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.
Sec. 164. International Boundary and Water Commission.
Sec. 165. United States membership in the Asian-Pacific Economic Cooperation Organization.
Sec. 166. Limitation on contributions to the United Nations and affiliated organizations.

PART F—MISCELLANEOUS PROVISIONS

Sec. 181. Women's human rights protection.
Sec. 182. Publishing international agreements.
Sec. 183. Migration and refugee amendments.
Sec. 184. United Nations Security Council membership.
Sec. 185. Reforms in the Food and Agriculture Organization.
Sec. 186. Interparliamentary exchanges.
Sec. 187. United States policy concerning overseas assistance to refugees and displaced persons.
Sec. 188. Policy on Middle East arms sales.
Sec. 189. Report on terrorist assets in the United States.
Sec. 190. Sense of Congress concerning United States citizens victimized by Germany during World War II.
Sec. 191. Transparency in armaments.
Sec. 192. Revitalization of the "permanent five" process.
Sec. 193. Report on the impact of conventional weapons proliferation.
Sec. 194. Establishment of independent inspectors general at international organizations.
Sec. 195. Sense of Congress regarding adherence to United Nations Charter.

TITLE II—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

PART A—AUTHORIZATION OF APPROPRIATIONS

Sec. 201. Authorization of appropriations.

PART B—INTERNATIONAL BROADCASTING AUTHORITIES AND ACTIVITIES

Sec. 211. Short title.
Sec. 212. Findings and declarations.
Sec. 213. Standards.
Sec. 214. Functions.
Sec. 215. Administration.
Sec. 216. USIA satellite and television.
Sec. 217. Israel relay station.
Sec. 218. Requirement for authorization of appropriations.
Sec. 219. Report on advertising.

PART C—USIA AND RELATED AGENCIES AUTHORITIES AND ACTIVITIES

Sec. 231. Changes in administrative authorities.
Sec. 232. Employment authority.
Sec. 233. Buying power maintenance account.
Sec. 234. Contract authority.
Sec. 235. Appropriations authorities.
Sec. 236. Technical amendment.
Sec. 237. Separate ledger accounts for NED grantees.
Sec. 238. American studies collections.
Sec. 239. South Pacific exchange programs.
Sec. 240. Coordination of United States exchange programs.
Sec. 241. Limitation concerning participation in international expositions.
Sec. 242. Private sector opportunites.
Sec. 243. Educational and cultural exchanges with Tibet.
Sec. 244. Changes in administrative authorities.

PART D—MIKE MANSFIELD FELLOWSHIPS

Sec. 251. Short title.
Sec. 252. Establishment of fellowship program.
Sec. 253. Program requirements.
Sec. 254. Separation of Government personnel during the fellowships.
Sec. 255. Mansfield Fellowship Review Board.
Sec. 256. Definitions.

TITLE III—ARMS CONTROL AND DISARMAMENT AGENCY

Sec. 301. Purposes.
Sec. 302. ACDA Director.
Sec. 303. Special representatives.
Sec. 304. Negotiation management.
Sec. 305. Participation of ACDA Director in certain deliberations.
Sec. 306. Notification to Congress of proposed reprogrammings by ACDA.
Sec. 307. Requirement of authorization of appropriations.

TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES

PART A—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated for the Department of State under "Administration of Foreign Affairs" to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law, including the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For "Diplomatic and Consular Programs", of the Department of State $1,687,797,000 for the fiscal year 1994 and $1,733,368,000 for the fiscal year 1995.

(2) SALARIES AND EXPENSES.—For "Salaries and Expenses", of the Department of State $464,203,000 for the fiscal year 1994 and $476,520,000 for the fiscal year 1995.

(3) ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD.—For "Acquisition and Maintenance of Buildings Abroad", $406,481,000 for the fiscal year 1994 and $417,523,000 for the fiscal year 1995.

(4) BUYING POWER MAINTENANCE FUND.—For "Buying Power Maintenance Fund", $4,000,000 for the fiscal year 1994 and $4,104,000 for the fiscal year 1995.

(5) REPRESENTATION ALLOWANCES.—For "Representation Allowances", $4,881,000 for the fiscal year 1994 and $5,012,000 for the fiscal year 1995.

(6) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For "Emergencies in the Diplomatic and Consular Service, $8,000,000 for the fiscal 1994 and $8,216,000 for the fiscal year 1995.

(7) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", $24,055,000 for the fiscal year 1994 and $24,704,000 for the fiscal year 1995.

(8) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For "Payment to the American Institute in Taiwan", $15,484,000 for the fiscal year 1994 and $15,902,000 for the fiscal year 1995.

(9) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For "Protection of Foreign Missions and Officials", $10,814,000 for the fiscal year 1994 and $11,095,000 for the fiscal year 1995.

(10) REPATRIATION LOANS.—For "Repatriation Loans", $817,000 for the fiscal year 1994 and $838,000 for the fiscal year 1995, for administrative expenses.

(b) LIMITATIONS.—

(1) Of the amounts authorized to be appropriated for "Salaries and Expenses" under subsection (a)(2) $500,000 is authorized to be available for the fiscal year 1994 and $500,000 for the fiscal year 1995 for the Department of State for the recruitment of Hispanic American students from United States institutions of higher education with a high percentage enrollment of Hispanic Americans and for the training of Hispanic Americans for careers in the Foreign Service and in international affairs.

(2)(A) Of the amounts authorized to be appropriated for "Diplomatic and Consular Programs" under subsection (a)(1), $10,000,000 is authorized to be available for each of the fiscal years 1994 and 1995 for grants, contracts, and other activities to conduct research and promote international cooperation on environmental and other scientific issues.

(B) Of the amounts authorized to be appropriated for "Diplomatic and Consular Programs" under subsection (a)(1), $1,000,000 is authorized to be available only for the establishment of a United States consulate in Cluj, Romania.

(3) Of the amounts authorized to be appropriated for "Diplomatic and Consular Programs" under subsection (a)(1), $11,500,000 is authorized to be available for fiscal year 1994 and $11,900,000 is authorized to be available for fiscal year 1995, only for administrative expenses associated with the conduct of refugee programs by the Bureau for Refugee Programs, or any successor bureau.

SEC. 102. AGENCY FOR INTERNATIONAL DEVELOPMENT OPERATING EXPENSES.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) There are authorized to be appropriated to the President, in addition to funds otherwise available for such purposes—

(A) $512,000,000 for the fiscal year 1994 and $526,902,000 for the fiscal year 1995 for necessary operating expenses of the agency primarily responsible for administering part I of Public Law 87–195; and

(B) such amounts as may be necessary for fiscal year 1994 and fiscal year 1995 for increases in salary, pay, retirement, and other employee benefits authorized by law, and for other nondiscretionary costs of the agency primarily responsible for administering part I of Public Law 87–195.

(2) Effective October 1, 1993, section 667 of Public Law 87–195 (22 U.S.C. 2427) is repealed.

(b) OPERATING EXPENSES, OFFICE OF THE INSPECTOR GENERAL.—There are authorized to be appropriated to the President, in addition to funds otherwise available for such purposes—

(1) $39,916,000 for fiscal year 1994 and $39,916,000 for fiscal year 1995 for necessary operating expenses of the Office of the Inspector General of the agency primarily responsible for administering part I of Public Law 87–195; and

(2) such amounts as may be necessary for increases in salary, pay, retirement, and other employee benefits authorized by law, and for other nondiscretionary costs of such office.

(c) AVAILABILITY OF FUNDS.—Amounts appropriated under this section are authorized to remain available until expended.

(d) TRANSFER OF FUNDS.—The authorities and limitations of section 109 of Public Law 87–195 apply to funds authorized to be appropriated under this section.

SEC. 103. INTERNATIONAL ORGANIZATIONS, PROGRAMS, AND CONFERENCES.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—

(1) There are authorized to be appropriated for "Contributions to International Organiza-

tions", $940,885,000 for the fiscal year 1994 and $935,053,000 for the fiscal year 1995 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(2)(A) Of the amounts authorized to be appropriated under paragraph (1) for fiscal year 1994, not more than $880,885,000 may be obligated or expended in that fiscal year.

(B) Of the authorizations of appropriations under paragraph (1) for fiscal year 1994, $60,000,000 shall remain available until the appropriations are made.

(b) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.—There are authorized to be appropriated for "Contributions for International Peacekeeping Activities", $619,736,000 for the fiscal year 1994 and $636,469,000 for the fiscal year 1995 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

(c) PEACEKEEPING OPERATIONS.—There are authorized to be appropriated for "Peacekeeping Operations", $77,166,000 for the fiscal year 1994 and $77,166,000 for the fiscal year 1995 for the Department of State to carry out section 551 of Public Law 87–195.

(d) INTERNATIONAL CONFERENCES AND CONTINGENCIES.—There are authorized to be appropriated for "International Conferences and Contingencies", $6,600,000 for the fiscal year 1994 and $6,743,000 for the fiscal year 1995 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and to carry out other authorities in law consistent with such purposes.

(e) INTERNATIONAL ORGANIZATIONS AND PROGRAMS.—

(1) IN GENERAL.—There are authorized to be appropriated for the Department of State for "International Organizations and Programs", $390,000,000 for the fiscal year 1994 and $390,000,000 for the fiscal year 1995.

(2) UNITED NATIONS POPULATION FUND.—

(A) Subject to subparagraphs (B) and (C), of the funds authorized to be appropriated for "International Organizations and Programs" under paragraph (1), $50,000,000 is authorized to be made available for each of the fiscal years 1994 and 1995 for the United Nations Population Fund.

(B) The availability of funds under subparagraph (A) shall be subject to the following limitations:

(i) None of the funds made available under subparagraph (A) may be made available for programs in the People's Republic of China.

(ii) The prohibitions contained in section 104(f) of the Foreign Assistance Act of 1961 (relating to prohibitions on funding for abortion as a method of family planning, coercive abortion, and involuntary sterilization) shall apply to the funds made available for the United Nations Population Fund.

(iii) The United Nations Population Fund shall be required to maintain the funds made available under subparagraph (A) in a separate account and not commingle such funds with any other funds.

(C) Of the funds authorized to be available under subparagraph (A), for fiscal year 1994, $13,784,500 is authorized to be available only if the President certifies to the Congress that the United Nations Population Fund has terminated all activities in the People's Republic of China.

(3) UNITED NATIONS DEVELOPMENT PROGRAM.—

(A) Subject to subparagraphs (B) and (C), of the funds authorized to be appropriated under paragraph (1) $126,929,000 is authorized to be available for each of the fiscal years 1994 and 1995 for the United Nations Development Program.

(B) None of the funds made available under subparagraph (A) shall be available for programs and activities in or for Myanmar (Burma).

(C) Of the funds authorized to be available under subparagraph (A), $32,000,000 for each of the fiscal years 1994 and 1995 may be available only if the President certifies to the Congress that the United Nations Development Program has terminated all programs and activities in or for Myanmar (Burma).

(4) UNITED NATIONS ENVIRONMENT PROGRAM.—Of the amounts authorized to be appropriated for "International Organizations and Programs" under paragraph (1), $25,000,000 for each of the fiscal years 1994 and 1995 is authorized to be available for the United Nations Environment Program.

(5) UNITED NATIONS VOLUNTARY FUND FOR THE VICTIMS OF TORTURE.—Of the amounts authorized to be appropriated for "International Organizations and Programs" under paragraph (1), $1,500,000 for each of the fiscal years 1994 and 1995 is authorized to be available for the United Nations Voluntary Fund for the Victims of Torture.

(f) FOREIGN CURRENCY EXCHANGE RATES.—In addition to amounts otherwise authorized to be appropriated by subsections (a) and (b) of this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 and 1995 to offset adverse fluctuations in foreign currency exchange rates. Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

SEC. 104. INTERNATIONAL COMMISSIONS.

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

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

(A) for "Salaries and Expenses" $11,330,000 for the fiscal year 1994 and $11,767,000 for the fiscal year 1995; and

(B) for "Construction" $14,780,000 for the fiscal year 1994 and $15,198,000 for the fiscal year 1995.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For "International Boundary Commission, United States and Canada", $760,000 for the fiscal year 1994 and $784,000 for the fiscal year 1995.

(3) INTERNATIONAL JOINT COMMISSION.—For "International Joint Commission", $3,643,000 for the fiscal year 1994 and $3,759,000 for the fiscal year 1995.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For "International Fisheries Commissions", $14,200,000 for the fiscal year 1994 and $14,569,000 for the fiscal year 1995.

SEC. 105. MIGRATION AND REFUGEE ASSISTANCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) There are authorized to be appropriated for "Migration and Refugee Assistance" for authorized activities, $593,500,000 for the fiscal year 1994 and $593,500,000 for the fiscal year 1995.

(2) There are authorized to be appropriated $80,000,000 for the fiscal year 1994 and $80,000,000 for the fiscal year 1995 for assistance for refugees resettling in Israel.

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to subsection (a) are authorized to be available until expended.

SEC. 106. OTHER PROGRAMS.

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

(1) UNITED STATES BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS.—For "United States Bilateral Science and Technology Agreements", $4,500,000 for the fiscal year 1994 and $4,617,000 for the fiscal year 1995.

(2) ASIA FOUNDATION.—For "Asia Foundation", $18,693,000 for the fiscal year 1994 and $19,127,000 for the fiscal year 1995.

SEC. 107. UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the purposes of the Arms Control and Disarmament Act—

(1) $62,500,000 for the fiscal year 1994 and $55,356,000 for the fiscal year 1995; and

(2) such sums as may be necessary for each of the fiscal years 1994 and 1995 for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs, and to offset adverse fluctuations in foreign currency exchange rates.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 49 of the Arms Control and Disarmament Act (22 U.S.C. 2589) is amended—

(1) by striking subsection (a); and

(2) in the first sentence of subsection (b) by striking "pursuant to this section" and inserting "to carry out this Act".

PART B—AUTHORITIES AND ACTIVITIES

SEC. 111. AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.

(a) END FISCAL YEAR 1994 LEVELS.—Subject to subsection (c), the employment and service of Members of the Foreign Service shall be subject to the following limitations as of September 30, 1994:

(1) Department of State, not to exceed 9,200, of whom not more than 825 shall be members of the Senior Foreign Service.

(2) United States Information Agency, not to exceed 1,200, of whom not more than 175 shall be members of the Senior Foreign Service.

(3) Agency for International Development, not to exceed 1,850, of whom not more than 250 shall be members of the Senior Foreign Service.

(b) END FISCAL YEAR 1995 LEVELS.—Subject to subsection (c), the employment and service of Members of the Foreign Service shall be subject to the following limitations as of September 30, 1995:

(1) Department of State, not to exceed 9,200, of whom not more than 775 shall be members of the Senior Foreign Service.

(2) United States Information Agency, not to exceed 1,200, of whom not more than 165 shall be members of the Senior Foreign Service.

(3) Agency for International Development, not to exceed 1,850, of whom not more than 240 shall be members of the Senior Foreign Service.

(c) DEFINITION.—For the purposes of this section, the term "members of the Foreign Service" has the meaning of such term under section 103 of the Foreign Service Act of 1980 (22 U.S.C 3903), except that such term shall not include—

(1) members of the Service under paragraphs (6) and (7) of such section;

(2) members of the Service serving under temporary resident appointments abroad;

(3) members of the Service employed on less than a full-time basis;

(4) members of the Service subject to involuntary separation in cases in which such separation has been suspended pursuant to section 1106(8) of the Foreign Service Act of 1980; and

(5) members of the Service serving under limited appointments pursuant to section 305(b) of the Foreign Service Act of 1980.

(d) WAIVER AUTHORITY.—

(1)(A) Subject to subparagraph (B), the Secretary of State, the Director of the United States Information Agency, and the Director of the Agency for International Development may waive any limitation under subsection (a) or (b) which applies to the Department of State, the United States Information Agency, or the Agency for International Development, respectively, to the extent that such waiver is necessary to carry on the foreign affairs functions of the United States.

(B) Not less than 15 days before any agency head implements a waiver under subparagraph (A), such agency head shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate. Such notice shall include an explanation of the circumstances and necessity for such waiver.

SEC. 112. TRANSFERS AND REPROGRAMMINGS.

(a) AMENDMENTS TO SECTION 24 OF THE STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—Section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696) is amended—

(1) in subsection (b)(7) by striking subparagraph (E);

(2) in subsection (d)(1)—

(A) by striking "the second" and inserting "either"; and

(B) by striking "such second" and inserting "such";

(3) in subsection (d)(2) by amending the first sentence to read as follows: "Amounts appropriated for the 'Diplomatic and Consular Programs' account may not exceed by more than 5 percent the amount specifically authorized to be appropriated for such account for a fiscal year."; and

(4) by striking subsection (d)(4).

(b) DIPLOMATIC CONSTRUCTION PROGRAM.—Section 401 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851) is amended by striking subsections (c) and (h)(3).

(c) REPROGRAMMING.—Section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706) is amended in subsection (a)(7) by striking "$500,000" and inserting "$1,000,000".

SEC. 113. EXPENSES RELATING TO CERTAIN INTERNATIONAL CLAIMS AND PROCEEDINGS.

Section 38 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710) is amended by adding at the end the following new subsections:

"(c) PROCUREMENT OF SERVICES.—The Secretary of State may use competitive procedures or procedures other than competitive procedures to procure the services of experts for use in preparing or prosecuting a proceeding before an international tribunal or a claim by or against a foreign government or other foreign entity, whether or not the expert is expected to testify, or to procure other support services for such proceedings or claims. The Secretary need not provide any written justification for the use of procedures other than competitive procedures when procuring such services under this chapter and need not furnish for publication in the Commerce Business Daily or otherwise any notice of solicitation or synopsis with respect to such procurement.

"(d) INTERNATIONAL LITIGATION FUND.—

"(1) ESTABLISHMENT.—In order to provide the Department of State with a dependable, flexible, and adequate source of funding for the expenses of the Department related to preparing or prosecuting a proceeding before an international tribunal, or a claim by or against a foreign government or other foreign entity, there is established an International Litigation Fund (hereafter in this subsection referred to as the "ILF"). The ILF shall be available without fiscal year limitation. Funds otherwise available to the Department for the purposes of this paragraph may be credited to the ILF.

"(2) REPROGRAMMING PROCEDURES.—Funds credited to the ILF shall be treated as a reprogramming of funds under section 34 and shall not be available for obligation or expenditure except in compliance with the procedures applicable to such reprogrammings. This paragraph shall not apply to the transfer of funds under paragraph (3).

"(3) TRANSFERS OF FUNDS.—Funds received by the Department of State from another agency of the United States Government or pursuant to the Department of State Appropriations Act of 1937 (49 Stat. 1321, 22 U.S.C. 2661) to meet costs of preparing or prosecuting a proceeding before an international tribunal, or a claim by or against a foreign government or other foreign entity, shall be credited to the ILF.

"(4) USE OF FUNDS.—Funds deposited in the ILF shall be available only for the purposes of paragraph (1).".

SEC. 114. CHILD CARE FACILITIES AT CERTAIN POSTS ABROAD.

Section 31 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2703) is amended in subsection (e) by striking "For the fiscal years 1992 and 1993, the" and inserting "The".

SEC. 115. NOTIFICATION TO CONGRESS OF PROPOSED REPROGRAMMINGS OF AID OPERATING EXPENSES.

(a) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—Section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394) is amended by adding at the end the following:

"(d) AID OPERATING EXPENSES.—

"(1) CONGRESSIONAL NOTIFICATION OF CERTAIN REPROGRAMMINGS.—Unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified at least 15 days in advance of the proposed reprogramming, funds appropriated for the operating expenses of the agency primarily responsible for administering part I (including funds appropriated for the operating expenses of the Office of the Inspector General of that agency) shall not be available for obligation or expenditure through any reprogramming of funds that—

"(A) would create or eliminate a program, project, or activity;

"(B) would increase funds or personnel by any means for any program, project, or activity for which funds have been denied or restricted by the Congress;

"(C) would reorganize offices, programs, projects, or activities among bureaus;

"(D) would involve a reprogramming in excess of $1,000,000 or 10 percent (whichever is greater) and would—

"(i) augment existing programs, projects, or activities,

"(ii) reduce by 10 percent or more the funding for any existing program, project, activity, or personnel approved by the Congress, or

"(iii) result from any general savings from a reduction in personnel that would result in a change in existing programs, activities, or projects approved by the Congress.

"(2) LIMITATION ON END-OF-YEAR REPROGRAMMINGS.—Funds appropriated for the operating expenses of the agency primarily responsible for administering part I (including funds appropriated for the operating expenses of the Office of the Inspector General of that agency) shall not be available for obligation or expenditure through any reprogramming described in paragraph (1) during the last 15 days in which such funds are available for obligation or expenditure (as the case may be) unless the notification required by that paragraph was submitted before that 15-day period.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 1994.

SEC. 116. PROHIBITION ON DISCRIMINATORY CONTRACTS.

(a) PROHIBITION.—

(1) Except for real estate leases and as provided in subsection (b), the Department of State may not enter into any contract that expends funds appropriated to the Department of State for an amount in excess of the small purchase threshold (as defined in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))—

(A) with a foreign person that complies with the Arab League boycott of Israel, or

(B) with any foreign or United States person that discriminates in the award of subcontracts on the basis of religion.

(2) For purposes of this section—

(A) a foreign person complies with the boycott of Israel by Arab League countries when that foreign person takes or knowingly agrees to take any action, with respect to the boycott of Israel by Arab League countries, which section 8(a) of the Export Administration Act of 1979 prohibits a United States person from taking, except that for purposes of this paragraph, the term "United States person" as used in subparagraphs (B) and (C) of section 8(a)(1) of such Act shall be deemed to mean "person"; and

(B) the term "foreign person" means any person other than a United States person as defined in section 16(2) of the Export Administration Act of 1979.

(3) For purposes of paragraph (1), a foreign person shall be deemed not to comply with the boycott of Israel by Arab League countries if that person, or the Secretary of State or his designee on the basis of available information, certifies that the person violates or otherwise does not comply with the boycott of Israel by Arab League countries by taking any actions prohibited by section 8(a) of the Export Administration Act of 1979. Certification by the Secretary of State or his designee may occur only 30 days after notice has been given to the Congress that this certification procedure will be utilized at a specific overseas mission.

(b) WAIVER BY SECRETARY OF STATE.—The Secretary of State may waive the requirements of this section on a country-by-country basis for a period not to exceed one year upon certification to the Congress by the Secretary that such waiver is in the national interest and is necessary to carry on diplomatic functions on the United States. Each such certification shall include a detailed justification for the waiver with respect to each such country.

(c) RESPONSES TO CONTRACT SOLICITATIONS.—(1) Except as provided in paragraph (2) of this subsection, the Secretary of State shall ensure that any response to a solicitation for a bid or a request for a proposal, with respect to a contract covered by subsection (a), includes the following clause, in substantially the following form:

"ARAB BOYCOTT OF ISRAEL

"(a) DEFINITIONS.—As used in this clause—

"(1) the term 'foreign person' means any person other than a United States person as defined in paragraph (2); and

"(2) the term 'United States person' means any United States resident or national (other than an individual resident outside the United States and employed by other than a United States person), any domestic concern (including any permanent domestic establishment of any

foreign concern), and any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern which is controlled in fact by such domestic concern, as determined under regulations of the President.

"(b) CERTIFICATION.—By submitting this offer, the Offeror certifies that it is not—

"(1) taking or knowingly agreeing to take any action, with respect to the boycott of Israel by Arab countries, which section 8(a) of the Export Administration Act of 1979 (50 U.S.C. App. 2407(a)) prohibits a United States person from taking; or

"(2) discriminating in the award of subcontracts on the basis of religion.".

(2) An Offeror would not be required to include the certification required by paragraph (1), if the Offeror is deemed not to comply with the Arab League boycott of Israel by the Secretary of State or a designee on the basis of available information. Certification by the Secretary of State or a designee may occur only 30 days after notice has been given to the Congress that this certification procedure will be utilized at a specific overseas mission.

(3) The Secretary of State shall ensure that all State Department contract solicitations include a detailed explanation of the requirements of section 8(a) of the Export Administration Act of 1979 (50 U.S.C. App. 2407(a)).

(d) REVIEW OF TERMINATION.—(1) The Department of State shall conduct reviews of the certifications submitted pursuant to this section for the purpose of assessing the accuracy of the certifications.

(2) Upon complaint of any foreign or United States person of a violation of the certification as required by this section, filed with the Secretary of State, the Department of State shall investigate such complaint, and if such complaint is found to be correct and a violation of the certification has been found, all contracts with such violator shall be terminated for default as soon as practicable, and, for a period of two years thereafter, the State Department shall not enter into any contracts with such a violator.

SEC. 117. EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.

Section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671) is amended in subsection (c)—

(1) by striking "and the Foreign Service"; and

(2) by striking "an annual confidential" and inserting "a periodic".

SEC. 118. ROLE OF THE FOREIGN SERVICE INSTITUTE.

Section 701 of the Foreign Service Act of 1980 (22 U.S.C. 4021) is amended by adding at the end the following new subsection:

"(d)(1) The Secretary of State is authorized to provide for the training and instruction of employees of foreign governments at the Institute.

"(2) Except as provided in paragraph (3), training and instruction under paragraph (1) shall be on a reimbursable basis. Reimbursement to the Institute may be provided by an agency of the United States Government or by a foreign person.

"(3) The authorities of section 704 shall apply to training and instruction provided under this section.".

SEC. 119. REPORTING REQUIREMENT ON AMERICAN PRISONERS ABROAD.

Section 108 of the Foreign Relations Authorization Act, Fiscal Year 1978 (Public Law 95–105) is repealed.

SEC. 120. CONSULAR AUTHORITIES.

(a) PERSONS AUTHORIZED TO ISSUE PASSPORTS ABROAD.—The Act entitled "An Act to regulate the issue and validity of passports, and for other purposes", approved July 3, 1926 (44 Stat. 887, 22 U.S.C. 211a) is amended by striking "by diplomatic representatives of the United States, and by such consul generals, consuls, or vice consuls when in charge," and inserting "by diplomatic and consular officers of the United States, and by other employees of the Department of State who are citizens of the United States,".

(b) NOTARIAL AUTHORITY.—The Act entitled "An Act to provide for the reorganization of the consular service of the United States", approved April 5, 1906 (34 Stat. 100, 22 U.S.C. 4221) is amended in section 7 by adding at the end "Pursuant to such regulations as the Secretary of State may prescribe, the Secretary may designate any other employee of the Department of State who is a citizen of the United States to perform any notarial function authorized to be performed by a consular officer of the United States under this Act.".

SEC. 121. REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS FOR AID.

Public Law 87–195 is amended by inserting after section 667 the following new section:

"SEC. 668. REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.

"(a) LIMITATION ON OBLIGATION AND EXPENDITURE OF FUNDS.—Notwithstanding any other provision of law, for the fiscal year 1994 and for each subsequent fiscal year, any funds appropriated for the agency primarily responsible for administering part I of this Act shall not be available for obligation or expenditure—

"(1) unless such funds are appropriated pursuant to an authorization of appropriations; or

"(2) in excess of the authorized level of appropriations.

"(b) SUBSEQUENT AUTHORIZATION.—The limitation under subsection (a) shall not apply to the extent that an authorization of appropriations is enacted after such funds are appropriated.

"(c) APPLICATION.—The provisions of this section—

"(1) may not be superseded, except by a provision of law which specifically repeals, modifies, or supersedes the provisions of this section; and

"(2) shall not apply to, or affect in any manner, permanent appropriations, trust funds, and other similar accounts which are authorized by law and administered by the agency primarily responsible for administering part I of this Act.".

SEC. 122. REPORT ON CONSOLIDATION OF ADMINISTRATIVE OPERATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, jointly with the Director of the United States Information Agency, the Director of the Arms Control and Disarmament Agency, and the Administrator of the Agency for International Development, shall submit, to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, a report concerning the feasibility of consolidating domestic administrative operations for the Department of State, the Agency for International Development, and the United States Information Agency. Such report shall include specific recommendations for implementation.

SEC. 123. LOCAL GUARD CONTRACTS ABROAD.

Section 136(c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246) is amended—

(1) in paragraph (2) by striking "due to their distance from the post";

(2) by redesignating paragraphs (2) and (3) as paragraphs "(4)" and "(5)", respectively; and

(3) by inserting after paragraph (1) the following:

"(2) absent compelling reasons, award such contracts through competitive bidding;

"(3) in evaluating and scoring proposals for such contracts, award not less than 60 percent of the total points on the basis of technical capacity;".

SEC. 124. VISAS.

(a) SURCHARGE FOR PROCESSING CERTAIN VISAS.—

(1) Notwithstanding any other provision of law, the Secretary of State is authorized to charge a fee or surcharge for processing machine readable nonimmigrant visas and machine readable combined border crossing identification cards and nonimmigrant visas.

(2) Fees collected under the authority of subsection (a) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of providing consular services, which shall include the payment of any fees for access to the criminal history records of the Federal Bureau of Investigation for processing visa applications and making immigration eligibility determinations. Such fees shall remain available for obligation until expended.

(3) For fiscal years 1994 and 1995, fees collected under the authority of paragraph (1) may not exceed a total of $56,000,000.

(b) AUTOMATED VISA LOOKOUT SYSTEM.—Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall implement an upgrade of all overseas visa lookout operations to computerized systems with automated multiple-name search capabilities.

(c) PROCESSING OF VISAS FOR ADMISSION TO THE UNITED STATES.—

(1)(A) Beginning 18 months after the date of the enactment of this Act, whenever a United States consular officer issues a visa for admission to the United States, that official shall certify, in writing, that a check of the Automated Visa Lookout System, or any other system or list which maintains information about the excludability of aliens under the Immigration and Nationality Act, has been made and that there is no basis under such system for the exclusion of such alien.

(B) If, at the time an alien applies for an immigrant or nonimmigrant visa, the alien's name is included in the Department of State's visa lookout system and the consular officer to whom the application is made fails to follow the procedures in processing the application required by the inclusion of the alien's name in such system, the consular officer's failure shall be made a matter of record and shall be considered as a serious negative factor in the officer's annual performance evaluation.

(2) If an alien to whom a visa was issued as a result of a failure described in paragraph (1)(B) is admitted to the United States and there is thereafter probable cause to believe that the alien was a participant in a terrorist act causing serious loss of life or property in the United States, the Secretary of State shall convene an Accountability Review Board under the authority of title III of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

SEC. 125. CONSULAR AND DIPLOMATIC POSTS ABROAD.

Section 48 of the State Department Basic Authorities Act of 1956 is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections "(c)" and "(d)", respectively.

SEC. 126. ANNUAL COUNTRY REPORTS ON TERRORISM.

Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended in subsection (b)(2)—

(1) by striking "and" at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting "; and"; and

(3) by adding at the end the following:

"(E) efforts by the United States to eliminate international financial support provided to those groups directly or provided in support of their activities.".

PART C—DEPARTMENT OF STATE ORGANIZATION

SEC. 131. ORGANIZING PRINCIPLES.

The Congress makes the following findings:

(1) The organization of the Department of State should reflect, to the maximum extent possible, the primary responsibility of the Secretary of State under the President for the conduct of the Nation's foreign relations.

(2) Unless compelling considerations so require, statutory authorities should be vested in the Secretary of State, rather than in officials subordinate to the Secretary.

SEC. 132. ORGANIZATION OF THE DEPARTMENT OF STATE.

(a) ORGANIZATION.—Section 1 of the State Department Basic Authorities Act of 1956 is amended to read as follows:

"ORGANIZATION OF THE DEPARTMENT OF STATE

"SECTION 1. (a) SECRETARY OF STATE.—

"(1) The Department of State shall be administered in accordance with this Act and other provisions of law under the supervision and direction of the Secretary of State (hereinafter referred to as the 'Secretary').

"(2) The Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

"(3)(A) Notwithstanding any other provision of law and except as provided in subparagraph (B), the Secretary shall have and exercise any authority vested by law in any office or official of the Department of State. The Secretary shall administer, coordinate, and direct the Foreign Service of the United States and the personnel of the Department of State, except where authority is inherent in or vested in the President.

"(B) The Secretary shall not have the authority of the Inspector General or the Chief Financial Officer. The Secretary shall not have any authority given expressly to diplomatic or consular officers.

"(4) The Secretary of State is authorized to promulgate such rules and regulations as may be necessary to carry out the functions of the Secretary of State and the Department of State. The Secretary may delegate authority to perform any of the functions of the Secretary or the Department to officers and employees under the direction and supervision of the Secretary. The Secretary may delegate the authority to redelegate any such functions.

"(b) UNDER SECRETARIES.—There shall be in the Department of State not more than 5 Under Secretaries of State, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be compensated at the rate provided for at level III of the Executive Schedule under section 5314 of title 5, United States Code.

"(c) ASSISTANT SECRETARIES.—There shall be in the Department of State not more than 21 Assistant Secretaries of State, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be compensated at the rate provided for at level IV of the Executive Schedule under section 5315 of title 5.

"(d) DEPUTY ASSISTANT SECRETARIES.—There shall be in the Department of State not more than 66 Deputy Assistant Secretaries of State.

"(e) OTHER SENIOR OFFICIALS.—In addition to such other officials of the Department of State who are authorized to be compensated at level IV of the Executive Schedule under section 5215 of title 5, not more than 4 other officers of the Department of State shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at such level.".

(b) APPLICATION.—The amendments made by this section and section 133 shall apply with respect to officials, offices, and bureaus of the Department of State when Executive orders implementing such sections become effective.

(c) TRANSITION.—Any officer of the Department of State holding office on the date of the enactment of this Act shall not be required to be reappointed to any other office, at the Department of State at the same level performing similar functions, as determined by the President, by reason of the enactment of the amendments made by this section and section 133.

(d) REFERENCES IN OTHER ACTS.—A reference in any other provision of law to an official or office of the Department of State affected by the amendment made by subsection (a) shall be deemed to be a reference to the Secretary of State or the Department of State, as may be appropriate.

(e) Nothing in this part reassigns any function that is on the date of enactment of this Act vested by law or executive order in the Department of Commerce, the Federal Communications Commission, or any officer thereof.

SEC. 133. TECHNICAL AND CONFORMING AMENDMENTS.

(a) ACT OF MAY 26, 1949.—The Act entitled "An Act to strengthen and improve the organization and administration of the Department of State, and for other purposes" (May 26, 1949; Public Law 81-73; 22 U.S.C. 2652 et seq.) is repealed.

(b) FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 1979.—Section 115 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2652a) is amended by striking subsection (a).

(c) PUBLIC LAW 93-126.—Section 9 of Public Law 93-126 (22 U.S.C. 2655a) is amended by striking subsection (a).

(d) FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993.—Section 122 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2652b) is amended by striking subsection (a).

(e) TITLE 5, UNITED STATES CODE.—

(1) Section 5314 of title 5, United States Code, is amended by striking—

"Under Secretary of State for Political Affairs and Under Secretary of State for Economic and Agricultural Affairs and an Under Secretary of State for Coordinating Security Assistance Programs and Under Secretary of State for Management.

"Counselor of the Department of State."

and inserting—

"Under Secretaries of State (5).".

(2) Section 5315 of title 5, United States Code, is amended by striking "Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Department of State.", "Assistant Secretary for International Narcotics Matters, Department of State.", and "Assistant Secretary for South Asian Affairs, Department of State.".

(f) FOREIGN ASSISTANCE ACT OF 1961.—The Foreign Assistance Act of 1961 is amended—

(1) in section 116(c) (22 U.S.C. 2151n), by striking "Assistant Secretary for Human Rights and Humanitarian Affairs" and inserting "Secretary of State";

(2) in sections 502B(b) (22 U.S.C. 2304(b)), 502B(c)(1) (22 U.S.C. 2304(c)), and 505(g)(4)(A) (22 U.S.C. 2314(g)(4)(A)) by striking ", prepared with the assistance of the Assistant Secretary of State for Human Rights and Humanitarian Affairs," each place it appears;

(3) in section 624(f) (22 U.S.C. 2384(f)(1)) by striking paragraph (1);

(4) in section 624(f)(2)—

(A) by striking "(2) The Assistant Secretary of State for Human Rights and Humanitarian Affairs" and inserting "The Secretary of State"; and

(B) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4), respectively; and

(5) in section 624(f)(2)(C)—

(A) by striking "the Secretary of State and"; and

(B) by striking "Assistant".

(g) ARMS EXPORT CONTROL ACT.—Section 5(d)(1) of the Arms Export Control Act is amended (22 U.S.C. 2755(d)(1)) by striking "Assistant Secretary of State for Human Rights and Humanitarian Affairs" and inserting "Secretary of State".

(h) DIPLOMATIC SECURITY ACT.—The Omnibus Diplomatic Security and Antiterrorism Act of 1986 is amended—

(1) in section 102(b) (22 U.S.C. 4801(b)) by—

(A) striking paragraph (2); and

(B) redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(2) in subsection 103(a)—

(A) by inserting "(1)" before "The Secretary of State";

(B) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively; and

(C) by inserting at the end the following new paragraph:

"(2) Security responsibilities shall include the following:

"(A) FORMER OFFICE OF SECURITY FUNCTIONS.—Functions and responsibilities exercised by the Office of Security, Department of State, before November 1, 1985.

"(B) SECURITY AND PROTECTIVE OPERATIONS.—

"(i) Establishment and operations of post security and protective functions abroad.

"(ii) Development and implementation of communications, computer, and information security.

"(iii) Emergency planning.

"(iv) Establishment and operations of local guard services abroad.

"(v) Supervision of the United States Marine Corps security guard program.

"(vi) Liaison with American overseas private sector security interests.

"(vii) Protection of foreign missions and international organizations, foreign officials, and diplomatic personnel in the United States, as authorized by law.

"(viii) Protection of the Secretary of State and other persons designated by the Secretary of State, as authorized by law.

"(ix) Physical protection of Department of State facilities, communications, and computer information systems in the United States.

"(x) Conduct of investigations relating to protection of foreign officials and diplomatic personnel and foreign missions in the United States, suitability for employment, employee security, illegal passport and visa issuance or use, and other investigations, as authorized by law.

"(xi) Carrying out the rewards program for information concerning international terrorism authorized by section 36(a) of the State Department Basic Authorities Act of 1956.

"(xii) Performance of other security, investigative, and protective matters as authorized by law.

"(C) COUNTERTERRORISM PLANNING AND COORDINATION.—Development and coordination of counterterrorism planning, emergency action planning, threat analysis programs, and liaison with other Federal agencies to carry out this paragraph.

"(D) SECURITY TECHNOLOGY.—Development and implementation of technical and physical security programs, including security-related construction, radio and personnel security communications, armored vehicles, computer and communications security, and research programs necessary to develop such measures.

"(E) DIPLOMATIC COURIER SERVICE.—Management of the diplomatic courier service.

"(F) PERSONNEL TRAINING.—Development of facilities, methods, and materials to develop and

upgrade necessary skills in order to carry out this section.

"(G) FOREIGN GOVERNMENT TRAINING.—Management and development of antiterrorism assistance programs to assist foreign government security training which are administered by the Department of State under chapter 8 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.).";

(3) by striking section 104;

(4) by striking section 105;

(5) in section 107, by striking "The Chief of Protocol of the Department of State shall consult with the Assistant Secretary of Diplomatic Security" and inserting "The Secretary of State shall take into account security considerations";

(6) in title II by amending the title heading to read as follows: "TITLE II—PERSONNEL";

(7) by amending section 201 to read as follows:

"SEC. 201. DIPLOMATIC SECURITY SERVICE.

"The Secretary of State may establish a Diplomatic Security Service, which shall perform such functions as the Secretary may determine.";

(8) in section 202—

(A) by striking "The" in the first sentence and inserting "Any such";

(B) by striking "shall" each place it appears in the first, third, and fourth sentences and inserting "should"; and

(C) by striking the last sentence;

(9) in section 203—

(A) by amending the heading to read as follows:

"SEC. 203. SPECIAL AGENTS.";

(B) in the first sentence by striking "Positions in the Diplomatic Security Service" and inserting "Special agent positions"; and

(C) in the last sentence by striking "In the case of positions designated for special agents, the" and inserting "The"; and

(10) in section 402(a)(2) by striking "Assistant Secretary for Diplomatic Security" and inserting "Secretary of State".

(i) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(1) (8 U.S.C. 1101(a)(1)) by striking "Assistant Secretary of State for Consular Affairs" and inserting "official designated by the Secretary of State pursuant to section 104(b) of this Act";

(2) in section 104 (8 U.S.C. 1104)—

(A) in the heading by striking "; BUREAU OF CONSULAR AFFAIRS";

(B) in subsection (a), by striking "the Bureau of Consular Affairs" and inserting "the Administrator";

(C) by amending subsection (b) to read as follows:

"(b) The Secretary of State shall designate an Administrator who shall be a citizen of the United States, qualified by experience. The Administrator shall maintain close liaison with the appropriate committees of Congress in order that they may be advised regarding the administration of this Act by consular officers. The Administrator shall be charged with any and all responsibility and authority in the administration of this Act which are conferred on the Secretary of State as may be delegated to the Administrator by the Secretary of State or which may be prescribed by the Secretary of State, and shall perform such other duties as the Secretary of State may prescribe.";

(D) in subsection (c), by striking "Bureau" and inserting "Department of State"; and

(E) in subsection (d), by striking all after "respectively" before the period.

(3) in section 105 (8 U.S.C. 1105) by striking "Assistant Secretary of State for Consular Affairs" and inserting "Administrator" each place it appears.

(j) DEPARTMENT OF STATE APPROPRIATIONS ACT, 1989.—Section 306 of the Department of State Appropriations Act, 1989 (Public Law 100–459) is repealed.

(k) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FISCAL YEAR 1989.—Section 8125 of the Department of Defense Appropriations Act, Fiscal Year 1989 (Public Law 100–463) is amended by striking subsection (c).

(l) STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—(1) Section 35 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2707) is amended—

(A) in subsection (a) by striking "(hereafter" and all that follows before the period; and

(B) in subsection (b)—

(i) by striking "The" and all that follows through "shall—" and inserting the following:

"The Secretary of State shall be responsible for formulation, coordination, and oversight of international communications and information policy. The Secretary of State shall—";

(ii) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(iii) by inserting before paragraph (2) (as so redesignated) a new paragraph (1) as follows:

"(1) exercise primary authority for the conduct of foreign policy with respect to telecommunications, including the determination of United States positions and the conduct of United States participation in bilateral and multilateral negotiations with foreign governments and in international bodies;";

(iv) in paragraph (2), (I) by striking "with the bureaus and offices of the Department of State and", and (II) by inserting before the semicolon "and with the Federal Communications Commission, as appropriate"; and

(v) in paragraph (4), by striking "the Senior Interagency Group on International Communications and Information Policy" and inserting "any senior interagency policy-making group on international telecommunications and information policy".

(2) Section 3 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2670) is amended—

(A) by striking "and" at the end of subsec tion (k);

(B) by striking the period at the end of subsection (l) and inserting "; and"; and

(C) by adding at the end the following:

"(m) establish, maintain, and operate passport and dispatch agencies.".

(3) Section 2 of the State Department Basic Authorities Act of 1956 is amended by striking "(l) pay" and inserting "(m) pay".

(m) REFUGEE ACT OF 1980.—The Refugee Act of 1980 (Public Law 96–212) is amended—

(1) in the heading for title III, by striking "UNITED STATES COORDINATOR FOR REFUGEE AFFAIRS AND";

(2) by striking the heading for part A;

(3) by repealing section 301; and

(4) by striking the heading for part B.

(n) IMMIGRATION AND NATIONALITY ACT.—

(1) Section 411(b) of the Immigration and Nationality Act (8 U.S.C. 1521(b)) is amended by striking "and under the general policy guidance of the United States Coordinator for Refugee Affairs (hereinafter in this chapter referred to as the 'Coordinator')" and inserting "the Secretary of State".

(2) Section 412 of the Immigration and Nationality Act (8 U.S.C. 1522) is amended—

(A) in subsection (a)(2)(A), by striking ", together with the Coordinator,";

(B) in subsections (b)(3) and (b)(4), by striking "in consultation with the Coordinator,"; and

(C) in subsection (e)(7)(C), by striking ", in consultation with the United States Coordinator for Refugee Affairs,".

(3) Section 413(a) of the Immigration and Nationality Act (8 U.S.C. 1523) is amended by striking ", in consultation with the Coordinator,".

(o) STATE DEPARTMENT BASIC AUTHORITIES ACT.—Title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301 et seq.) is amended—

(1) in section 202(a) by striking paragraph (3) and redesignating paragraphs (4) through (8) as paragraphs (3) through (7);

(2) in section 203 by amending such section to read as follows:

"AUTHORITIES OF THE SECRETARY OF STATE

"SEC. 203. The Secretary is authorized to—

"(1) assist agencies of Federal, State, and municipal government with regard to ascertaining and according benefits, privileges, and immunities to which a foreign mission may be entitled;

"(2) provide or assist in the provision of benefits for or on behalf of a foreign mission in accordance with section 204;

"(3) dispose of property acquired in carrying out the purposes of this Act;

"(4) designate an office within the Department of State to carry out the purposes of this Act. In the event such an office is established, the President may appoint, by and with the advice and consent of the Senate, a Director, with the rank of ambassador. Furthermore, of the Director and the next most senior person in the office, one should be an individual who has served in the United States Foreign Service while the other should be an individual who has served in the United States intelligence community; and

"(5) perform such other functions as the Secretary may determine necessary in furtherance of the policy of this title.";

(3) in section 204—

(A) in subsections (a), (b), and (c), by striking "Director" each place it appears and inserting "Secretary"; and

(B) in paragraph (d), by striking "the Director or any other" and inserting "any";

(4) in section 204A, by striking "Director" each place it appears and inserting "Secretary";

(5) in section 205—

(A) in subsection (a), by striking "Director" and inserting "Secretary"; and

(B) in subsection (c)(2) by striking "authorize the Director to"; and

(6) in section 208—

(A) in subsection (d) by striking "Director" and inserting in its place "Secretary";

(B) in subsections (c), (e), and (f), by striking "Office of Foreign Missions" each place it appears and inserting "Department of State"; and

(C) in subsection (h)(2) by striking "Director or the".

(p) OFFICE OF COUNSELOR; LEGAL ADVISOR.—

(1) The Act entitled "An Act to create the Office of Counselor of the United States" (May 18, 1937; Public Law 75–91; 22 U.S.C. 2655) is repealed.

(2) The Act entitled "An Act for the reorganization and improvement of the Foreign Service of the United States and for other purposes" (May 24, 1924; Public Law 68–135; 22 U.S.C. 2654) is amended by striking section 30.

SEC. 134. DIRECTOR GENERAL OF THE FOREIGN SERVICE.

Section 208 of the Foreign Service Act of 1980 (22 U.S.C. 3928) is amended to read as follows:

"SEC. 208. DIRECTOR GENERAL OF THE FOREIGN SERVICE.

"The President may appoint, with the advice and consent of the Senate, a Director General of the Foreign Service, who shall be a career member of the Senior Foreign Service. The Director General should assist the Secretary of State in the management of the Service and perform such functions as the Secretary of State may prescribe.".

PART D—PERSONNEL

SEC. 141. LABOR-MANAGEMENT RELATIONS.

Section 1017(e) of the Foreign Service Act of 1980 is amended to read as follows:

"(e)(1) Notwithstanding any other provision of this chapter—

"(A) participation in the management of a labor organization for purposes of collective bargaining or acting as a representative of a labor organization for such purpose is prohibited under this chapter—

"(i) on the part of any management official or confidential employee;

"(ii) on the part of any individual who has served as a management official or confidential employee during the preceding two years; or

"(iii) on the part of any other employee if the participation or activity would result in a conflict of interest or apparent conflict of interest or would otherwise be incompatible with law or with the official functions of such employee; and

"(B) service as a management official or confidential employee is prohibited on the part of any individual having participated in the management of a labor organization or having acted as a representative of a labor organization during the preceding two years.

"(2) For the purposes of paragraph (1)(A)(ii) and paragraph (1)(B), the term 'management official' shall not include chiefs of mission, principal officers, and their deputies.".

SEC. 142. VOLUNTARY RETIREMENT INCENTIVE PROGRAM.

(a) PROGRAM AUTHORITY.—For the fiscal years 1994 and 1995 and subject to the availability of appropriations, the Secretary of State is authorized to establish and administer a program to provide financial incentives for retirement to certain members of the Foreign Service at the Department of State who are eligible for retirement.

(b) CAP ON INCENTIVE AMOUNT.—The financial incentive paid to any eligible individual pursuant to this section may not exceed the lesser of—

(1) an amount equal to the amount the member would be entitled to receive under section 5595(c) of title 5, United States Code, if the member were entitled to payment under such section; or

(2) $25,000.

(c) COST NEUTRALITY OR SAVINGS.—The Secretary shall ensure that the total cost of financial incentives paid to eligible individuals under any program established pursuant to the authority of subsection (a) during the fiscal years 1994 and 1995 does not exceed the total cost the Department would have incurred for pay and other personnel benefits during such period for such eligible individuals had they not retired.

(d) RELATIONSHIP TO OTHER GOVERNMENT BENEFITS.—The amount paid to any eligible individual pursuant to the authority of subsection (a) may not—

(1) be the basis for payment of, and may not be included in the computation of, any other monetary benefit payable with respect to such individual by the Federal Government; and

(2) be taken into account for purposes of determining the amount of any severance pay to which such eligible individual is entitled under any other provision of law based on any other separation from employment by the Federal Government.

(e) UNITED STATES INFORMATION AGENCY AND AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Director of the United States Information Agency and the Director of the Agency for International Development are authorized to exercise the same authorities with respect to members of the Foreign Service serving at the United States Information Agency and the Agency for International Development, respectively, as the Secretary of State is authorized to exercise with respect to members of the Foreign Service under this section.

SEC. 143. WAIVER OF LIMIT FOR CERTAIN CLAIMS FOR PERSONAL PROPERTY DAMAGE OR LOSS.

(a) CLAIMS RESULTING FROM EMERGENCY EVACUATION IN A FOREIGN COUNTRY.—Subsection 3721(b) of title 31 of the United States Code is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding after paragraph (1) the following new paragraph:

"(2) The Secretary of State may waive the loss limitation under paragraph (1) for claims for damage or loss by United States Government personnel subject to a chief of mission in a foreign country whose claims arose from an emergency evacuation or departure authorized or ordered as provided under section 5522(a) of title 5 of the United States Code, if the Secretary determines that exceptional circumstances warrant such a waiver.".

(b) RETROACTIVE APPLICATION.—The amendments made by subsection (a) shall apply with respect to claims arising on or after October 31, 1988.

SEC. 144. SALARIES OF CHIEFS OF MISSION.

Section 401(a) of the Foreign Service Act of 1980 (22 U.S.C. 3961(a)) is amended—

(1) by striking ", exclusive of danger pay,"; and

(2) by striking "not exceed the annual rate payable for level I of such Executive Schedule", and inserting "be subject to the limitation on certain payments under section 5307 of title 5 of the United States Code".

SEC. 145. SENIOR FOREIGN SERVICE PERFORMANCE PAY.

(a) LIMITATION ON CERTAIN PAYMENTS.—Section 405(b)(4) of the Foreign Service Act of 1980 (22 U.S.C. 3965(b)(4)) is amended to read as follows:

"(4) Any award under this section shall be subject to the limitation on certain payments under section 5307 of title 5 of the United States Code.".

(b) PROHIBITION ON PERFORMANCE PAY AWARDS IN CERTAIN YEARS.—

(1) Notwithstanding any other provision of law, for fiscal years 1994 and 1995, performance pay awards and payments may not be made under section 405 of the Foreign Service Act of 1980 for a fiscal year by any agency subject to an agency-wide reduction in force for budgetary reasons during that fiscal year.

(2) No additional performance pay awards or payments may be made in any subsequent fiscal year to compensate for the prohibition under paragraph (1).

SEC. 146. REASSIGNMENT AND RETIREMENT OF FORMER PRESIDENTIAL APPOINTEES.

Section 813 of the Foreign Service Act of 1980 (22 U.S.C. 4053) is amended by striking all that follows the section caption and inserting the following:

"(a) If a participant completes an assignment under section 302(b) in a position to which the participant was appointed by the President, and is not otherwise eligible for retirement, the participant shall be reassigned within 90 days after the termination of such assignment and any period of authorized leave.

"(b) If a participant completes an assignment under section 302(b) in a position to which the participant was appointed by the President, and is eligible for retirement, and is not reassigned within 90 days after the termination of such assignment and any period of authorized leave, the participant shall be retired from the Service and receive retirement benefits in accordance with section 806 or section 855, as appropriate.".

SEC. 147. REPORT ON CLASSIFICATION OF SENIOR FOREIGN SERVICE POSITIONS.

(a) AUDIT AND REVIEW.—Within 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a classification audit of all Senior Foreign Service positions in Washington, District of Columbia, assigned to the Department of State, the Agency for International Development, and the United States Information Agency and shall review the methods of classification of such positions.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit a report of such audit and review to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 148. LIMITATION ON NUMBER OF LIMITED CAREER EXTENSIONS.

Section 607(b) of the Foreign Service Act of 1980 (22 U.S.C. 4007(b)) is amended by adding at the end "Effective September 30, 1995, the number of members of the Senior Foreign Service serving under such limited career extensions may not exceed 25 percent of the total number of members of the Service who are eligible to serve under a limited extension.".

SEC. 149. AMENDMENTS TO TITLE 5.

(a) AWAY-FROM-POST EDUCATION ALLOWANCE.—Section 5924(4)(A) of title 5, United States Code, is amended by inserting after the first sentence the following: "When travel from school to post is infeasible, travel may be allowed between the school attended and the home of a designated relative or family friend or to join a parent at any location, with the allowable travel expense not to exceed the cost of travel between the school and post.".

(b) EDUCATIONAL TRAVEL FOR COLLEGE STUDENTS STUDYING ABROAD.—Section 5924(4)(B) of title 5, United States Code, is amended in the first sentence after "in the United States" by inserting "(or to and from a school outside the United States if the dependent is attending that school for less than one year under a program approved by the school in the United States at which the dependent is enrolled)".

SEC. 150. AMENDMENTS TO CHAPTER 11 OF THE FOREIGN SERVICE ACT.

(a) GRIEVANCE BOARD PROCEDURES.—Section 1106 of the Foreign Service Act of 1980 (22 U.S.C. 4136) is amended in the first sentence of paragraph (8) by striking "until the Board has ruled upon the grievance." and inserting "for up to one year, or until the Board has ruled upon the grievance, whichever period is shorter. The Board shall extend the one-year limit and the Department shall continue to suspend such action, if the Board determines that the agency or the Board is responsible for the delay in the resolution of the grievance.".

(b) TIME LIMITATION ON REQUESTS FOR JUDICIAL REVIEW.—Section 1110 of the Foreign Service Act of 1980 (22 U.S.C. 4140) is amended in the first sentence by inserting before the period ", if the request for judicial review is filed not later than 180 days after the final action of the Secretary or the Board (or in the case of an aggrieved party who is posted abroad at the time of the final action of the Secretary or the Board, if the request for judicial review is filed not later than 180 days after the aggrieved party's return to the United States)".

PART E—INTERNATIONAL ORGANIZATIONS

SEC. 161. INTERNATIONAL ATOMIC ENERGY AGENCY SAFEGUARDS.

(a) PURPOSE.—It is the purpose of this section to secure improvements in the effectiveness of International Atomic Energy Agency safeguards.

(b) DEFINITIONS.—As used in this section—

(1) the term "IAEA" means the International Atomic Energy Agency;

(2) the term "non-nuclear-weapon state" means any country which is not a nuclear-

weapon state, as defined by Article IX(3) of the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington, London, and Moscow on July 1, 1968;

(3) the term "nuclear-weapon state" has the meaning given to such term by Article IX(3) of such Treaty; and

(4) the term "special fissionable material" has the meaning given to such term by Article XX(1) of the Statute of the International Atomic Energy Agency, done at the Headquarters of the United Nations on October 26, 1956.

(c) REFORMS IN IAEA SAFEGUARDS.—The President should direct the United States representatives to the IAEA to work toward the early adoption of reforms in the implementation of the safeguards responsibilities of the IAEA, including the following:

(1) Improving the ability of the IAEA to detect within any non-nuclear-weapon state which has accepted full-scope safeguards, nuclear facilities, whether or not declared by that state, that are capable of producing, processing, or fabricating special fissionable material suitable for use in a nuclear explosive device.

(2) Increasing the transparency of international nuclear commerce.

(3) Examining the feasibility of increasing the scope of safeguards for members who have accepted full-scope safeguards to include all activities and facilities which could significantly contribute to the acquisition or production of nuclear explosive devices.

(4) Improving the access of the IAEA to information about the nuclear activities of member states of the IAEA.

(5) Examining the practicality and advisability of the IAEA conducting less frequent inspections at nuclear facilities in member states which—

(A) provide advance consent for the IAEA to conduct unrestricted, short notice inspections of any facility, whether or not declared by the state;

(B) provide early notification of construction of new facilities and modifications to existing facilities and the early submission of design information regarding such new or modified facilities; and

(C) accept any inspectors of the IAEA who are approved by the Board of Governors of the IAEA, agree not to limit the number of such inspectors, and waive visa requirements for such inspectors.

(d) REPORTING REQUIREMENT.—The President shall, in the report required by section 601(a) of the Nuclear Non-Proliferation Act of 1978, describe—

(1) the steps he has taken and plans to take to implement each of the objectives set forth in subsection (c);

(2) the progress that has been made and the obstacles that have been encountered in seeking to meet the objectives set forth in subsection (c);

(3) any other steps he has taken or plans to take to strengthen the implementation of IAEA safeguards;

(4) the steps the IAEA has taken to implement each of the objectives set forth in subsection (c); and

(5) any other steps the IAEA has taken to strengthen the implementation of IAEA safeguards.

(e) REPORT ON FUNDING.—Within one year after the date of the enactment of this Act, the President shall submit to the Congress a report assessing what additional funds are required for the IAEA to implement the objectives set forth in subsection (c) and what funds the United States plans to contribute to the IAEA over the next 5 fiscal years.

SEC. 162. AGREEMENT ON STATE AND LOCAL TAXATION OF FOREIGN EMPLOYEES OF PUBLIC INTERNATIONAL ORGANIZATIONS.

The President is hereby authorized to bring into force for the United States the Agreement on State and Local Taxation of Foreign Employees of Public International Organizations, which was signed by the United States on April 21, 1992.

SEC. 163. REFORM IN BUDGET DECISIONMAKING PROCEDURES OF THE UNITED NATIONS AND ITS SPECIALIZED AGENCIES.

(a) ASSESSED CONTRIBUTIONS.—For assessed contributions authorized to be appropriated by section 103 of this Act, the President may withhold 20 percent of the funds appropriated for the United States assessed contribution to the United Nations or to any of its specialized agencies for any calendar year if the Secretary of State determines that the United Nations or any such agency has failed to implement or to continue to implement consensus-based decision-making procedures on budgetary matters which assure that sufficient attention is paid to the views of the United States and other member states who are major financial contributors to such assessed budgets.

(b) NOTICE TO CONGRESS.—The President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution to the United Nations or its specialized agencies pursuant to subsection (a) and shall notify the Congress when the decision is made to pay any previously withheld assessed contribution. A notification under this subsection shall include appropriate consultation between the President (or his representative) and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to the availability of appropriations, payment of assessed contributions for prior years may be made to the United Nations or any of its specialized agencies notwithstanding subsection (a) of this section, section 405 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246) and section 143 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93) if such payment would further United States interests in that organization.

SEC. 164. INTERNATIONAL BOUNDARY AND WATER COMMISSION.

(a) AUTHORIZATION TO RECEIVE PAYMENTS.—Section 2 of the American-Mexican Chamizal Convention Act of 1964 (Public Law 88–300; 22 U.S.C. 277d-18) is amended—

(1) by inserting "(a)" before "The"; and

(2) by adding at the end the following new subsections:

"(b) The United States Commissioner is authorized to receive payments of money from public or private sources in the United States or Mexico made for the purpose of sharing in the cost of replacement of the Bridge of the Americas which crosses the Rio Grande between El Paso, Texas, and Cd. Juarez, Chihuahua. Notwithstanding any other provision of law, such payments of money shall be credited to any appropriation to the Commission which is currently available. Funds received under this subsection shall be available only for the replacement of such bridge.

"(c) The authority of subsection (b) may be exercised only to the extent or in such amounts as are provided in advance in appropriation Acts.".

(b) EXPENDITURES FOR WATER POLLUTION PROBLEMS.—Title I of the Act of June 20, 1956 (70 Stat. 302, 22 U.S.C. 277d–12), is amended in the fourth undesignated paragraph under the heading "INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO" by striking "Tijuana Rivers," and all that follows before the period and inserting "Tijuana Rivers, or other streams running across or near the boundary, and for taking emergency actions to protect against health threatening surface and ground water pollution problems along the United States-Mexico boundary".

(c) FALCON AND AMISTAD DAMS MAINTENANCE FUND.—Section 2 of the Act of June 18, 1954 (68 Stat. 255, as amended by the Act of December 23, 1963, 77 Stat. 475) is amended to read as follows:

"SEC. 2. (a) A separate fund, known as the 'Falcon and Amistad Operating and Maintenance Fund' (hereinafter referred to as the 'Maintenance Fund'), shall be created in the Treasury of the United States. The Maintenance Fund shall be administered by the Administrator of the Western Area Power Administration for use by the Commissioner of the United States Section of the International Boundary and Water Commission to defray operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams.

"(b) All revenues collected in connection with the disposition of electric power generated at the Falcon and Amistad Dams shall be credited to the Maintenance Fund and shall remain available until expended for defraying operation, maintenance, and emergency costs for the hydroelectric facilities at the dams.

"(c) The authority of subsection (b) may be exercised only to the extent or in such amounts as are provided in advance in appropriation Acts.

"(d) All moneys received from the Government of Mexico for any energy which might be delivered to that Government by the United States Section of the International Boundary and Water Commission pursuant to any special agreement concluded in accordance with Article 19 of the said Treaty shall be credited to the General Fund of the Treasury of the United States.".

SEC. 165. UNITED STATES MEMBERSHIP IN THE ASIAN-PACIFIC ECONOMIC COOPERATION ORGANIZATION.

(a) UNITED STATES MEMBERSHIP.—The President is authorized to maintain membership of the United States in the Asian-Pacific Economic Cooperation (APEC).

(b) PAYMENT OF ASSESSED CONTRIBUTIONS.—For fiscal year 1994 and for each fiscal year thereafter, the United States assessed contributions to APEC may be paid from funds appropriated for "Contributions to International Organizations".

SEC. 166. LIMITATION ON CONTRIBUTIONS TO THE UNITED NATIONS AND AFFILIATED ORGANIZATIONS.

The United States shall not make any voluntary or assessed contribution—

(1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or

(2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood,

during any period in which such membership is effective.

PART F—MISCELLANEOUS PROVISIONS

SEC. 181. WOMEN'S HUMAN RIGHTS PROTECTION.

(a) SENSE OF CONGRESS.—The Congress makes the following declarations:

(1) The State Department should designate within the appropriate bureau a special assistant to the Assistant Secretary to promote international women's human rights within the overall human rights policy of the United States Government.

(2) The purpose of assigning a special assistant on women's human rights issues is not to segregate such issues, but rather to assure that they are considered along with other human rights issues in the development of United States foreign policy.

(3) A specifically designated special assistant is necessary because within the human rights field and the foreign policy establishment, the issues of gender-based discrimination and violence against women have long been ignored or made invisible.

(4) The Congress believes that abuses against women would have greater visibility and protection of women's human rights would improve if the advocate were responsible for integrating women's human rights issues into United States human rights policy in ways including, but not limited to, the following:

(A) The designated women's human rights advocate would seek to assure that the issue of abuses against women, along with human rights issues generally, are a factor in determining appropriate recipients for United States bilateral assistance as well as United States votes at the multilateral development banks.

(B) The advocate would work with the regional bureaus of the Department of State to devise strategies for the executive branch to bring pressure to bear on governments that engage in violence or systematic discrimination against women or fail to afford equal treatment of women before the law.

(C) The advocate would, in consultation with the bureau responsible for international organizations, pursue strategies to increase the visibility and integration of gender-based persecution and violence in multilateral fora including, but not limited to, the United States Commission on Human Rights and the Working Group on Torture.

(D) The advocate would seek to assure that the United States Trade Representative conduct inquiries and take steps to prevent countries from receiving trade benefits under the Generalized System of Preferences and most favored nation status where governments fail to address violence, systematic discrimination, and exploitation of women workers.

(E) The advocate would seek to assure that the protection of women's human rights, including womens' participation in the political process, women's right to freedom of association and expression, and freedom from discrimination, would be addressed in the context of United States funded programs in the area of democracy including, but not limited to, democracy programs at the Agency for International Development, democracy programs for Eastern Europe funded by the Support for East European Democracy (SEED) Act of 1989, and new programs that may be contemplated.

(F) The advocate would seek to assure that United States assistance programs in the area of administration of justice include efforts to redress violations of women's rights.

(G) The advocate would work with the Agency for International Development and the appropriate office at the Department of State to secure funding for programs to meet the needs of women victims of human rights abuses including, but not limited to, medical and psychological assistance for rape victims.

(H) The advocate would work to assure United States ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and oversee the preparation of reports pursuant to that Convention.

(I) The advocate would seek to upgrade the quality and quantity of information about abuses of women's human rights in the reporting from United States embassies overseas, incorporate that information not only in the State Department Country Reports on Human Rights, but also in other public statements and documents including, but not limited to, congressional testimony and private demarches.

(b) CONGRESSIONAL NOTIFICATION.—

(1) Not later than one year after the date of enactment of this Act, the Secretary of State shall notify the Congress of the steps taken to create the position described in subsection (a) or to otherwise fulfill the objectives detailed in that subsection.

(2) If the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has not been submitted to the Senate for ratification, not more than 90 days after the date of enactment of this Act, the Secretary of State shall notify the Congress, in writing, of the administration's position on the ratification of CEDAW and timetable for submission of CEDAW for congressional consideration and approval.

SEC. 182. PUBLISHING INTERNATIONAL AGREEMENTS.

Section 112a of title 1 of the United States Code is amended—

(1) by inserting "(a)" immediately before "The Secretary of State"; and

(2) by adding at the end the following new subsections:

"(b) The Secretary of State may determine that publication of certain categories of agreements is not required, if the following criteria are met:

"(1) such agreements are not treaties which have been brought into force for the United States after having received Senate advice and consent pursuant to section 2(2) of Article II of the Constitution of the United States;

"(2) the public interest in such agreements is insufficient to justify their publication, because (A) as of the date of enactment of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, the agreements are no longer in force; (B) the agreements do not create private rights or duties, nor establish standards intended to govern government action in the treatment of private individuals; (C) in view of the limited or specialized nature of the public interest in such agreements, such interest can adequately be satisfied by an alternative means; or (D) the public disclosure of the text of the agreement would, in the opinion of the President, be prejudicial to the national security of the United States; and

"(3) copies of such agreements (other than those in paragraph (2)(D)), including certified copies where necessary for litigation or similar purposes, will be made available by the Department of State upon request.

"(c) Any determination pursuant to subsection (b) shall be published in the Federal Register.".

SEC. 183. MIGRATION AND REFUGEE AMENDMENTS.

(a) MIGRATION AND REFUGEE ASSISTANCE ACT AMENDMENTS.—

(1) The Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601) is amended—

(A) in section 2 by striking "the Intergovernmental Committee for European Migration" and inserting "the International Organization for Migration" each place it appears;

(B) in section 2(a) by striking "the Committee" and inserting "the Organization" each place it appears;

(C) in the first sentence of section 2(a) by inserting before the period ", as amended in Geneva, Switzerland, on May 20, 1987"; and

(D) in section 2(c)(2), by striking "$50,000,000" and inserting "$100,000,000".

(2) Section 745 of Public Law 100–204 (22 U.S.C. 2601 note) is repealed.

SEC. 184. UNITED NATIONS SECURITY COUNCIL MEMBERSHIP.

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

(1) The effectiveness of the United Nations Security Council in maintaining international peace and security depends on its being representative of the membership of the United Nations.

(2) The requirement of equitable geographic distribution in Article 23 of the United Nations Charter requires that the members of the Security Council of the United Nations be chosen by nondiscriminatory means.

(3) The use of informal regional groups of the General Assembly as the sole means for election of the nonpermanent members of the Security Council is inherently discriminatory in the absence of guarantees that all member states will have the opportunity to join a regional group, and has resulted in discrimination against Israel.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President should direct the Secretary of State to request the Secretary-General of the United Nations to seek immediate resolution of this problem. The President shall inform the Congress of any progress in resolving this situation together with the submission to Congress of the request for funding for the "Contributions to International Organizations" account for the fiscal year 1995.

SEC. 185. REFORMS IN THE FOOD AND AGRICULTURE ORGANIZATION.

In light of the longstanding efforts of the United States and the other major donor nations to reform the Food and Agriculture Organization and the findings of the ongoing investigation of the General Accounting Office, it is the sense of the Congress that—

(1) the United States should use the opportunity of the 1993 election of a new Director General of the Food and Agriculture Organization (FAO) to press for long-needed organizational and management reforms; and

(2) it should be the policy of the United States to promote the following reforms in the Food and Agriculture Organization:

(A) Decentralization of the administrative structure of FAO, including eliminating redundant or unnecessary headquarters staff, increased responsibilities of regional offices, increased time for consideration of budget issues by member states, and a more meaningful and direct role for member states in the decision-making process.

(B) Reform of the FAO Council, including formation of an executive management committee to provide oversight of management.

(C) Limitation of the term of the Director General and the number of terms which an individual may serve.

(D) Restructuring of the Technical Cooperation Program (TCP), including reducing the number of nonemergency projects funds through the TCP and establishing procedures to deploy TCP consultants, supplies, and equipment in a timely manner.

SEC. 186. INTERPARLIAMENTARY EXCHANGES.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) Section 2 of Public Law 86–420 is amended—

(A) by striking "$100,000" and inserting "$80,000"; and

(B) by striking "$50,000" both places it appears and inserting "$40,000".

(2) Section 2 of Public Law 86–42 is amended—

(A) by striking "$50,000" and inserting "$70,000"; and

(B) by striking "$25,000" both places it appears and inserting "$35,000".

(b) DEPOSIT OF FUNDS IN INTEREST-BEARING ACCOUNTS.—Funds appropriated and disbursed pursuant to section 303 of Title III of Public Law 100–202 (101 Stat. 1329–23;22 U.S.C. 276 note) are authorized to be deposited in interest-bearing accounts and any interest which accrues shall be deposited, periodically, in a miscellaneous account of the Treasury.

SEC. 187. UNITED STATES POLICY CONCERNING OVERSEAS ASSISTANCE TO REFUGEES AND DISPLACED PERSONS.

(a) STANDARDS FOR REFUGEE WOMEN AND CHILDREN.—The United States Government, in providing for overseas assistance and protection of refugees and displaced persons, shall seek to address the protection and provision of basic needs of refugee women and children who represent 80 percent of the world's refugee population. As called for in the 1991 United Nations High Commissioner for Refugees (UNHCR) "Guidelines on the Protection of Refugee Women," whether directly, or through international organizations and nongovernmental voluntary organizations, the Secretary of State shall seek to ensure—

(1) specific attention on the part of the United Nations and relief organizations to recruit and employ female protection officers;

(2) implementation of gender awareness training for field staff including, but not limited to, security personnel;

(3) the protection of refugee women and children from violence and other abuses on the part of governments or insurgent groups;

(4) full involvement of women refugees in the planning and implementation of (A) the delivery of services and assistance, and (B) the repatriation process;

(5) incorporation of maternal and child health needs into refugee health services and education, specifically to include education on and access to services in reproductive health and birth spacing;

(6) the availability of counseling and other services, grievance processes, and protective services to victims of violence and abuse, including but not limited to rape and domestic violence;

(7) the provision of educational programs, particularly literacy and numeracy, vocational and income-generation skills training, and other training efforts promoting self-sufficiency for refugee women, with special emphasis on women heads of household;

(8) education for all refugee children, ensuring equal access for girls, and special services and family tracing for unaccompanied refugee minors;

(9) the collection of data that clearly enumerate age and gender so that appropriate health, education, and assistance programs can be planned;

(10) the recruitment, hiring, and training of more women program professionals in the international humanitarian field; and

(11) gender-awareness training for program staff of the United Nations High Commissioner for Refugees (UNHCR) and nongovernmental voluntary organizations on implementation of the 1991 UNHCR "Guidelines on the Protection of Refugee Women".

(b) PROCEDURES.—The Secretary of State shall adopt specific procedures to ensure that all recipients of United States Government refugee and migration assistance funds implement the standards outlined in subsection (a).

(c) REQUIREMENTS FOR REFUGEE AND MIGRATION ASSISTANCE.—The Secretary of State, in providing migration and refugee assistance, should support the protection efforts set forth under this section by raising at the highest levels of government the issue of abuses against refugee women and children by governments or insurgent groups that engage in, permit, or condone—

(1) a pattern of gross violations of internationally recognized human rights, such as torture or cruel, inhumane, or degrading treatment or punishment, prolonged detention without charges, or other flagrant denial to life, liberty, and the security of person;

(2) the blockage of humanitarian relief assistance;

(3) gender-specific persecution such as systematic individual or mass rape, forced pregnancy, forced abortion, enforced prostitution, any form of indecent assault or act of violence against refugee women, girls, and children; or

(4) continuing violations of the integrity of the person against refugee women and children on the part of armed insurgents, local security forces, or camp guards.

(d) INVESTIGATION OF REPORTS.—Upon receipt of credible reports of abuses under subsection (c), the Secretary of State should immediately investigate such reports through emergency fact-finding missions or other means of investigating such reports and help identify appropriate remedial measures.

(e) MULTILATERAL ORGANIZATIONS.—The United States Government shall use its voice and vote in the United Nations and its participation in other multilateral organizations, to promote policies which seek to protect and address basic human rights and needs of refugee women and children. The Secretary of State shall work to ensure that multilateral organizations fully incorporate the needs of refugee women and children into all elements of refugee assistance programs.

(f) SENSE OF CONGRESS ON MULTILATERAL IMPLEMENTATION OF THE 1991 UNHCR "GUIDELINES ON THE PROTECTION OF REFUGEE WOMEN".—It is the sense of the Congress that the President should enter into bilateral and multilateral negotiations to encourage other governments that provide refugee assistance to adopt refugee assistance policies designed to encourage full implementation of the UNHCR's 1991 "Guidelines on the Protection of Refugee Women".

SEC. 188. POLICY ON MIDDLE EAST ARMS SALES.

(a) BOYCOTT OF ISRAEL.—Section 322 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138) is amended—

(1) in paragraph (2) by striking "and" at the end;

(2) in paragraph (3)(A) by striking "and" after the semicolon;

(3) in paragraph (3)(B) by striking the period and inserting "; and"; and

(4) by adding at the end the following:

"(C) does not participate in the Arab League primary or secondary boycott of Israel.".

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Chairman of the Committee on Foreign Affairs of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate concerning steps taken to ensure that the goals of the amendment under subsection (a) are being met.

SEC. 189. REPORT ON TERRORIST ASSETS IN THE UNITED STATES.

Section 304(a) of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138) is amended—

(1) by striking "Treasury" and inserting "Treasury, in consultation with the Attorney General and appropriate investigative agencies,"; and

(2) by inserting at the end "Each such report shall provide a detailed list and description of specific assets.".

SEC. 190. SENSE OF CONGRESS CONCERNING UNITED STATES CITIZENS VICTIMIZED BY GERMANY DURING WORLD WAR II.

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

(1) The national interests of the United States require the presence abroad of United States citizens.

(2) Conditions in many parts of the world present dangers to the safety and security of Americans abroad.

(3) The protection of United States citizens abroad depends on their enjoying full protection against war crimes and crimes against humanity committed by foreign governments.

(4) The conduct of the Government of Germany in using slave labor during the period 1939 to 1945 constituted the acts of an outlaw state and an abrogation of treaty obligations under the Convention Respecting the Laws and Customs of War on Land (Done at The Hague, 18 October 1907).

(b) SENSE OF CONGRESS.—It is the sense of the Congress that United States citizens who were victims of war crimes and crimes against humanity committed by the Government of Germany during the period 1939 to 1945 should be compensated by the Government of Germany.

SEC. 191. TRANSPARENCY IN ARMAMENTS.

It is the sense of the Congress that—

(1) no sale of any defense article or defense service should be made, no license should be issued for the export of any defense article or defense service, and no agreement to transfer in any way any defense article or defense service should be made to any nation that does not fully furnish all pertinent data to the United Nations Register of Conventional Arms pursuant to United Nations General Assembly Resolution 46/36L by the reporting date specified by such register; and

(2) if a nation has not submitted the required information by the reporting date of a particular year, but subsequently submits notification to the United Nations that it intends to provide such information at the next reporting date, an agreement may be negotiated with the nation or a license may be issued, but the actual delivery of such defense article or service should not occur until that nation submits such information.

SEC. 192. REVITALIZATION OF THE "PERMANENT FIVE" PROCESS.

(a) CONGRESSIONAL DECLARATIONS.—The Congress makes the following findings and declarations:

(1) Talks among the five permanent members of the United Nations Security Council ("Perm-5") first established in October 1991 present the best opportunity to negotiate qualitative and quantitative guidelines on conventional arms sales to the developing world.

(2) Reconvening of the "Perm-5" talks is an urgent matter of international security.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President should seek to restart "Perm-5" talks and should report to the Congress on the progress of such talks and the effects of United States agreements since October 1991 to sell arms to the developing world.

SEC. 193. REPORT ON THE IMPACT OF CONVENTIONAL WEAPONS PROLIFERATION.

Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776) is amended in paragraph (1) by inserting after the first sentence "Each certification shall provide an evaluation of the manner in which the proposed sale would meet legitimate defense needs of the foreign country or international organization to which the sale would be made, increase regional tensions or instability, and introduce new or more sophisticated military capabilities into the region.".

SEC. 194. ESTABLISHMENT OF INDEPENDENT INSPECTORS GENERAL AT INTERNATIONAL ORGANIZATIONS.

The Congress makes the following findings and declarations:

(1) As a result of the March 1, 1993, report by then United Nations Under Secretary General for Administration and Management, the Honorable Richard Thornburg, concern has been raised about the United Nation's deficiencies in dealing with fraud, waste, and abuse.

(2) It is the sense of the Congress that the President should pay urgent attention to per-

suading the Secretary General of the United Nations to take immediate steps to implement the recommendations contained in the March 1, 1993, report, giving prominent attention to the finding that the organization urgently needs the establishment of a strong and independent office of inspector general for the purposes of internal program and administrative audit and efficiency review. It is further the sense of the Congress that the reports and findings of an inspector general should be fully available to member states.

(3) The President should seek to persuade other international organizations of which the United States is a member to establish independent inspectors general, where applicable, in addition to other steps to develop effective means to eliminate fraud, waste, and abuse.

(4) It is the sense of the Congress that all reports and findings of such inspectors general, or of existing instrumentalities whose purpose is to provide audit and review functions to assist oversight by members, should be fully available to member states.

SEC. 195. SENSE OF CONGRESS REGARDING ADHERENCE TO UNITED NATIONS CHARTER.

It is the sense of the Congress that—

(1) the President should seek an assurance from the Secretary General of the United Nations that the United Nations will comply with Article 100 of the United Nations Charter;

(2) neither the Secretary General of the United Nations nor his staff should seek or receive instructions from any government or from any other authority external to the United Nations; and

(3) the President should report to Congress when he receives such assurance from the Secretary General of the United Nations.

TITLE II—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

PART A—AUTHORIZATION OF APPROPRIATIONS

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

The following amounts are authorized to be appropriated to carry out international information activities, and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the Board for International Broadcasting Act, the Inspector General Act of 1978, the Center for Cultural and Technical Interchange Between North and South Act, the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) SALARIES AND EXPENSES.—For "Salaries and Expenses", $489,854,000 for the fiscal year 1994 and $503,362,000 for the fiscal year 1995.

(2) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—For the "Fulbright Academic Exchange Programs", $137,043,000 for the fiscal year 1994 and $140,743,000 for the fiscal year 1995.

(B) OTHER PROGRAMS.—For "Hubert H. Humphrey Fellowship Program", "Edmund S. Muskie Fellowship Program", "International Visitors Program", "Israeli-Arab Scholarship Program", "Mike Mansfield Fellowship Program", "Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation", "Citizen Exchange Programs", "Congress-Bundestag Exchange Program", "Newly Independent States and Eastern Europe Training", "Institute for Representative Government", "Freedom Support Act Secondary School Exchanges", "South Pacific Exchanges", and "Arts America", $109,079,000 for the fiscal year 1994 and $111,835,000 for the fiscal year 1995.

(3) BROADCASTING TO CUBA.—For "Broadcasting to Cuba", $28,351,000 for the fiscal year 1994 and $28,362,000 for the fiscal year 1995.

(4) INTERNATIONAL BROADCASTING ACTIVITIES.—For "International Broadcasting Activities" under part B, $606,790,000 for the fiscal year 1994, and $717,790,000 for the fiscal year 1995.

(5) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", $4,390,000 for the fiscal year 1994 and $4,396,000 for the fiscal year 1995.

(6) NATIONAL ENDOWMENT FOR DEMOCRACY.—For "National Endowment for Democracy", $48,000,000 for the fiscal year 1994 and $49,296,000 for the fiscal year 1995.

(7) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For "Center for Cultural and Technical Interchange between East and West", $23,000,000 for the fiscal year 1994 and $23,621,000 for the fiscal year 1995.

(8) AMERICAN STUDIES COLLECTIONS.—To the Bureau of Educational and Cultural Affairs of the United States Information Agency—

(A) $1,650,000 for the fiscal year 1994 and $1,950,000 for the fiscal year 1995 to fund the endowment authorized to be established under section 239; and

(B) in addition to such amounts under subparagraph (A), $450,000 for each of the fiscal years 1994 and 1995 to carry out section 239.

PART B—INTERNATIONAL BROADCASTING AUTHORITIES AND ACTIVITIES

SEC. 211. SHORT TITLE.

This part may be cited as the "International Broadcasting Act of 1993".

SEC. 212. FINDINGS AND DECLARATIONS.

The Congress makes the following findings and declarations of policy:

(1) It is the policy of the United States to promote the freedom "to seek, receive and impart information and ideas through any media and regardless of frontiers", in accordance with article 19 of the Universal Declaration of Human Rights.

(2) Open communication among the peoples of the world is in the interests of the United States.

(3) It is in the interests of the United States to support broadcasting to other nations consistent with the requirements of this Act.

SEC. 213. STANDARDS.

International broadcasting supported by United States Government funds shall—

(1) be consistent with the broad foreign policy objectives of the United States;

(2) be consistent with the international telecommunications policies and treaty obligations of the United States;

(3) complement the activities of private United States broadcasters;

(4) complement the activities of government supported broadcasting entities of other democratic nations;

(5) be conducted in accordance with the highest professional standards of broadcast journalism;

(6) be based on reliable information about its potential audience; and

(7) be designed so as to effectively reach a significant audience.

SEC. 214. FUNCTIONS.

United States international broadcasting shall include—

(1) news which is consistently reliable and authoritative, accurate, objective, and comprehensive;

(2) a balanced and comprehensive projection of American thought and institutions, reflecting the diversity of American culture and society;

(3) clear and effective presentation of the policies of the United States Government and responsible discussion and opinion on those policies;

(4) programming to meet needs which remain unserved by the totality of media voices available to the people of certain nations;

(5) a source of information about developments in each significant region of the world;

(6) a forum for a variety of opinions and voices from within particular nations and regions prevented by censorship or repression from speaking to their fellow countrymen;

(7) reliable research capacity to meet the criteria under this section;

(8) adequate transmitter and relay capacity to support the activities described in this section;

(9) a source of information about developments in Asia and a forum for a variety of opinions and voices from within Asian nations whose people do not enjoy freedom of expression; and

(10) training and technical support for independent indigenous media through government agencies or private United States entities.

SEC. 215. ADMINISTRATION.

(a) AUTHORITY OF PRESIDENT.—The President may assign responsibility for any of the functions of United States Government supported international broadcasting to any agency of the United States Government. The President may authorize any public or private entity to carry out the functions described in paragraphs (4), (5), (6), (7), (8), and (9) of section 214(b).

(b) GRANTS.—The President and any agency of the United States Government is authorized to make grants to RFE/RL Incorporated or any other public or private entity in order to carry out the functions of paragraphs (4), (5), (6), (7), (8), and (9) of section 214(b). In exercising oversight responsibilities pursuant to any such grant, an agency shall consider the necessity of maintaining the professional independence and integrity of the grantee in carrying out such functions.

SEC. 216. USIA SATELLITE AND TELEVISION.

The President is authorized to delegate any of the authorities and duties under section 505 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1464a) to any agency of the United States Government.

SEC. 217. ISRAEL RELAY STATION.

Section 301(c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, is repealed.

SEC. 218. REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.

(a) LIMITATION ON OBLIGATION AND EXPENDITURE OF FUNDS.—Notwithstanding any other provision of law, for the fiscal year 1994 and for each subsequent fiscal year, any funds appropriated for the purposes of this part shall not be available for obligation or expenditure—

(1) unless such funds are appropriated pursuant to an authorization of appropriations; or

(2) in excess of the authorized level of appropriations.

(b) SUBSEQUENT AUTHORIZATION.—The limitation under subsection (a) shall not apply to the extent that an authorization of appropriations is enacted after such funds are appropriated.

(c) APPLICATION.—The provisions of this section—

(1) may not be superseded, except by a provision of law which specifically repeals, modifies, or supersedes the provisions of this section; and

(2) shall not apply to, or affect in any manner, permanent appropriations, trust funds, and other similar accounts which are authorized by law and administered under or pursuant to this part.

SEC. 219. REPORT ON ADVERTISING.

Not later than one year after the date of enactment of this Act, each agency of the United States Government which carries out international broadcasting supported by United States

Government funding shall prepare and submit a report to the Congress concerning efforts to sell advertising. Each such report shall include information with respect to the amount of advertising which has been sold, the revenue generated by the sale of advertising, and an evaluation of the potential for sales of advertising.

PART C—USIA AND RELATED AGENCIES AUTHORITIES AND ACTIVITIES

SEC. 231. CHANGES IN ADMINISTRATIVE AUTHORITIES.

Section 801 of the United States Informational and Educational Exchange Act of 1948 (22 U.S.C. 1471) is amended—

(1) in paragraph (5) by striking "and" after the semicolon;

(2) in paragraph (6) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(7) notwithstanding any other provision of law, to carry out projects involving security construction and related improvements for Agency facilities not physically located together with Department of State facilities abroad.".

SEC. 232. EMPLOYMENT AUTHORITY.

Section 804(6) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1474(6)) is amended to read as follows:

"(6) employ individuals or organizations by contract for services to be performed in the United States or abroad, who shall not, by virtue of such employment, be considered to be employees of the United States Government for the purposes of any law administered by the Office of Personnel Management, except that the Director may determine the applicability to such individuals of paragraph (5) of this section;".

SEC. 233. BUYING POWER MAINTENANCE ACCOUNT.

Section 704 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1477(b)) is amended—

(1) by inserting "(1)" after "(c)";

(2) by striking "(1) the" and inserting "(A)";

(3) by striking "(2)" and inserting "(B)"; and

(4) by adding at the end the following new paragraphs:

"(2) In carrying out this subsection, there may be established a Buying Power Maintenance account.

"(3) In order to eliminate substantial gains to the approved levels of overseas operations for the United States Information Agency, the Director shall transfer to the Buying Power Maintenance account such amounts in the Salaries and Expenses appropriations as the Director determines are excessive to the needs of the approved level of operations under that appropriation account because of fluctuations in foreign currency exchange rates or changes in overseas wages and prices.

"(4) In order to offset adverse fluctuations in foreign currency exchange rates or foreign wages and prices, the Director may transfer from the Buying Power Maintenance account to the Salaries and Expenses appropriation such amounts as the Director determines are necessary to maintain the approved level of operations under that appropriation account.

"(5) Funds transferred by the Director from the Buying Power Maintenance account to another account shall be merged with and be available for the same purpose, and for the same time period, as the funds in that other account. Funds transferred by the Director from another account to the Buying Power Maintenance account shall be merged with the funds in the Buying Power Maintenance account and shall be available for the purposes of that account until expended.

"(6) Any restriction contained in an appropriation Act or other provision of law limiting the amounts available for the United States Information Agency that may be obligated or expended shall be deemed to be adjusted to the extent necessary to offset the net effect of fluctuations in foreign currency exchange rates or overseas wage and price changes in order to maintain approved levels.

"(7)(A) Subject to the limitations contained in this paragraph, not later than the end of the 5th fiscal year after the fiscal year for which funds are appropriated or otherwise made available for the Salaries and Expenses account, the Director may transfer any unobligated balance of such funds to the Buying Power Maintenance account.

"(B) The balance of the Buying Power Maintenance account may not exceed $50,000,000 as a result of any transfer under this paragraph.

"(C) Any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 705 and shall be available for obligation or expenditure only in accordance with the procedures under such section.

"(D) The authorities contained in this section may only be exercised to such an extent and in such amounts as specifically provided in advance in appropriation Acts.".

SEC. 234. CONTRACT AUTHORITY.

Section 802(b) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1472(b)) is amended by adding at the end the following:

"(4)(A) Notwithstanding the other provisions of this subsection, the United States Information Agency is authorized to enter into contracts for periods not to exceed 7 years for circuit capacity to distribute radio and television programs.

"(B) The authority of this paragraph may be exercised for a fiscal year only to such extent or in such amounts as are provided in advance in appropriations Acts.".

SEC. 235. APPROPRIATIONS AUTHORITIES.

Subsection (f) of section 701 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1476(f)) is amended—

(1) in paragraph (1)—

(A) by striking "the second" and inserting "either"; and

(B) by striking "such second" and inserting "such"; and

(2) by striking paragraph (4).

SEC. 236. TECHNICAL AMENDMENT.

Section 105 of Public Law 87–256 is amended by striking out subsection (a).

SEC. 237. SEPARATE LEDGER ACCOUNTS FOR NED GRANTEES.

Section 504(h)(1) of the National Endowment for Democracy Act (22 U.S.C. 4413(h)(1)) is amended by striking "accounts" and inserting "bank accounts or separate self-balancing ledger accounts".

SEC. 238. AMERICAN STUDIES COLLECTIONS.

(a) AUTHORITY.—In order to promote a thorough understanding of the United States among emerging elites abroad, the Director of the United States Information Agency is authorized to establish and support collections at appropriate university libraries abroad to further the study of the United States, and to enter into agreements with such universities for such purposes.

(b) DESIGN AND DEVELOPMENT.—Such collections—

(1) shall be developed in consultation with United States associations and organizations of scholars in the principal academic disciplines in which American studies are conducted; and

(2) shall be designed primarily to meet the needs of undergraduate and graduate students of American studies.

(c) SITE SELECTION.—In selecting universities abroad as sites for such collections, the Director shall—

(1) ensure that such universities are able, within a reasonable period of the establishment of such collections, to assume responsibility for their maintenance in current form;

(2) ensure that undergraduate and graduate students shall enjoy reasonable access to such collections; and

(3) include in any agreement entered into between the United States Information Agency and a university abroad, terms embodying a contractual commitment of such maintenance and access under this subsection.

(d) FUNDING.—

(1) The Director of the United States Information Agency is authorized to establish an endowment fund (hereafter in this section referred to as the "fund") to carry out the purposes of this section and to enter into such agreements as may be necessary to carry out the purposes of this section.

(2)(A) The Director shall make deposits to the fund of amounts appropriated to the fund under section 201.

(B) The Director is authorized to accept, use, and dispose of gifts of donations of services or property to carry out this section. Sums of money donated to carry out the purposes of this section shall be deposited into the fund.

(3) The corpus of the fund shall be invested in Federally-insured bank savings accounts or comparable interest-bearing accounts, certificates of deposit, money market funds, obligations of the United States, or other low-risk instruments and securities.

(4) The Director may withdraw or expend amounts from the fund for any expenses necessary to carry out the purposes of this section.

SEC. 239. SOUTH PACIFIC EXCHANGE PROGRAMS.

(a) AUTHORIZED PROGRAMS.—The Director of the United States Information Agency is authorized to award academic scholarships to qualified students from the sovereign nations of the South Pacific region to pursue undergraduate and postgraduate study at institutions of higher education in the United States; to make grants to accomplished United States scholars and experts to pursue research, to teach, or to offer training in such nations; and to make grants for youth exchanges.

(b) LIMITATION.—Grants awarded to United States scholars and experts may not exceed 10 percent of the total funds awarded for any fiscal year for programs under this section.

SEC. 240. COORDINATION OF UNITED STATES EXCHANGE PROGRAMS.

Section 112 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460) is amended by adding at the end the following:

"(f) The President shall ensure that all exchange programs conducted by the United States Government, its departments and agencies, directly or through agreements with other parties, are coordinated through the Bureau to ensure that such exchanges are consistent with United States foreign policy and to avoid duplication of effort. The President shall report annually to the Congress on such coordination. Such report shall include information concerning what exchanges are supported by the United States, the number of exchange participants supported, the types of exchange activities, and the total amount of Federal expenditures for such exchanges.".

SEC. 241. LIMITATION CONCERNING PARTICIPATION IN INTERNATIONAL EXPOSITIONS.

Notwithstanding any other provision of law, the United States Information Agency is not authorized to reprogram funds in order to obligate or expend any funds for a United States Government funded pavilion or other major exhibit at any international exposition or world's fair registered by the Bureau of International Expositions in excess of amounts expressly authorized and appropriated for such purpose.

SEC. 242. PRIVATE SECTOR OPPORTUNITIES.

Section 104(e)(4) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C.

2454) is amended by inserting before the period ", and of similar services and opportunities for interchange not supported by the United States Government".

SEC. 243. EDUCATIONAL AND CULTURAL EXCHANGES WITH TIBET.

The Director of the United States Information Agency shall establish programs of educational and cultural exchange between the United States and the people of Tibet. Such programs shall include opportunities for training and, as the Director considers appropriate, may include the assignment of personnel and resources abroad.

SEC. 244. CHANGES IN ADMINISTRATIVE AUTHORITIES.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a) is amended by adding at the end the following: "The provisions of this section shall not prohibit the United States Information Agency from responding to inquiries from members of the public about its operations, policies, or programs.".

PART D—MIKE MANSFIELD FELLOWSHIPS

SEC. 251. SHORT TITLE.

This part may be cited as the "Mike Mansfield Fellowship Act".

SEC. 252. ESTABLISHMENT OF FELLOWSHIP PROGRAM.

(a) ESTABLISHMENT.—(1) There is hereby established the "Mike Mansfield Fellowship Program" pursuant to which the Director of the United States Information Agency will make grants, subject to the availability of appropriations, to the Mansfield Center for Pacific Affairs to award fellowships to eligible United States citizens for periods of 2 years each (or, pursuant to section 253(5)(C), for such shorter period of time as the Center may determine based on a Fellow's level of proficiency in the Japanese language or knowledge of the political economy of Japan) as follows:

(A) During the first year each fellowship recipient will study the Japanese language as well as Japan's political economy.

(B) During the second year each fellowship recipient will serve as a Fellow in a parliamentary office, ministry, or other agency of the Government of Japan or, subject to the approval of the Center, a nongovernmental Japanese institution associated with the interests of the fellowship recipient, consistent with the purposes of this part.

(2) Fellowships under this part may be known as "Mansfield Fellowships", and individuals awarded such fellowships may be known as "Mansfield Fellows".

(b) ELIGIBILITY OF CENTER FOR GRANTS.—Grants may be made to the Center under this section only if the Center agrees to comply with the requirements of section 253.

(c) INTERNATIONAL AGREEMENT.—The Director of the United States Information Agency should enter into negotiations for an agreement with the Government of Japan for the purpose of placing Mansfield Fellows in the Government of Japan.

(d) PRIVATE SOURCES.—The Center is authorized to accept, use, and dispose of gifts or donations of services or property in carrying out the fellowship program, subject to the review and approval of the Board described in section 255.

SEC. 253. PROGRAM REQUIREMENTS.

The program established under this part shall comply with the following requirements:

(1) United States citizens who are eligible for fellowships under this part shall be employees of the Federal Government having at least two years experience in any branch of the Government, a strong career interest in United States-Japan relations, and a demonstrated commitment to further service in the Federal Government.

(2) Not less than 10 fellowships shall be awarded each year.

(3) Mansfield Fellows shall agree—

(A) to maintain satisfactory progress in language training and appropriate behavior in Japan, as determined by the Center, as a condition of continued receipt of Federal funds; and

(B) to return to the Federal Government for further employment for a period of at least 2 years following the end of their fellowships, unless, in the determination of the Center, the Fellow is unable (for reasons beyond the Fellow's control and after receiving assistance from the Center as provided in paragraph (8)) to find reemployment for such period.

(4) During the period of the fellowship, the Center shall provide each Mansfield Fellow—

(A) a stipend at a rate of pay equal to the rate of pay that individual was receiving when he or she entered the program, plus a cost-of-living adjustment calculated at the same rate of pay, and for the same period of time, for which such adjustments were made to the salaries of individuals occupying competitive positions in the civil service during the same period as the fellowship; and

(B) certain allowances and benefits as that individual would have been entitled to, but for his or her separation from Government service, as a United States Government civilian employee overseas under the Standardized Regulations (Government Civilians, Foreign Areas) of the Department of State, as follows: a living quarters allowance to cover the cost of housing in Japan, a post allowance to cover the significantly higher costs of living in Japan, a temporary quarters subsistence allowance for up to 7 days for Fellows unable to find housing immediately upon arrival in Japan, an education allowance to assist parents in providing their children with educational services ordinarily provided without charge by United States public schools, moving expenses of up to $3,000 for personal belongings of Fellows and their families in their move to Japan and up to $500 for Fellows residing outside the Washington, D.C. area in moving to the Washington, D.C. area, and one-round-trip economy-class airline ticket to Japan for each Fellow and the Fellow's immediate family.

(5)(A) For the first year of each fellowship, the Center shall provide Fellows with intensive Japanese language training in the Washington, D.C., area, as well as courses in the political economy of Japan.

(B) Such training shall be of the same quality as training provided to Foreign Service officers before they are assigned to Japan.

(C) The Center may waive any or all of the training required by subparagraph (A) to the extent that a Fellow has Japanese language skills or knowledge of Japan's political economy, and the 2 year fellowship period shall be shortened to the extent such training is less than one year.

(6) Any Mansfield Fellow not complying with the requirements of this section shall reimburse the United States Information Agency for the Federal funds expended for the Fellow's participation in the fellowship, together with interest on such funds (calculated at the prevailing rate), as follows:

(A) Full reimbursement for noncompliance with paragraph (3)(A) or (9); and

(B) pro rata reimbursement for noncompliance with paragraph (3)(B) for any period the Fellow is reemployed by the Federal Government that is less than the period specified in paragraph (3)(B), at a rate equal to the amount the Fellow received during the final year of the fellowship for the same period of time, including any allowances and benefits provided under paragraph (4).

(7) The Center shall select Mansfield Fellows based solely on merit. The Center shall make positive efforts to recruit candidates reflecting the cultural, racial, and ethnic diversity of the United States.

(8) The Center shall assist any Mansfield Fellow in finding employment in the Federal Government if such Fellow was not able, at the end of the fellowship, to be reemployed in the agency from which he or she separated to become a Fellow.

(9) No Mansfield Fellow may engage in any intelligence or intelligence-related activity on behalf of the United States Government.

(10) The accounts of the Center shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the Center are normally kept. All books, accounts, financial records, files, and other papers, things, and property belonging to or in use by the Center and necessary to facilitate the audit shall be made available to the person or persons conducting the audit, and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(11) The Center shall provide a report of the audit to the Board no later than six months following the close of the fiscal year for which the audit is made. The report shall set forth the scope of the audit and include such statements, together with the independent auditor's opinion of those statements, as are necessary to present fairly the Center's assets and liabilities, surplus or deficit, with reasonable detail, including a statement of the Center's income and expenses during the year, including a schedule of all contracts and grants requiring payments in excess of $5,000 and any payments of compensation, salaries, or fees at a rate in excess of $5,000 per year. The report shall be produced in sufficient copies for the public.

SEC. 254. SEPARATION OF GOVERNMENT PERSONNEL DURING THE FELLOWSHIPS.

(a) SEPARATION.—Under such terms and conditions as the agency head may direct, any agency of the United States Government may separate from Government service for a specified period any officer or employee of that agency who accepts a fellowship under the program established by this part.

(b) REEMPLOYMENT.—Any Mansfield Fellow, at the end of the fellowship, is entitled to be reemployed in the same manner as if covered by section 3582 of title 5, United States Code.

(c) RIGHTS AND BENEFITS.—Notwithstanding section 8347(o), 8713, or 8914 of title 5, United States Code, and in accordance with regulations of the Office of Personnel Management, an employee, while serving as a Mansfield Fellow, is entitled to the same rights and benefits as if covered by section 3582 of title 5, United States Code. The Center shall reimburse the employing agency for any costs incurred under section 3582 of title 5, United States Code.

(d) COMPLIANCE WITH BUDGET ACT.—Funds are available under this section to the extent and in the amounts provided in appropriation Acts.

SEC. 255. MANSFIELD FELLOWSHIP REVIEW BOARD.

(a) ESTABLISHMENT.—There is hereby established the Mansfield Fellowship Review Board.

(b) COMPOSITION.—The Board shall be composed of 11 individuals, as follows:

(1) The Secretary of State, or the Secretary's designee.

(2) The Secretary of Defense, or the Secretary's designee.

(3) The Secretary of the Treasury, or the Secretary's designee.

(4) The Secretary of Commerce, or the Secretary's designee.

(5) The United States Trade Representative, or the Trade Representative's designee.

(6) The Chief Justice of the United States, or the Chief Justice's designee.

(7) The Majority Leader of the Senate, or the Majority Leader's designee.

(8) The Minority Leader of the Senate, or the Minority Leader's designee.

(9) The Speaker of the House of Representatives, or the Speaker's designee.

(10) The Minority Leader of the House of Representatives, or the Minority Leader's designee.

(11) The Director of the United States Information Agency, who shall serve as the chairperson of the Board, or the Director's designee.

(c) FUNCTIONS.—(1) The Board shall review the administration of the program assisted under this part.

(2)(A) Each year at the time of the submission of the President's budget request to the Congress, the Board shall submit to the President and the Congress a report completed by the Center with the approval of the Board on the conduct of the program during the preceding year.

(B) Each such report shall contain—

(i) an analysis of the assistance provided under the program for the previous fiscal year and the nature of the assistance provided;

(ii) an analysis of the performance of the individuals who received assistance under the program during the previous fiscal year, including the degree to which assistance was terminated under the program and the extent to which individual recipients failed to meet their obligations under the program; and

(iii) an analysis of the results of the program for the previous fiscal year, including, at a minimum, the cumulative percentage of individuals who received assistance under the program who subsequently became employees of the United States Government and, in the case of individuals who did not subsequently become employees of the United States Government, an analysis of the reasons why they did not become employees and an explanation as to what use, if any, was made of the assistance given to those recipients.

(d) COMPENSATION.—Members of the Board shall not be paid compensation for services performed on the Board.

(e) AVAILABILITY OF SUPPORT STAFF.—The Director of the United States Information Agency is authorized to provide for necessary secretarial and staff assistance for the Board.

(f) RELATIONSHIP TO FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act shall not apply to the Board to the extent that the provisions of this section are inconsistent with such Act.

SEC. 256. DEFINITIONS.

For purposes of this part—

(1) the term "agency of the United States Government" includes any agency of the legislative branch and any court of the judicial branch as well as any agency of the executive branch;

(2) the term "agency head" means—

(A) in the case of the executive branch of Government or an agency of the legislative branch other than the House of Representatives or the Senate, the head of the respective agency;

(B) in the case of the judicial branch of Government, the chief judge of the respective court;

(C) in the case of the Senate, the President pro tempore, in consultation with the Majority Leader and Minority Leader of the Senate; and

(D) in the case of the House of Representatives, the Speaker of the House, in consultation with the Majority Leader and Minority Leader of the House;

(3) the term "Board" means the Mike Mansfield Fellowship Review Board; and

(4) the term "Center" means the Mansfield Center for Pacific Affairs.

TITLE III—ARMS CONTROL AND DISARMAMENT AGENCY

SEC. 301. PURPOSES.

The purposes of this title are—

(1) to provide renewed impetus in improving the United States Government's ability to manage the complex process of negotiating and implementing arms control treaties;

(2) to provide central leadership and coordination to United States nonproliferation policy; and

(3) to improve congressional oversight of the operating budget of the United States Arms Control and Disarmament Agency.

SEC. 302. ACDA DIRECTOR.

(a) DIRECTOR.—Section 22 of the Arms Control and Disarmament Act (22 U.S.C. 2562) is amended to read as follows:

"SEC. 22. DIRECTOR.

"(a) APPOINTMENT.—The Agency shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate. No person serving on active duty as a commissioned officer of the Armed Forces of the United States may be appointed Director.

"(b) DUTIES.—The Director shall serve as the principal adviser to the President and other executive branch officials on matters relating to arms control, disarmament, and nonproliferation. In carrying out his or her duties under this Act, the Director, under the guidance of the Secretary of State, shall have primary responsibility for matters relating to arms control, disarmament, and nonproliferation, as defined by this Act.".

(b) PERMANENT MEMBERSHIP ON NATIONAL SECURITY COUNCIL.—Section 101(a) of the National Security Act of 1947 (50 U.S.C. 402(a)) is amended—

(1) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

"(5) the Director of the United States Arms Control and Disarmament Agency;".

SEC. 303. SPECIAL REPRESENTATIVES.

(a) IN GENERAL.—Section 27 of the Arms Control and Disarmament Act (22 U.S.C. 2567) is amended to read as follows:

"SEC. 27. SPECIAL REPRESENTATIVES.

"(a) APPOINTMENT.—The President may appoint, by and with the advice and consent of the Senate, Special Representatives of the President for Arms Control, Disarmament, and Nonproliferation. Each Presidential Special Representative shall hold the rank of ambassador.

"(b) DUTIES.—Presidential Special Representatives shall perform their duties and exercise their powers under direction of the President, acting through the Director. One such Special Representative shall serve as the United States Governor to the Board of Governors of the International Atomic Energy Agency.

"(c) ADMINISTRATIVE SUPPORT.—The Agency shall be the Government agency responsible for providing administrative support, including funding, staff, and office space, to all Presidential Special Representatives appointed under this section.".

(b) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by striking "Special Representatives for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency (2)." and inserting "Special Representatives of the President for Arms Control and Nonproliferation.".

SEC. 304. NEGOTIATION MANAGEMENT.

Section 34 of the Arms Control and Disarmament Act (22 U.S.C. 2574) is amended to read as follows:

"SEC. 34. NEGOTIATIONS AND RELATED FUNCTIONS

"The Director shall have primary responsibility for the preparation and management of United States participation in all international negotiations and implementation forums in the fields of arms control, disarmament, and nonproliferation. To this end—

"(1) the Director shall have primary responsibility for the preparation, formulation, support, and transmission of instructions and guidance for all such negotiations and forums, and shall manage interagency groups established within the executive branch to support such negotiations and forums; and

"(2) all United States Government representatives conducting negotiations or acting pursuant to agreements in the fields of arms control, disarmament, or nonproliferation shall perform their duties and exercise their powers, under the direction of the President, acting through the Director.".

SEC. 305. PARTICIPATION OF ACDA DIRECTOR IN CERTAIN DELIBERATIONS.

(a) ARMS EXPORT CONTROL ACT.—

(1) Section 38(a)(2) of the Arms Export Control Act (22 U.S.C. 2778(a)(2)) is amended to read as follows:

"(2) Decisions on issuing export licenses under this section shall be made in coordination with the Director of the United States Arms Control and Disarmament Agency, taking into account the Director's assessment as to whether the export of an article will contribute to an arms race, aid in the development of weapons of mass destruction, support international terrorism, increase the possibility of outbreak or escalation of conflict, or prejudice the development of bilateral or multilateral arms control or nonproliferation agreements or other bilateral arrangements.".

(2) Section 42(a) of such Act (22 U.S.C. 2791(a)) is amended by striking out all that follows "(3)" in the last sentence and inserting the following: "the assessment of the Director of the United States Arms Control and Disarmament Agency as to the extent to which such sale might contribute to an arms race, aid in the development of weapons of mass destruction, support international terrorism, increase the possibility of outbreak or escalation of conflict, or prejudice the development of bilateral or multilateral arms control or nonproliferation agreements or other arrangements. No decision shall be made over the objection of the Director unless the Director has been informed in writing of the reasons why the Director's opinion was not deemed sufficient to deny the proposed sale, and afforded a reasonable opportunity to appeal the proposed decision.".

(3) Section 71 of such Act (22 U.S.C. 2797) is amended—

(A) in subsection (a) by inserting ", the Director of the United States Arms Control and Disarmament Agency," after "Secretary of Defense";

(B) in subsection (b)(1) inserting "and the Director of the United States Arms Control and Disarmament Agency" after "Secretary of Defense"; and

(C) in subsection (b)(2)—

(i) by striking "and the Secretary of Commerce" and inserting ", the Secretary of Commerce, and the Director of the United States Arms Control and Disarmament Agency"; and

(ii) by striking the comma after "applicant" and all that follows through "documents".

(b) ATOMIC ENERGY ACT.—

(1) Section 131(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2160(b)) is amended—

(A) in paragraph (2) by inserting "and the Director of the United States Arms Control and Disarmament Agency" after "Secretary of State"; and

(B) in paragraph (3) by inserting "and the Director of the United States Arms Control and Disarmament Agency" after "Secretary of State".

(2) Section 142 of such Act (42 U.S.C. 2162) is amended by adding at the end the following new subsection:

"(g) All determinations under this section to remove data from the Restricted Data category shall be made only after consultation with the Director of the United States Arms Control and Disarmament Agency. If the Commission, the Department of Defense, and the Director do not agree, the determination shall be made by the President.".

SEC. 306. NOTIFICATION TO CONGRESS OF PROPOSED REPROGRAMMINGS BY ACDA.

Title IV of the Arms Control and Disarmament Act is amended by adding at the end the following:

"SEC. 54. REPROGRAMMING OF FUNDS.

"(a) CONGRESSIONAL NOTIFICATION OF CERTAIN REPROGRAMMINGS.—Unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified at least 15 days in advance of the proposed reprogramming, funds appropriated to carry out this Act (other than funds to carry out title V) shall not be available for obligation or expenditure through any reprogramming of funds that—

"(1) would create or eliminate a program, project, or activity;

"(2) would increase funds or personnel by any means for any program, project, or activity for which funds have been denied or restricted by the Congress;

"(3) would relocate an office or employees;

"(4) would reorganize offices, programs, projects, or activities;

"(5) would involve contracting out functions which had been performed by Federal employees; or

"(6) would involve a reprogramming in excess of $1,000,000 or 10 percent (whichever is less) and would—

"(A) augment existing programs, projects, or activities,

"(B) reduce by 10 percent or more the funding for any existing program, project, activity, or personnel approved by the Congress, or

"(C) result from any general savings from a reduction in personnel that would result in a change in existing programs, activities, or projects approved by the Congress.

"(b) LIMITATION ON END-OF-YEAR REPROGRAMMINGS.—Funds appropriated to carry out this Act (other than funds to carry out title V) shall not be available for obligation or expenditure through any reprogramming described in paragraph (1) during the last 15 days in which such funds are available for obligation or expenditure (as the case may be) unless the notification required by that paragraph was submitted before that 15-day period.".

SEC. 307. REQUIREMENT OF AUTHORIZATION OF APPROPRIATIONS.

ARMS CONTROL AND DISARMAMENT AGENCY.—Title IV of the Arms Control and Disarmament Act is amended by adding at the end the following:

"SEC. 55. REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.

"(a) LIMITATION ON OBLIGATION AND EXPENDITURE OF FUNDS.—Notwithstanding any other provision of law, for the fiscal year 1994 and for each subsequent fiscal year, any funds appropriated for the Arms Control and Disarmament Agency shall not be available for obligation or expenditure—

"(1) unless such funds are appropriated pursuant to an authorization of appropriations; or

"(2) in excess of the authorized level of appropriations.

"(b) SUBSEQUENT AUTHORIZATION.—The limitation under subsection (a) shall not apply to the extent that an authorization of appropriations is enacted after such funds are appropriated.

"(c) APPLICATION.—The provisions of this section—

"(1) may not be superseded, except by a provision of law which specifically repeals, modifies, or supersedes the provisions of this section; and

"(2) shall not apply to, or affect in any manner, permanent appropriations, trust funds, and other similar accounts which are authorized by law and administered by the Arms Control and Disarmament Agency.".

The CHAIRMAN. No amendments to the amendment in the nature of a substitute, as modified, are in order except the amendments printed in part 2 of House Report 103–132 and amendments en bloc described in House Resolution 197. Said amendments shall be considered in the order printed in the report, may be offered only by the proponent or a designee, shall be considered as read, shall not be subject to amendment, except as specified in the report, and shall not be subject to a demand for division of the question. Debate time for each amendment shall be equally divided and controlled by the proponent and an opponent of the amendment.

It shall be in order at any time for the chairman of the Committee on Foreign Affairs or his designee to offer amendments en bloc consisting of amendment printed in part 2 of the report or germane modifications thereof. The amendments en bloc shall be considered as read, except that modifications shall be reported, and shall not be subject to amendment or to a demand for a division of the question.

The amendments en bloc shall be debatable for 10 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs or their designees.

The original proponents of the amendments en bloc shall have permission to insert statements in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment made in order by House Resolution 197.

The Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

The Chair will announce the number of the amendment made in order by the rule in order to give notice to the Committee of the Whole as to the order of recognition.

□ 1710

It is now in order to consider amendment No. 1.

AMENDMENT OFFERED BY MR. ROTH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROTH: Page 7, beginning on line 1, (in section 101(a)(1)) strike "$1,687,000 for the fiscal year 1994 and $1,733,368,000" and insert "$1,519,017,300 for the fiscal year 1994 and $1,560,031,200".

Page 7, beginning on line 5, (in section 101(a)(2)) strike "$464,203,000 for the fiscal year 1994 and $476,520,000" and insert "$417,782,700 for the fiscal year 1994 and $428,868,000".

Page 7, beginning on line 9, (in section 101(a)(3)) strike $406,481,000 for the fiscal year 1994 and $417,523,000" and insert "$365,832,900 for the fiscal year 1994 and $374,770,700".

Page 7, beginning on line 12, (in section 101(a)(4)) strike "$4,000,000 for the fiscal year 1994 and $4,104,000" and insert "$3,600,000 for the fiscal year 1994 and $3,693,600".

Page 7, beginning on line 16, (in section 101(a)(5)) strike "4,881,000 for the fiscal year 1994 and $5,012,000" and insert "$4,392,900 for the fiscal year 1994 and $4,510,800".

Page 10, beginning on line 1, (in section 102(a)(1)(A)) strike "$512,000,000 for the fiscal year 1994 and $526,902,000" and insert "$460,800,000 for the fiscal year 1994 and $474,211,800".

Page 66, after line 18, [at the end of part D of title I] insert the following:

SEC. 151. REDUCTION IN PERSONNEL OF DEPARTMENT OF STATE AND AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) DEPARTMENT OF STATE.—Notwithstanding any other provision of law, as of September 30, 1994, the number of officers and employees of the Department of State shall not exceed 90 percent of the number of officers and employees on the date of the enactment of this Act.

(b) AGENCY FOR INTERNATIONAL DEVELOPMENT.—Notwithstanding any other provision of law, as of September 30, 1994, the number of officers and employees of the Agency for International Development shall not exceed 90 percent of the number of officers and employees on the date of the enactment of this Act.

The CHAIRMAN. Pursuant to the rule, the gentleman from Wisconsin [Mr. ROTH] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Mr. BERMAN. Mr. Chairman, I am opposed to the amendment.

PARLIAMENTARY INQUIRY

Mr. BERMAN. I have a point of parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BERMAN. Mr. Chairman, in the rule there is made in order as a substitute for the Roth amendment an amendment to be offered by the gentlewoman from Maine [Ms. SNOWE], the gentleman from Minnesota [Mr. PENNY], or myself. Is that amendment to be offered at this time, or is it to be offered after the 10 minutes of debate?

The CHAIRMAN. The Chair would state to the gentleman that the amendment could be offered now or at any time that the Roth amendment is pending.

AMENDMENT OFFERED BY MR. BERMAN AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. ROTH

Mr. BERMAN. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment offered as a substitute for the amendment offered by Mr. ROTH is as follows:

Amendment offered by Mr. BERMAN as a substitute to the amendment offered by Mr. ROTH:

Page 7, line 1, strike "$1,687,797,000" and insert "$1,667,584,000".

Page 7, line 2, strike "$1,733,368,000" and insert "$1,712,609,000".

Page 7, line 5, strike "$464,203,000" and insert "$481,416,000".

Page 7, line 6, strike "$476,520,000" and insert "$494,495,000".

Page 7, line 9, strike "$406,481,000" and insert "$381,481,000".

Page 7, line 10, strike "$417,523,000" and insert "$392,523,000".

Page 11, line 15, strike "$940,885,500" and insert "$865,885,000".

Page 11, strike lines 22 through 25.

Page 12, line 8, strike "$619,736,000" and insert "$597,744,000".

Page 13, line 8, strike "$390,000,000" and insert "$365,000,000".

Page 13, line 9, strike "$390,000,000" and insert "$365,000,000".

Page 14, line 23, strike "$126,929,000" and insert "$101,929,000".

Page 17, line 4, strike "$14,780,000" and insert "$14,790,000".

Page 97, line 16, strike "$109,079,000" and insert "$108,482,000".

Page 97, line 17, strike "$111,835,000" and insert "$110,731,000".

Page 9, after line 18, insert the following:

(4) Of the amounts authorized to be appropriated for "Acquisition and Maintenance of Buildings Abroad" under subsection (a)(3), $95,904,000 is authorized to be available for the fiscal year 1994 and $114,825,000 is authorized to be available for the fiscal year 1995 for Maintenance of Buildings and Facility Rehabilitation.

Page 15, strike lines 7 through 13, and insert the following:

(C) Of the funds authorized to be available under subparagraph (A), $7,000,000 for each of the fiscal years 1994 and 1995 may be available only if the President certifies to the Congress that the United Nations Development Program's programs and activities in or for Myanmar (Burma) promote the enjoyment of internationally guaranteed human rights by the Burmese people and do not benefit the State Law and Order Restoration Council (SLORC) military regime.

The CHAIRMAN. The Chair will treat the debate as fungible. The gentleman from Wisconsin [Mr. ROTH] will be recognized for 20 minutes, and the gentleman from California [Mr. BERMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ROTH] for 20 minutes.

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

Mr. Chairman, several weeks ago, the big spenders in this House voted for a tax on Social Security to the tune of $29 billion. It was all for deficit reduction, they said. Today, these same big spenders bring us a bill to increase the State Department by $676 million over the next 2 years.

That is an increase of more than half a billion dollars for the State Department bureaucrats, when 9 million American retirees are being told: "You have to pay tax on your social security." That is wrong, and my amendment will cut the State Department and AID operating budgets and personnel in this bill by 10 percent. My amendment would have a total of $370 million for the American taxpayers: $260 million from the State Department and $110 million from AID. Consider these facts: All told under this bill, the State Department gets $11.1 billion over the next 2 years; $2.6 billion of this is for direct operating expenses: salaries and expenses, our embassies overseas, and entertainment of foreign diplomats.

At the end of March, the State Department employed 26,761 people around the world. That is 1,400 more than 2 years ago, and 400 more than last year.

The State Department is so overstaffed that as many as 100 senior officials have no assigned work to do. They are surplus, but are still on the payroll. Under this bill, AID gets $1.1 billion in operating funds. This bill gives AID an increase in operating funds in each of the next 2 years. That's on top of the $10 billion in foreign aid that the House voted for earlier today. AID today has over 3,000 employees, doling out the taxpayers' money around the world. AID is a broken agency.

The Carlucci Commission said so, 10 years ago. The Ferris Commission said so, just last year. In fact, the Ferris Commission recommended that Congress consider abolishing AID but what does the majority in this House propose? They want to increase AID's operating budget, to over a half billion dollars a year. But aid already has $152 million in leftover operating funds from previous years—going all the way back to fiscal year 1986.

If AID has $152 million left over, that agency is overfunded and should be cut back. It is wrong to tax Social Security. But it is doubly wrong to tax Social Security and then increase the foreign affairs bureaucracy. But that is what the majority in this House want to do. I want to cut back on the bureaucracy.

My amendment does three things. First, it requires the President to reduce the number of employees in AID and the State Department by 10 percent. That would cut about 2,900 bureaucrats: 2,600 at the State Department and 300 at AID. The President is given a year to make that reduction.

Second, my amendment would cut AID's operating budget by 10 percent from what is provided in the bill. That would save about $110 million over the next 2 years. And remember, AID already has $152 million left over from previous years.

And third, my amendment would cut carefully selected operating accounts in the State Department: diplomatic and consular services salaries and expenses, overseas buildings, the exchange rate fund, and the entertainment fund. My amendment would not touch the inspectors general at AID and State. And it would not cut diplomatic security, or the emergency fund. But it would save about $260 million in State Department operating funds.

So, if you want to vote to save $370 million for the taxpayer, vote for the Roth amendment. In today's world, heads of State talk to each other on the telephone, and they send documents to each other by fax. There is no need for 26,000 diplomats, and no need for a $2.6 billion operating cost for the State Department.

AID is a broken Agency, in need of reform. It is wrong to spend a half billion dollars on an Agency that should be shut down. I urge you to vote for the taxpayer. Save $370 million.

Mr. Chairman, I urge the Members to vote for the Roth amendment.

Mr. BERMAN. Mr. Chairman, initially I would like to reserve one-half the time assigned to me to the gentlewoman from Maine [Ms. SNOWE]

The CHAIRMAN. The gentleman from California [Mr. BERMAN] controls 20 minutes, and may consume or reserve that time.

Mr. BERMAN. Mr. Chairman, I yield 10 minutes to the gentlewoman from Maine [Ms. SNOWE].

□ 1720

Mr. BERMAN. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the gentleman from Wisconsin [Mr. ROTH] raises an issue that has been of great concern to this subcommittee, the question of how in a tight budget we can put the kinds of restraints on the burgeoning bureaucracy of our foreign relations departments and agencies.

I believe the legislation that is before the House has done this in a fashion that no other authorizing bill involving the State Department and the other related foreign relations agencies has ever done before. In this legislation we make direct and real cuts in diplomatic and counselor affairs, in support services, in foreign building accounts. We reach into the bureaucracy. We put forth for the first time ever caps on the number of people who will serve in the senior Foreign Service.

So I say to my friend, the gentleman from Wisconsin, and my colleague on the committee, that this amendment raises the issue that the gentlewoman

from Maine [Ms. SNOWE] and I have been focused on. In our amendment we go further in the direction of the gentleman from Wisconsin's amendment. Our perfecting amendment adds nearly $200 million in cuts to the foreign relations operations.

We take additional money from the foreign building office accounts. We reduce expenditures on entire national organizations. We reduce some of the authorization in the peacekeeping area. We have reached the point with the perfecting amendment where this year's State Department authorization bill is below last year's appropriated level. This authorizing bill is below last year's appropriated level.

When you add to the fact that the Foreign Assistance Act that we just passed was hundreds of millions of dollars below last year's appropriated level, I do not think anyone who is concerned about either the budget deficit or wasteful expenditures, or expanding bureaucracies can say that these two measures that have been reported out of the Foreign Affairs Committee have not done more than any legislation in the 11 years I have been here.

So I would urge the body to adopt, whether they support the Roth amendment or prefer the Berman-Snowe-Penny amendment, the perfecting amendment, that they vote on our amendment and continue this effort to reduce these expenditures, and make this the substantial cuts that are consistent with that. I think they are more adaptable for the bureaucracy and more effective in a way than the stronger cut amendment of the gentleman from Wisconsin [Mr. ROTH]. And I thank the gentleman for raising the issue.

The cuts include $75 million in the contributions to international organizations account, which we had increased over the administration request to provide funding for U.S. reentry into membership in the U.N. Educational, Scientific and Cultural Organization [Unesco]. This is currently the subject of an executive branch review. The authorization would have paid for such membership if we had joined in the next 2 years, rather than requiring reprogramming or transfer of funds from other accounts for such a purpose.

The deletion of this authorization does not suggest any diminution of support for any decision that the administration may make to rejoin Unesco. It simply reflects a realistic assessment that the administration is unlikely to make a decision soon enough to merit fencing off scarce resources for such a purpose. I remain convinced that we should rejoin, and will cooperate in finding the resources for it.

All the reasons for our leaving have been remedied, and while the organization may be imperfect, it is no less so than other international organizations in which we continue membership, or indeed than some of our own Government agencies. I have closely followed Unesco's recent progress. Staff of the International Operations Committee visited Unesco in April for an exhaustive review of its operations, and have concluded that U.S. membership in the organization would significantly promote our foreign policy goals and contribute to our international economic competitiveness. President Clinton has received a petition signed by more than half the living U.S. Nobel Laureates to this effect, and all the major scientific and teachers organizations urging reentry.

The cuts also include a $25 million reduction per year in the administration's request for the U.S. voluntary contribution to the United Nations Development Program [UNDP]. The bill as reported would have authorized the full amount requested for this purpose, but would have withheld a portion corresponding to UNDP's expenditures in Burma until the organization withdrew from Burma. UNDP's programs there are conducted in consultation with the SLORC military regime there which prevented an elected government from assuming power, has detained the leader of that government for years, and is credibly accused of horrible human rights violations and involvement in the narcotics trade.

Our judgment is that it is impossible, except under exceptional safeguards, to work with or through the SLORC government to serve either the needs of the Burmese people or UNDP's mandate. It has become clear to us that the UNDP governing council, which is meeting now, will not suggest withdrawal from Burma. We therefore consider it appropriate to reduce the U.S. contribution by a commensurate amount. In order to retain some incentive for UNDP to focus its programs in Burma in a constructive fashion, our amendment now provides that $7 million could be available each year if UNDP's Burmese programs promote human rights and do not benefit the SLORC government.

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

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

Mr. Chairman, I rise in opposition to the cutting amendment offered by the gentleman from Wisconsin [Mr. ROTH]. By my colleagues on the Foreign Affairs Committee, I have sometimes been criticized for excessive attention to restraining spending by the State Department and other foreign affairs committee.

I worked diligently throughout the State Department authorization process to cut funding. I worked first through the committee process to bring this $7.3 billion bill within $77 million of the fiscal year 1993 appropriation level. Throughout that process, I warned that further cuts were necessary, and insisted on additional cuts during floor consideration. I worked with the gentleman from California [Mr. BERMAN] to identify $200 million additional cuts that could be supported by both sides, $87 million of which would come in fiscal year 1994. The bipartisan, Berman-Snowe-Penny cut would bring the bill $10 million below the fiscal year 1993 level.

This bill is the most fiscally austere State Department authorization I have ever managed during the 8 years I have served as ranking Republican on the International Operations Subcommittee. I would have been happy to have worked with the gentleman from Wisconsin to explain to him the cuts we were taking in this bill and to include his views into the discussions on considering further cuts. However, he never expressed any interest in working with me in this way.

The cuts proposed by the gentleman from Wisconsin are indiscriminate cuts on broad State Department and AID operating accounts. They do not even attempt to take into consideration accounts that have already been cut back significantly. I would point out that the alternative cutting amendment is cosponsored both by the gentleman from Minnesota, one of the strongest fiscal conservatives among Democratic Members, and by me, one of the Foreign Affairs Committee's acknowledged spending hawks. Even I consider the gentleman's proposed $626 million as excessive and potentially crippling to our ability to maintain overseas diplomatic posts and to monitor the appropriate use of U.S. foreign aid funding.

I strongly urge opposition to the gentleman's amendment.

Mr. Chairman, as a cosponsor of this amendment, I rise in support of the amendment offered by the gentleman from California [Mr. BERMAN]. I am pleased that we are also joined as a cosponsor of the amendment by the gentleman from Minnesota [Mr. PENNY].

Mr. Chairman, this amendment will take an already fiscally restrained bill, and make it truly austere. It will bring funding for the State Department and other foreign affairs agencies $10 million below the actual fiscal year 1993 appropriated level. This is not only the first time that we have refused to accommodate any increases for inflation, but we have gone further by requiring additional cuts below the previous year's appropriation.

During the entire State Department authorization process, I worked hard to pare this bill back to its bare essentials. The gentleman from California and I established the principle at the beginning of the process that all proposed increases in the bill had to be offset by at least equal levels of cuts.

We took an already fiscally tight administration request and cut it back by

$111 million. The administration had requested an authorization that was, in most accounts, a hard freeze at the fiscal year 1993 level. Certain exceptions were made, however, for refugee funding, population assistance, and assessed contributions for international organizations and peacekeeping operations. At the committee, however, we required even those few exceptions to be offset by additional cuts beyond the administration request.

Throughout the entire committee process, I warned my colleagues that I would insist on even more cuts when the bill reaches the floor to bring it at or below the fiscal year 1993 appropriated level. I am pleased that the gentleman from California [Mr. BERMAN] agreed to work with me in fashioning this $200 million cutting amendment.

I am also grateful for the assistance of the gentleman from Minnesota [Mr. PENNY] in formulating this amendment. Mr. PENNY is well respected on both sides of the aisle for his strong sense of fiscal responsibility, and his cooperation was very helpful.

Even before the passage of this amendment, the bill cut:

$30 million from the State Department's operating budget;

$14 million from State's building and construction account;

$3 million from the East-West; and

$125 million from USIA's transmitter construction account.

In fiscal year 1994 alone, this amendment takes the following additional cuts:

$25 million additional cuts in State Department's building account;

$25 million from the U.N. Development Program;

$22 million from the U.N. peacekeeping account; and

$15 million from the International Organizations account.

So I strongly support the Berman-Snowe-Penny cutting amendment, and urge my colleagues to support its passage.

The CHAIRMAN. The gentlewoman from Maine [Ms. SNOWE] has consumed 3 minutes.

Mr. BERMAN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. PENNY], a cosponsor of the perfecting amendment.

Mr. PENNY. Mr. Chairman, I appreciate the gentleman yielding me the time.

Mr. Chairman, I rise in support of the Berman-Snowe-Penny amendment.

This amendment will secure $200 million worth of savings in the State Department budget.

I want to compliment my colleagues on the committee for their efforts to scrub this budget very carefully and to look for opportunities for savings, particularly within the administrative accounts of the State Department. These savings are important, especially in view of our Nation's ongoing budget problems.

I think it is incumbent on all of us to do our part within our own committees to find areas for additional savings. I compliment the gentleman from Wisconsin [Mr. ROTH] for bringing this proposal forward.

I urge adoption of the substitute at this point in time, and ultimate support then for the Roth amendment.

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

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

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

The CHAIRMAN pro tempore (Mr. DE LA GARZA). The question is on the amendment offered by the gentleman from California [Mr. BERMAN] as a substitute for the amendment offered by the gentleman from Wisconsin [Mr. ROTH].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Wisconsin [Mr. ROTH], as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 3 printed in House Report 103–132, part 2.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of New Jersey: Page 14, strike lines 9 through 13.

Page 14 strike lines 14 through 19 and insert the following:

(C) Funds authorized to be available under subparagraph (A) are authorized to be available only if the President certifies to the Congress for each fiscal year that—

(i) the population control program in the People's Republic of China is not coercive; or

(ii) the United Nations Population Fund has terminated all activities in the People's Republic of China.

For any fiscal year for which funds authorized to be made available to the United Nations Population Fund under subparagraph (A) are not made available, such funds shall be made available for family planning purposes.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SMITH] will be recognized for 20 minutes, and a Member opposed, the gentleman from California [Mr. BERMAN], will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is very simple. It strengthens, in my view, our support for voluntary family planning, and it renders coercion completely unacceptable.

The amendment provides that one of two conditions must be met in order for the U.S. funds to be made available to the U.N. fund for population activities. One, the President must either certify that the population control program in the PRC is not coercive, or two, that the UNFPA has terminated all activities in the PRC.

Very significantly, every dollar that might be withheld pursuant to this amendment would be reallocated to other family planning organizations globally.

□ 1730

So this is a pro-family planning, pro-woman, and pro-child amendment, but it is against, very much against, coercion.

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

Mr. BERMAN. Mr. Chairman, I yield 10 minutes of the 20 minutes that I have been allotted to the gentlewoman from Maine [Ms. SNOWE], and I ask unanimous consent that she be allowed to control that time.

The CHAIRMAN pro tempore. (Mr. DE LA GARZA). Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, I rise in opposition to the gentleman's amendment. The bill as reported includes adequate provision to address concerns about China's coercive population programs, and about UNFPA's relationship to that. To condition all of our contribution on UNFPA's withdrawal from China would have the practical effect of preventing our participation in the very good work that UNFPA does in other parts of the world.

Let me describe what this bill already does to address the China problem. The administration requested $50 million for the U.S. contribution to the UNFPA. This bill authorizes that amount, but requires that almost $14 million of that be withheld until UNFPA ceases all activities in China. We also prohibit the use of the balance of our contribution in China, and require separate accounts for this purpose. Finally, we reiterate prohibitions on the use of any of the funds for abortion as a method of family planning, for coercive abortion, or involuntary sterilization.

I drafted this language and made it part of the bill at the outset because we wanted to create an inducement for UNFPA to withdraw from China, and to impose a penalty for its failure to do so. This is despite the fact that UNFPA does not itself engage in coercive activity in China or anywhere else, and does not assist the Chinese Government in

its coercive practices. Indeed, one might argue that UNFPA's provision of voluntary family planning assistance there has lessened the need for abortion or coercion. One might also argue that support for maternal and child health is good in itself, or that support for research encourages the emergence of a more professional and less heavy-handed approach to population control.

Nevertheless, we have included a provision to penalize UNFPA's presence in China because our concern about the abhorrent nature of the Chinese Government's program outweighs these considerations. We do not believe that the imprimatur of the U.N.'s association should be placed on the Chinese program. There also remained questions about the extent to which a significant portion of the UNFPA's resources might indirectly facilitate the objectionable activities of the Chinese Government.

However, the amendment of the honorable gentleman from New Jersey would have the practical effect of denying all funding to UNFPA. This is because, as we all know, and notwithstanding what we would like, there is no foreseeable possibility of China's population control program ceasing to be coercive. Nor will the UNFPA cease its activities in China, because other nations who have contributed money to it and continue to do so, are opposed to withdrawal.

I would also note that, while we denied funding since 1986, supposedly because of UNFPA's China programs, we failed to even once oppose adoption of plans or budgets which included activities in China, although we sat on the Governing Council of the U.N. Development Program, which governs UNFPA.

There are several reasons for our not taking a step which would effectively deny all funding to UNFPA.

We would have more influence to get UNFPA out of China if we were contributing to its general programs.

We should not deny funding for UNFPA activities in 138 countries, including 43 in Sub-Saharan Africa, 37 in the Western Hemisphere, and 34 in Asia and the Pacific.

UNFPA's funding shortfall of $550 million includes important projects in Bangladesh, India, Pakistan, Indonesia, the Philippines, Mexico, Brazil, Peru, and 13 African countries. These are all important to the United States.

Population activities contribute to economic development and political stability, thus serving our international interests and reducing our foreign aid and security costs.

UNFPA conducts only voluntary activities, and these activities significantly enhance the health and autonomy of women. They also allow women to participate more effectively in the economic life of their societies.

UNFPA's voluntary family planning activities prevent the need for abortions, and prevent the search for more desperate and coercive measures by governments under pressure of population growth.

UNFPA has a strict accounting, audit, monitoring, and evaluation system, and its projects worldwide are governed by written project documents. It reports to the U.N. General Assembly, the Governing Council of the U.N. Development Program, and the U.N. Economic and Social Council. The United States is a member of each of these, and would have close supervision over UNFPA spending and projects.

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

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

Mr. Chairman, I oppose the amendment offered by Representative SMITH.

Let us start with the premise that we agree there is an urgent need to begin to stabilize the world population. As most of you know, the current world population of 5.4 billion is now growing by 1 billion people every 11 years.

There is no question that overpopulation contributes to major environmental trauma, famine, forest destruction, global warming, acid rain, and the pollution of the air, ground, and water.

In order to help countries reduce and prevent the severe consequences resulting from overpopulation, it is clear we must support a substantive international effort to implement family planning and development programs known to reduce birthrates rapidly. In that regard, I commend Mr. BERMAN's decision to renew funding for the U.N. Population Fund [UNFPA] which has a demonstrated track record of supporting voluntary family planning, maternal and child health, and fertility and demographic research in over 140 developing countries around the world.

These funds are desperately needed, and it is in our, and every county's, best interest for the United States to resume its position of leadership in international efforts to stabilize world population.

In addition, I would like to make it clear that, although I support renewed funding for UNFPA, I strongly condemn the family planning policy abuses taking place in China. These abuses are unequivocally abominable, and the United States should call for their immediate cessation on all foreign policy fronts.

In that regard, I share the gentleman from New Jersey's desire to ensure that United States funds do not support population activities in China, and, indeed, there are safeguards in the State Department authorization for precisely that purpose.

The bill before us today does not ignore China's abhorrent population policies, rather it takes definitive steps to guarantee that United States funds are only used for UNFPA activities outside of China. Four significant conditions are placed on the United States' contribution to UNFPA, and if any are violated, U.S. funds would be immediately withdrawn from UNFPA.

The legislation explicitly prohibits United States funds from going to China or being used for abortion as a method of family planning, coercive abortion, or involuntary sterilization. U.S. funds must also be maintained in an account separate from general UNFPA funds. Finally, the bill provides a $13 million financial incentive for UNFPA to withdraw from China.

Mr. Chairman, I say to the members of the Committee the amendment being offered by Representative SMITH suggests that the threat of terminating all United States funds, rather than only $13 million, is a stronger position that will result in UNFPA withdrawing from China.

However, I would argue that in order for the United States to have any real influence in UNFPA's activities, the United States must be a player at the UNFPA policy table—a presence we have not had since 1985. Perhaps as a key contributor, and therefore a key player, the United States will be able to use its power and purse to persuade UNFPA to withdraw from China.

By providing no funds at all to UNFPA, the United States has no voice with which to influence UNFPA's policies. I think we can all agree that this strategy, which has been in effect since 1985, has not resulted in UNFPA's withdrawal from China.

Also, the gentleman's amendment would have the effect of penalizing the many poor countries who receive critical assistance from UNFPA, even though they have no involvement whatsoever in the Chinese family planning program.

I believe that the measures in the bill adequately reflect the United States' strong opposition to China's population policies, while balancing our critical interest in stabilizing world population. I urge that this amendment be rejected.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I do not want to sit at the table with an agency that supports, endorses, encourages, subsidizes, advances the Chinese brutal program of coerced abortion.

Mr. Chairman, it is one thing to want to stabilize the population. But how do you do it?

If you force women who have a second pregnancy to have an abortion or force them to otherwise get rid of their child, that is barbaric.

What we propose to do here, after giving lip service to the obscenity of the Chinese program, is to give them $36 million, or a figure somewhere

around that, if I do not have the exact figure. So we are going from zero to $36 million, meanwhile condemning what they do in China. That is nonsense.

□ 1740

None of this money is lost to family planning. Every nickel, every penny, every quarter goes not to the United Nations, which is not the only organization in the world, but to myriad private voluntary family planning organizations. The gentleman from New Jersey [Mr. SMITH] has a list that he could not begin to read.

Support the Smith amendment.

Mr. BERMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Georgia [Ms. MCKINNEY].

Ms. MCKINNEY. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of the U.S. population assistance program, and specifically, in support of restoring the U.S. contribution to the U.N. Population Fund.

Due to the reported coercive practices in the Chinese family planning program, some of my colleagues oppose the restoration of a United States contribution to UNFPA until it withdraws from China. I, too, am appalled at the reported abuses in China. However, I recognize that making restoration of United States funds to UNFPA contingent on its leaving China will not solve the problem. In fact, it would punish the very people UNFPA was created to help.

Operating in over 140 countries, in the poorest and most remote regions of the world, UNFPA supports programs that integrate family planning services and maternal and child health care. Since its founding in 1969, UNFPA has saved the lives of countless women and children.

The United States must return to the leadership ranks of world population programs. Every day women and children are suffering and dying while we engage in ideological debates.

The world population is expected to double in less than 40 years. Africa's population is projected to double in only 20 years.

I urge my colleagues to join me in supporting the committee's reported bill, without debilitating amendments.

Ms. SNOWE. Mr. Chairman, I yield 3 minutes to the gentlewoman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in opposition to the Smith amendment. The United States should contribute to the UNFPA. We have got to get a handle on the population growth that is threatening to overwhelm the carrying capacity of the plant. We do not have a chance to do that if we refuse to support the largest and most effective multilateral provider of family planning services for the poor countries of the world.

I am sure that the gentleman from New Jersey and I have the same goals. We want to assist efforts to achieve population stability and promote voluntary family planning. We also want to stop the coercive and abusive activities in China. But this amendment will not help achieve either of those goals.

Defunding of UNFPA has not prevented a single coerced abortion in Communist China. What it has prevented is the provision of voluntary family planning services to thousands and millions of women in poor countries. It has prevented poor women from acquiring the knowledge and the ability to have only the number of children they want, when they want them. It has prevented women from getting the information they needed to save their lives, as a pregnancy killed them.

UNFPA has always condemned coercion in population programs, but has defended its working in China as being an agent of change. UNFPA has tried to bring voluntarism into the program by dealing directly with the Chinese people, giving them the information and modern contraceptives they need. The bill calls for the withholding of the $14 million as long as UNFPA stays in China. So there is no question that America will not contribute to any part of China's population program. To further restrict funds to UNFPA goes beyond expressing our distaste with UNFPA's activities in China, and prevents us from helping people—all over the world—who desperately need our assistance.

Mr. Chairman I ask the members of the Committee to please join me in opposing the amendment and bringing rationality back to our family planning efforts.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, I rise in strong support of the Smith amendment. Congressman SMITH and I were both in China together 3 years ago. If you could have heard the stories that we heard, you would be clamoring for this amendment, you would be down on the floor speaking for this amendment.

Second, let me tell you something, my colleagues who are listening back in your offices: This will be one of the major human rights votes of this Congress. This will be a critical human rights vote. You cannot vote against the Smith amendment and say that you cared deeply about the human rights issue.

Third, read the New York Times articles before you vote. To those of you who are not on the floor, come over to the minority desk and the majority desk and read the articles about what is taking place; read the articles before you vote.

Lastly, under the Smith amendment, not $1, not $1 for family planning is lost, not $1. I strongly urge and beg my colleagues on behalf of the poor Chinese women who have been persecuted time after time—many of you wanted to take away MFN. If you do want to take away MFN, vote for this.

And many of you did not want to take away MFN because you are concerned about jobs. Well, there are no jobs here. I know many were tortured.

Here is an opportunity to send a message to the Chinese Government, send a message to Li Pyong: "We will not permit those activities to continue."

I strongly urge an "aye" vote for human rights and for those poor Chinese women, on the Smith amendment.

[From the New York Times, Apr. 25, 1993]

CHINA'S CRACKDOWN ON BIRTHS: A STUNNING, AND HARSH, SUCCESS—DRACONIAN STEPS CUT FERTILITY RATE TO LOWEST EVER

(By Nicholas D. Kristof)

BEIJING, April 24.—She should be taking her two-month-old baby out around the village now, proudly nursing him and teaching him about life. Instead, her baby is buried under a mound of dirt, and Li Qiuliang spends her time lying in bed, emotionally crushed and physically crippled.

The baby died because under China's complex quota system for births, local family planning officials wanted Ms. Li to give birth in 1992 rather than 1993. So on Dec. 30, when she was seven months pregnant, they took her to an unsanitary first-aid station and ordered the doctor to induce early labor.

Ms. Li's family pleaded. The doctor protested. But the family planning workers insisted. The result: The baby died after nine hours, and 23-year-old Ms. Li is incapacitated.

LOWEST FERTILITY EVER

That episode in Hunan Province, described in a classified Government report and confirmed by the local authorities, is one outgrowth of a major nationwide crackdown by the Chinese family planning authorities. While the crackdown has been under way for two years, information about it is only now emerging as the authorities release population statistics showing a stunning decline in the birth rate.

The latest data suggest that through compulsory sterilization and other measures, China has lowered fertility to by far its lowest level ever here. The statistics for 1992—showing many fewer babies even than during the harsh crackdowns of the early 1980's—amazed population experts, for the family planners achieved targets that they had not expected to reach until the year 2010.

PROBLEM FOR CLINTON

Ms. Li's persecutors had a reason for going to such extremes to enforce population quotas: they were protecting themselves under a new "responsibility system" that the Government has introduced as the mechanism for the crackdown. Under this system, central leaders hold local officials personally responsible for reducing births in their jurisdictions, and punish them for failing to do so.

The evidence of a far-reaching crackdown presents a direct challenge to the Clinton Administration. President Reagan had cut off United States financing of the United Nations Population Fund because of concerns that its work was intertwined with a coercive family planning program in China, but President Clinton announced last month that he would end the boycott.

Now the new evidence of a crackdown is likely to embarrass Mr. Clinton as he tries to restore funds to the United Nations program. Moreover, criticisms in the United

States about forced sterilization in China are likely in turn to inflame Chinese sensitivities and could create new tensions in Chinese-American relations.

To be sure, some Chinese—particularly city-dwellers—support a tough family planning policy. They say the drop in fertility is helping to produce a historic economic boom and a rise in the nation's education and health standards.

By restricting couples to one or two children each, they say, the Government is helping to lead China out of poverty and into a modern, industrialized future. They note that one reason why China's long-term development prospects may be better than Bangladesh's or Kenya's is that Beijing appears to have defused its population bomb.

Peng Peiyun, the 64-year-old minister of the State Family Planning Commission, acknowledged in a rare news conference on Wednesday that it was mainly Government efforts that had brought down the birth rate.

"Why did fertility drop so drastically?" asked Ms. Peng, who two years ago convinced the Politburo to order the crackdown. "Above all because party and Government officials at all levels paid greater attention to family planning and adopted more effective measures.

The indications of a drop in fertility come in a raft of statistics announced by Ms. Peng, printed in the official Population News or disclosed by Chinese officials. Among the figures are these:

The birth rate dropped to 18.2 per 1,000 population in 1992, down from 21.1 in 1990 and 23.33 in 1987.

Based on last year's birth data, each Chinese woman can expect to have an average of 1.8 or 1.9 children in her lifetime—about the same as in the United States or Britain. China's total fertility rate, as this statistic is known, was 2.3 in 1990 and had never before dipped below 2. In contrast, the average Indian woman has four children.

Only 9.6 percent of all births in 1992 were third, fourth or subsequent children. In 1988, the figure was 15.4 percent.

The proportion of couples of childbearing age who are sterilized or use contraception rose to 83.4 percent in 1992, up from 71.1 percent in 1988.

"It's what would be called saturation contraception in any other country," said Judith Banister, a specialist on China's population at the United States Bureau of the Census. "You can't get much higher than that."

THE METHODS—STERILIZATION MADE EFFICIENT

China already has 1.17 billion inhabitants, 22 percent of the world's population on 7 percent of its arabie land. Even at present fertility levels, the Chinese population will continue to soar because the age structure is very young and many Chinese have yet to enter their child-bearing years.

Some experts believe China's population will peak at almost 1.9 billion in the first half of the next century before stabilizing and then gradually declining again.

To Chinese peasants, who account for nearly one person in five on the planet, almost nothing is so important as bearing children, particularly sons. Many peasant couples feel that they have failed in life's mission, that they have dishonored their ancestors, if they do not extend the male line.

In the early 1980's, there was a storm of international protest when it became clear that the local authorities sometimes dragged women to abortion clinics if they did not have permission to become pregnant. Interviews in a dozen provinces in the last few years suggest that such use of physical force is now less common.

Instead, the focus of the crackdown has shifted to the more efficient method of compulsory, organized sterilization, so that women do not have the option of becoming pregnant again.

Typically, local cadres swoop down on each village once or twice a year, taking all the women who have already had children to a nearby clinic. There they are fitted with IUD's or else undergo sterilization.

Some women manage to get pregnant again before they are sterilized; others flee the village on the day they are supposed to go to the clinic. When the authorities discover an unauthorized pregnancy, they normally apply a daily dose of threats and browbeating.

Some women buckle and accept an abortion, while many others simply flee to a relative's village, returning only after the child is born. In such cases fines equivalent to hundreds or even thousands of dollars—per capita income in the countryside last year was $135—are imposed. Peasants in many different provinces say homes are routinely knocked down if the fine is not paid.

WORST-CASE ABUSE—LOCAL OFFICIALS GET CARRIED AWAY

The report about Ms. Li, who is crippled after the induced labor, is an example of how local officials became carried away in the current crackdown. The three-page account, classified "secret," describes how Ningxiang County decreed in September that women should normally be allowed to give birth only after reaching the age of 24.

The problem for local authorities was that they had already given some women "pregnancy permits" even though they were under 24. Some of these women were pregnant. Nine of them—including Ms. Li—would not give birth until 1993, the first full year in which the new age limit took effect.

"Some district and township officials feared that they would be fined for not meeting the family planning targets, or would not receive their bonuses," the report declares.

So at the end of December the family planning officials formed an "early birth shock brigade" to round up all nine women so labor could be induced. When the team showed up at Ms. Li's home, her mother-in-law pleaded with the officials.

"My daughter-in-law's health isn't good, and she may not be able to get pregnant again," the report quotes the woman as saying, "So let her have one baby, someone to look after her and my son when they grow old. It doesn't matter if it's a boy or a girl. After it's born, she'll go get sterilized."

The officials rejected the plea. And at the first-aid station, when the doctor said Ms. Li was too frail to undergo induced labor, they swept his protests aside and ordered him to proceed. She bled severely, fell unconscious and almost died along with the baby.

Her family took her to the township clinic, which saved her life. Now she has returned home, but the report says she is crippled, without specifying the nature of her injuries.

The report deplores the actions of the local officials and calls for Ms. Li to be compensated for her medical expenses. But a county officer, reached by telephone, said that so far nothing had been done, except that the officials responsible for the "early birth shock brigade" have been summoned to a meeting and told not to induce labor in the future.

THE MOTIVATIONS—INSISTENCE ON MEETING TARGETS

In retrospect, it is now possible to piece together how the crackdown came about. Interviews with Chinese and foreign specialists, and examination of materials published in China, indicate that Ms. Peng and other senior officials became increasingly concerned in the late 1980's that enforcement was growing lax and that China would miss its targets.

In early 1991, Ms. Peng convinced Prime Minister Li Peng and the Communist Party General Secretary, Jiang Zemin, that the matter was urgent. The standing committee of the Politburo, the highest decision-making body, unanimously resolved to tighten family planning work.

Most important, the new "responsibility system" galvanized provincial leaders to pass warnings all the way down the chain of command: family planning targets had to be met. Otherwise, those in charge of the area would be fined or even dismissed.

A result was a 25 percent surge in the number of people sterilized in 1991, to 12.5 million. The number declined in 1992 to 6.5 million, apparently because most women of child-bearing age already had been sterilized by then.

The scope of the crackdown became visible only after the State Family Planning Commission released data from a sample survey conducted in October. The data for 1992 startled almost everyone.

"We were very surprised by these numbers," said Sterling D. Scruggs, the China director of the United Nations Population Fund. "We didn't expect statistics approaching these levels for several more years."

Western diplomats said they believed that a crackdown was the only plausible explanation for the new statistics. They said Ms. Peng herself seems willing to take credit for the drop in the birth rate.

THE MISSING GIRLS—SOME NEWBORNS SEEM TO VANISH

One prime concern among demographers is that hundreds of thousands of newborn Chinese girls seem to vanish from the statistics each year. Biology dictates that for every hundred female births there should be about 105 or 106 male births. But in 1989 for every 100 reported girl births, there were 113.8 births of boys.

That ratio implies that about 8 percent of newborn girls appear to have vanished from the statistics. In China that amounts of 900,000 missing girls each year.

Ms. Peng refused to release the sex ratio in 1992. An aide in charge of statistics, Zhang Erli, said the 1992 survey did not collect such information.

In fact, experts say the survey did gather the data and found a sex ratio of 118.5. But the sample size was small and the margin of error very high, so if is not clear how meaningful the difference is.

Zeng Yi, a leading Chinese demographer, said that the problem of the missing girls is very serious but that most of them are probably alive and never reported to the authorities. Parents who are allowed only one or two children may not want to use up their limited ration on a girl; instead they do not report the birth and try again.

A second factor, according to Mr. Zeng and many other experts, is the growing use of ultrasound equipment in Chinese hospitals. Peasants find out from the doctor—usually with a small bribe—whether a fetus is male or female. If it is female, they get an abortion and start all over.

A final factor, which Mr. Zeng argues is much rarer, is simply infanticide: on instructions from the parents, the midwife keeps a bucket of water beside her, and if a girl emerges, she drowns the baby immediately. It is reported as a stillbirth.

Mr. Zeng and other Chinese experts deplore all such practices. But ultrasound equipment is spreading rapidly, and so many specialists fear that the sex ratio is likely to become increasingly skewed.

Mr. Zeng cautioned that part of the apparent decline in fertility may simply be the result of under-reporting, particularly of girls. The figures were already adjusted upward by 7 percent to compensate for under-reporting, but Mr. Zeng believes that may not have been enough.

To some diplomats, what the new statistics underscore above all else is how little is known of what happens in the Chinese countryside.

"We had almost no idea that this was going on," a Western diplomat said, shaking his head in perplexity. "Even those who follow these things just had no clue."

BIRTHS PUNISHED BY FINE, BEATING OR RUINED HOME

(By Sheryl WuDunn)

GUIYANG, CHINA, April 24—Four days after the birth, a brigade of 10 men and women came from the township to spoil the celebration.

They demolished the parents' hut, strewing stones and straw all over the place. Then they demanded the equivalent of $45, and when the family could not pay, they smashed the couple's chest of drawers—their only furniture aside from a bed.

"Then they took away our family cow," said Peng Dagui, a 60-year-old peasant who is the grandfather of the baby boy. "I wouldn't let the cow out of my sight. I followed it all the way to the township and pleaded with the officials there. But they didn't care."

The Peng family had the misfortune to be caught up last year in a nationwide crackdown by the family planning authorities. The baby was a second child, a boy, and the parents did not wait the full four years before a second child is allowed in this area.

Instead, the baby was born five months before it would have been permitted, and so the local authorities destroyed the home and took the cow. And that was not the end of it.

A FORCED STERILIZATION

Three months after the birth, two dozen officials appeared in the village, in southern China's Guizhou Province, to take the baby's mother, Wang Zhengmei, 27, to the clinic to be sterilized. Ms. Wang did not dare refuse, and in any case, she was told that she would get $3.50 if she had the operation.

She had a tubal ligation, but the officials never gave her the money, she said.

At least rebuilding a home is in some respects a bit easier in a poor Chinese village than in a big city: the father, Peng Fagang, rebuilt the hut in a month from stones and dry grass collected in the fields.

The only solace the Pengs had was that they were not alone: the officials had done the same thing to another family in the same village, tucked in a hilly region outside Guiyang, more than 1,100 miles southwest of Beijing.

The same plight has befallen many of China's 900 million peasants in villages across the country. Some of the victims are educated, some are illiterate, some have small businesses, and some have barely enough to eat.

PEASANTS OFTEN INTIMIDATED

From visits to rural villages in many areas of China, a picture emerges of a family planning policy that sometimes seems administered with capriciousness. The victims, mostly peasants, often seem intimidated, angry, bewildered and confused.

"Please, can you tell me, ultimately, what is the nation's family planning policy?" a 45-year-old grade-school teacher surreptitiously asked a visitor to his village.

In 1983, he and his wife had a second child, three years after they had their first. He thought this was permissible. But the policy had apparently changed, he said, and so officials fined him $2,456, about 17 times his annual salary at that time.

Since he did not have the money, they deducted it from his salary, docking about 80 percent of his wages for a decade, until the end of last year, when he finally got a vasectomy. Such fines by an installment plan seem common in the villages—perhaps because otherwise nobody could pay them.

FINES SEEM ARBITRARY

What puzzles the peasants is that the fines often seem arbitrary, set at will by local officials. Some families seem to be able to have three or four babies; others are punished for having two.

Villagers say that if they cannot pay the fines, the family planning officials confiscate a cow, a pig, an important farm tool or household belongings like furniture or a television. Sometimes they simply smash the items, and often they knock down the house as well.

In another village, Luo Wanyun said the authorities had somehow agreed to let his wife have a third child. This seems a bit unlikely, but Mr. Luo, 38, has only a first-grade education, and it may have been a misunderstanding.

In any case, after the baby came, a brigade from the township knocked down his house. The team also confiscated his wooden thrasher, used to prepare the rice after it is harvested. Mr. Luo said his family had to live in the hills until they could borrow straw to rebuild the house.

"They often take things, your furniture, your cow, your pig, your chickens, your preserved meat," said a 35-year-old woman in another Guizhou Province village. "If you get sterilized, they take your stuff, and if you don't get sterilized, they beat you."

"Some people have been beaten badly, family members and women," she added. "They take electric batons and they hit whomever they see."

COFFIN IS CONFISCATED

She and other villagers were gathered in the house of Huang Guohai, a 37-year-old peasant who has two children, six years apart. For some reason, he never got a marriage license when he married 11 years ago.

Because he had no license, the peasants said, a brigade of 10 people, wielding sticks and screwdrivers, came to his house last year at 1 o'clock in the morning and took away his wash basin and black-and white television. What upset Mr. Huang even more was that they confiscated the coffin and funeral clothes he had prepared for his aged mother, to be used when she dies.

Why didn't he resist? Mr. Huang explained, "If you don't let them take your things, you'll just get beaten."

To the east, in Guangdong Province, peasants tend to be much richer and can often afford to pay the fines to have more children. Some of them manage to defeat the authorities.

In Shunshui, a hamlet in Taishan County, Wu Tiaoyuan said he and his wife, 33, hid for several months while she was pregnant with their third child. She finally gave birth in February 1992 to the son they had always wanted.

"We kept moving around from village to village," Mr. Wu said, "It was very hard, and I was scared."

FRUITLESS ATTEMPT TO ESCAPE

Wu Xinlian, a 30-year-old peasant whose dream was to have a son, thought she too could escape the policy. She has two daughters, and so the authorities insisted that she be sterilized.

When the family planning authorities swept into her village a year ago, preparing to take her and other women to the hospital for a tubal ligation, Ms. Wu fled to Shunshui, where she grew up.

She stayed with her parents, planning to meet her husband secretly and become pregnant. But the authorities discovered her whereabouts and sent two dozen officials to take her to a hospital for her tubal ligation. She said she did not dare refuse.

"I have no idea how they found out I was here," Ms. Wu said as she carried her younger daughter on a visit to her parents in Shunshui, She added wistfully, "I really wanted a boy.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I thank the gentleman for yielding.

The gentleman still has time left. The Executive Director of the UNFPA has said, and I quote, "The UNFPA firmly believes, and so does the Government of the People's Republic of China, that their program is a totally voluntary program." That is absolutely false. And I would advise Members and encourage them to read that New York Times piece. That is what the head of the UNFPA says is voluntary.

Ms. SNOWE. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. I thank the gentlewoman for yielding this time to me.

Mr. Chairman, I am appalled by China's human rights record, as all of us are, including the treatment of women in their child-bearing years. Coercive abortion and sterilization is abhorrent and cannot be tolerated. But I oppose this amendment because it bludgeons voluntary family planning programs in countries where there are no allegations of coercive practices that are desperately trying to address their exploding population growth while it has no effect on China whatsoever.

I once believed that the policy that the gentleman from New Jersey espoused was anti-China. But now I believe, and it is clear to me, it is anti-family planning.

The underlying bill already withholds $13 million in funds that may have gone to UNFPA for use in China and carefully walls off United States funds to UNFPA in a separate account.

□ 1750

The gentleman from Illinois said a moment ago that there are other family planning programs. Yes, the AID plan has a number of fine family planning programs, and I support them, but the UNFPA is far and away the most comprehensive global voluntary family

planning program operating in over 140 countries, including the poorest on Earth. Almost all their money goes to family planning and maternal and child health.

I urge Members to condemn China for its human rights abuses. We should be outraged about them, but do not let your outrage spill over and hurt women in Uganda or impair a child's health in Bolivia. They are not proper targets.

Mr. Chairman, I urge Members to support the bill with the UNFPA safeguards, and to oppose the Smith amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 15 seconds to respond to the gentleman very briefly.

He misled this body in saying that my amendment is anti-family planning.

My amendment makes it very clear that every dollar that potentially might be withheld from the UNFPA will be reallocated to other family planning providers, other NGO's around the globe, and each year since 1985 when the UNFPA has been found guilty of violating the Kemp-Kasten anticoercion law, that money has been reallocated to other family planning NGO's.

Mr. BERMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Chairman, all of us standing here today know it is simply ludicrous to suggest U.N. support for the U.N. Population Fund will do anything to support coerced abortions or forced sterilization abroad. Neither will it fund abortion as a method of family planning.

Let us talk about what our support for UNFPA actually does. It supports vital family planning services in over 140 countries. Services that allow individuals to determine the size of their own families. Services that promote the full range of health care options. Services that empower women and couples and families.

I have a question for those who rightly address illegal immigration as a growing concern yet are considering voting for this amendment or against final passage. Do you really think we will be able to stem illegal immigration so long as the Earth's population continues to explode? Most of the growth in world population is taking place in countries ill-equipped to absorb it. That is a recipe for global disaster, a disaster that will affect us, a disaster which the UNFPA is working to prevent.

Supporting effective family planning programs should be among our top foreign policy goals. I urge my colleagues to support funding for UNFPA. Defeat the Smith amendment. Support final passage.

Ms. SNOWE. Mr. Chairman, I yield the remainder of my time, 1½ minutes, to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, family planning works. It helps to stabilize world population growth, reduces the number of women seeking abortions, and empowers women to take control of their lives.

Over the past 20 years, contraceptive use in the developing world increased from 9 to 50 percent and helped to reduce global fertility rates from six children per woman to less than four. However, to accomplish a meaningful reduction in population growth and stabilize world population at 8 billion, contraceptive use would need to increase to 72 percent.

Mr. Chairman, there has been a lot of debate over this amendment. I want to emphasize that none of the funds can be used in China and the funds must be kept in a segregated account to trace United States fund expenditures.

Mr. Chairman, there is ample evidence of the devastating social and environmental effects of overpopulation, an issue which has not been adequately addressed in recent years. Support for the refunding of UNFPA in the foreign assistance bill will help to stabilize world population growth and safeguard the quality of life for future generations.

I urge my colleagues to join me in supporting the refunding of UNFPA and in opposing the Smith amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, there are times when I wonder whether the Democrat leadership in this House really believes the American people have no common sense. I wonder whether they truly think they can put one over on the American public in the blatant and almost laughable way they are attempting in this bill.

As my colleagues have described, H.R. 2333 makes $13.7 million out of a total $50 million U.S. contribution to the U.N. Population Fund conditional on the termination of its activities in China. Considering the U.N. fund has received zero funding for the last 8 years, I do not imagine they will be too upset about only getting $36.3 million in fiscal year 1994. Mr. Chairman, this is not being harsh. Such punishment is hardly going to encourage the U.N. fund to sever its ties with China.

The fact is, currently millions of Chinese women are denied the right to give birth to their babies. The Chinese Government coerces pregnant women, if they have more than one child, either to have an abortion or to undergo sterilization. In Tibet, the policy is even more brutal, as cases have been reported of forced infanticide where the baby is actually killed at birth.

Despite the overwhelming evidence that China's family planning program is coercive, the Executive Director of the U.N. Population Fund continues to publicly praise the Chinese for their "remarkable achievements" and calls their program "totally voluntary." H.R. 2333 makes us a party to this coverup.

Establishing separate accounts for the U.S. contribution to the U.N. fund is only a bookkeeping trick which is intended to pacify the consciences of those who feel some discomfort at the thought of giving money to a government that has no respect for human rights. Likewise, withholding a portion of the money authorized to the U.N. Fund until it ceases its involvement with China is like giving a child 10 candy bars and saying he can have 1 more if he cleans his room. Is the effort worth it? I think not.

I hope Members realize that this is not simply a pro-life issue; rather, it is a statement about whether we believe we should take a strong stand against total disrespect for fundamental human rights. The amendment offered by Congressman SMITH is straightforward and honest, prohibiting any funding to the U.N. Population Fund until it terminates its activities in China or until it is determined that China's population control program is not coercive. I believe the American people can see through the games that people play here in Washington, and I believe they will see that what is in this bill is only make believe.

I urge a "yes" vote on the Smith amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. MANZULLO]

Mr. MANZULLO. Mr. Chairman, I can think of no lower spending priority than helping China with its coercive family planning policy.

I strongly urge my colleagues to vote in support of the Smith amendment. This is not a vote against MFN status. I still believe in MFN status for China.

This compromise in this bill would still authorize $36 million for the UNFPA. Creating a separate account for the U.S. contribution is only a shell game.

Mr. Chairman, I call attention to the Chicago Tribune that states:

> Infant girls do vanish in China.

It is female infanticide that is taking place in China, and to vote against the Smith amendment means that we condone this type of activity.

I call attention to the New York Times that says:

> China's crackdown on births is a stunning and harsh success.

This is not a matter of abortion. This is a matter of the cruelest type of killing that is taking place in the world today. It is infanticide. It is that simple.

We have to send a message. We have to send a strong human rights message

that we will not tolerate this type of activity anymore in the world.

Mr. Chairman, I therefore encourage my colleagues to take into consideration the human rights of the millions of women in China who have had babies ripped from their wombs at the 9th month, who have had their female children smothered and killed as part of China's policy of infanticide, and to vote in favor of the Smith amendment and to use the funds for population control, not for the horrible activities taking place in China.

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for his excellent statement.

Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Chairman, we are attempting to export our immorality. The gentleman from Illinois [Mr. HYDE] was right when he said that by funding the U.N. Population Fund we are participating in China's population control program that violates the Kemp-Kasten anticoercion law. It strictly prohibits funding of any organization that supports or participates in the management of a program of coercive abortion or involuntary sterilization.

The U.N. Population Fund has received no United States funds since 1985 when they were found to be in violation of the anticoercion law by providing computers and technical assistance to government-sanctioned family planners in China who use forced abortions and involuntary sterilization to enforce the country's one-child-per-family policy.

While the U.N. Population Fund continues to participate in China's program, and to hold it up as a model for other developing nations, we have another problem here at home, Mr. Chairman. Soon we will be debating the Freedom of Choice Act on this floor. The legal effect of the Freedom of Choice Act would be to remove State authority to place any meaningful limits on third-trimester abortions, by conferring on each abortionist the unlimited, unreviewable authority to operate accordingly to this personal definition of viability, and by requiring States to permit unrestricted abortion at any time during pregnancy to preserve the emotional health of the mother.

Mr. Chairman, finally, after 34 years, my wife and I were blessed with our first two grandchildren in March and April of this year. And how beautiful they are today, 2 and 3 months old and a blessing for all to behold. If the Freedom of Choice Act had been law 3 months ago and if my son's wives has so desired, they could have terminated both of my grandchildren. Of course, the Freedom of Choice Act is not being debated today, but the fact that the administration is supporting it tells us something about the perversion that is permeating our countries moral fiber.

Mr. Chairman, we can not allow this immoral behavior to take place in our own country, nor can we export it by financially supporting it. One hundred years from now historians will look back on this day and age and say that we were barbarians, killing our own children freely. And, this authorization bill, without the Smith amendment, exports our immorality to other countries.

There is only one vehicle available to put us on public record against this exportation of perversive immorality, the Smith amendment. Vote for it.

□ 1800

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I rise in strong support of the Smith amendment, which will strengthen support for voluntary family planning and render coercion completely unacceptable.

Mr. SMITH is offering this amendment because of the earmark in this bill for the U.N. Population Fund or UNFPA. As my colleagues know, since 1985 this fund has been ineligible to receive population assistance because of its participation in China's brutal, coercive one-child policy.

Despite the overwhelming evidence that China's program is coercive, the executive director of the UNFPA continues to publicly praise the Chinese for their remarkable achievements and calls their program totally voluntary.

Additionally, UNFPA's technical and management assistance helps provide the wherewithal for the Chinese authorities to enforce their coercive program more vigorously. In light of this situation, I am in disagreement with the segregated account approach advocated by the committee.

It is important to note that every dollar that has been withheld from the UNFPA during the past 8 years, because of their complicity with China's coercive program, has been reallocated to other family planning providers. So, not one penny of family planning funds has been lost.

This amendment, however, does not withhold funds from the UNFPA if it meets certain criteria. If it does not meet the criteria set forth in this amendment, any authorized funds will be made available to other family planning providers.

The President will have the authority to determine UNFPA's eligibility for funding in each fiscal year.

I urge my colleagues to support this well-crafted amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from New Jersey [Mr. SMITH].

Mr. Chairman, I rise in strong support of the Smith amendment, and if it fails—that is, if we agree to provide millions of taxpayer dollars to an agency that supports coerced abortion and sterilization—I will vote against the entire bill. We, as a civilized nation, should not support in any way a policy which strikes so sharply against the basic human freedoms that we cherish.

This bill authorizes $50 million for the U.N. Population Fund. This is the fund that directly supports the Chinese forced sterilization and forced abortion policy. This is the government that, according to a letter from Chinese dissidents, is "rooted in widespread coercion, mass abortions and sterilizations, and relentless intrusions by the state into the private lives of Chinese people." There are some Members who disagree with me about abortion; I understand that. But I don't understand how Members who consider themselves pro-choice can support the UNFPA and China's coercive policy. China's policy isn't pro-choice; China's policy is no choice.

Some folks would tell you that we can give money to the UNFPA and still oppose China's oppressive policy of forced abortion and forced sterilization. They'll tell you that as long as United States taxpayer dollars are kept in a separate account, we won't be supporting China's reproductive oppression. This statement requires a quantum leap in logic. Plainly and simply, money is fungible, and if we give the UNFPA funding for certain approved activities, our money will free up more of the UNFPA's own money to spend in China. Funding the UNFPA will assist China in its coercive no-choice reproductive policy—that's the bottom line. I urge my colleagues to support the Smith amendment and strike this earmark of coercion from this bill.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, next month we will celebrate the inalienable, or God-given, rights of life, liberty, and the pursuit of happiness. This month's Ladies Home Journal—actually next month's, July 1993—tells us in great detail what goes on in China relative to their forced sterilization and abortion policies, and birth control policies. The speaker has acknowledged that and says, "Well, yes, this is about family planning." Well, it is not. This is about coercion and human rights.

The gentleman from New Jersey [Mr. SMITH] is absolutely right. We should vote for the amendment offered by the gentleman from New Jersey [Mr. SMITH]. UNFPA should stop doing business in China, stop supporting the harsh hand of tyranny and should get on about its business throughout the rest of the world. I urge strong support of the Smith amendment. It is the right thing to do.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, how many of my colleagues saw "60 Minutes" this last weekend? They reprised their story of 3 years ago on burning women alive, on brides in India, and then they went into the abuse of ultrasound and this slaughter of female babies in India. Does anybody really study what China has done in Tibet? They burned down and destroyed 8,000 temples. They left 14 standing. And they are using an even worse coercive policy in Tibet.

Mr. Chairman, I ask my colleagues, "How can anybody not vote for the Smith amendment, particularly if they're of the female gender, with the slaughter of females that is going on around the world?"

We must send this message to China.

Mr. BERMAN. Mr. Chairman, I yield 1 minute, while reserving the right to have the closing comments, to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the gentleman from California [Mr. BERMAN] for yielding this time to me.

Mr. Chairman, the explosion in world population is probably the most profound crisis facing us as humankind. It implicates U.S. security interests, it implicates U.S. human rights interests, it implicates our environmental interests and, certainly, our immigration interests. The U.N. Population Fund and its family planning efforts are absolutely central in the efforts that we need to be making to address this issue. Thank God the United States is again joining the serious and enlightened world community effort to deal with this most pressing problem. Let us rejoice in getting our collective heads out of the sand with the leadership of this new administration, and let us be proud in defeating this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to ask my colleagues how you think you would feel if you, your loved ones, including family and friends were forced to live in a land where brothers and sisters were officially declared illegal; where only one child per couple is permitted; where children, if not explicitly authorized by a birth quota system engineered by the government, are literally stolen from their moms and killed with poison by population control fanatics.

How would you like to be ordered to be sterilized—"but I desperately want to have a family," you might say. "Tough," says the dictatorship, "get back in line for your sterilization or you'll be punished. This isn't a democracy; it's a dictatorship. You have no rights of appeal or due process rights of any kind."

This brave new world of population control isn't fiction or the story line emanating from some bizarre new novel, but the nightmare and shame of government-imposed population control in China.

Some brave souls in China somehow manage to evade the population gestapo, but they too are usually discovered for the punishable offense of having and loving children. Once discovered, they are often beaten, demoted, and discriminated against at work, severely fined, or their homes are demolished.

All of this cruelty against women, children—the family—is day-to-day reality on an unbelievably massive scale in the People's Republic of China.

My wife and I are the proud parents of four wonderful children. If Beijing's policy applied to us, three of our kids would be dead. China's one child per couple policy, with its pervasive use of forced abortion and forced sterilization to achieve its goals, is a scandal. It is inhumane and constitutes crimes against humanity. All this cruelty from a dictatorship in Beijing, answerable to no one.

Now put yourself again in the shoes of an oppressed peasant or city dweller, and consider how you might feel if you knew that the U.N. Population Fund represented this cruelty to the world as a totally voluntary program and had pumped over $100 million into it over the decade to increase its efficacy in targeting you and your family for control by the dictatorship in Beijing.

I don't know about you, but I'd be both disappointed and outraged that this organization had so conspired and collaborated with my oppressor to further victimize me and the people of my country.

Throughout the eighties, UNFPA leaders have vigorously defended the Chinese program. In 1989, when even many abortion advocates in Congress had come to recognize the widespread coercion in China, Nafis Sadik, executive director of the UNFPA continued to defend the program and said:

> The UNFPA firmly believes, and so does the government of the People's Republic of China, that their program is a totally voluntary program.

On the CBS "Nightwatch" program, November 21, 1989, Sadik said:

> The implementation of the policy [in China] and the acceptance of the policy is purely voluntary. There is no such thing as, you know, a license to have a birth and so on.

These statements simply don't comport with the truth. UNFPA has—and continues to whitewash—very, very serious crimes. The butchers of Beijing couldn't ask for a better front. If the UNFPA was fronting like this for terrorism or a drug cartel, we wouldn't hesitate in redirecting U.S. taxpayer funds to more worthy recipients. Fronting for crimes against women and children is unconscionable.

In an exclusive interview on April 11, 1991, with Xinhua, China's official news agency, Nafis Sadik had this further to say:

> China has every reason to feel proud of and pleased with its remarkable achievements made in its family planning policy and control of its population growth over the past 10 years. Now the country could offer its experiences and special experts to help other countries.

Mr. Chairman, rather than expose China's flagrant violations of human rights and its government-sanctioned program of mass murder, Sadik and the U.N. Population Fund want to export China's exploitation of women and children.

I would take this time to remind Members that the United Nations support provides substantial cover for the Chinese program. After receiving a U.N. award for its population control efforts in 1983, China's senior population official claimed that the award had put the imprimatur of the world body on China's population control program. I would submit that in light of the overwhelming evidence that systematic violations of fundamental human rights are continuing on a widespread basis, it would be a travesty if the United States Congress acted in a manner that appeared to put the imprimatur of the United States on China's coercive and repulsive program.

Let us not join the chorus of those who regard life as cheap and disposable—especially when it's the lives of Chinese women and their kids living in a faraway land.

The draft language of the bill, Mr. Chairman, supplants longstanding human rights conditions on U.S. population policy enacted under Presidents Reagan and Bush that the United States will contribute only to those organizations that support or comanage truly voluntary, noncoercive programs. Continuously since 1985 the UNFPA has been found guilty. It has been found to have violated the Kemp-Kasten anticoercion law by supporting and comanaging China's brutal one child per couple policy.

By providing funds to the UNFPA regardles of whether they are supporting or comanaging China's inhumane policy, we are essentially accepting and supporting China's policy as well, not withstanding paper denunciations. The solution proposed today in the draft bill is a feel good, totally ineffective, nuanced policy that sells out the victims and plays ball with the abusers of human rights.

Again, I submit to Members that if UNFPA were supporting and comanaging a coercive population program and we Americans were the victims, and the pain and humiliation and the loss of life was imposed on American mothers and their infants, the bookkeeping exercises, segregation of funds, and lip-service contained in this bill would be regarded with contempt.

Mr. Chairman, the Chinese Government treats women no better than farm animals. Chinese mothers and their babies, too, are worthy of our re-

spect, our love, and protection, not poison shots.

The bill before us trivializes the nightmare of forced abortion in China and the U.N. Population Fund's complicity in these heinous crimes.

Mr. Chairman, the bill constitutes a major retreat, a surrender to the population control abusers who have whitewashed China's crimes. I note with sadness that if this bill is enacted into law, the imprimatur of the United States will be on the Chinese brutal one child program because we will have caved in—our deeds speak louder than words and paper denunciations. We will have said that while we pay lip service against coercion, it really matters very, very little to us.

Let me note that the amendment I am offering today will not decrease overall U.S. family planning assistance by one penny. The text of my amendment requires that funds withheld from the UNFPA be used in other family planning programs. My amendment is serious about the abuse of women and children.

My amendment strikes the sham of segregated accounts. Since money is fungible, earmarking United States funds for UNFPA for anywhere but the PRC only permits the UNFPA to dedicate other donor resources to China's coercive program—a program that exploits the women in China.

The UNFPA should know that the United States is serious in asking that it leave China and my amendment conditions the entire United States contribution to the UNFPA—instead of just a portion—on its withdrawal from China. This is especially important, as I said earlier, because under the bill in its current form the UNFPA has precious little incentive to break off contact since even if they do nothing about their shameful complicity in the Chinese program, they still get 36 million United States taxpayer dollars, which is 36-plus million more than they're getting in fiscal year 1993. Not a bad payoff for stonewalling on human rights.

Let me close with the opening paragraphs of an April 25 New York Times exposé that sheds some light on the nightmare of China's "Brave New World" of population control. In that page one article entitled, "China's Crackdown on Births: A Stunning, and Harsh, Success," New York Times reporter, Nicholas Kristof writes:

She should be taking her two-month old baby out around the village now, proudly nursing him and teaching him about life. Instead, her baby is buried under a mound of dirt, and Li Quiliang spends her time lying in bed, emotionally crushed and physically crippled.

The baby died because under China's complex quota system for births, local family planning officials wanted Ms. Li to give birth in 1992 rather than 1993. So on Dec. 30, when she was seven months pregnant, they took her to an unsanitary first-aid station and ordered the doctor to induce early labor.

Ms. Li's family pleaded. The doctor protested. But the family planning workers insisted. The result: The baby died after nine hours, and 23-year-old Ms. Li is incapacitated.

If this bill passes in its current form, those who exploit women—the abusers of Ms. Li and millions like her—in China will win big.

Vote "yes" on my anticoercion amendment.

□ 1810

Mr. BERMAN. Mr. Chairman, with a reminder that this is a debate about voluntary family planning activities in 138 countries, not a debate about China, I yield the remaining 1 minute of our time to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in strong opposition to the Smith amendment. This amendment would do nothing to stop China's policy of coerced abortions to which I object just as strongly as does the gentleman from New Jersey. It is merely an attack on international family planning efforts which I strongly support.

The coercive abortion policy in China violates all principles of a modern society. Despite overwhelming evidence of forced abortions and involuntary sterilization, the Chinese Government denies it is conducting a campaign of intimidation and violence against the Chinese people. We must condemn this brutal policy, which deprives families of real choices and threatens hundreds of thousands of lives. We must ensure that no United States funds contribute to China's repression and violation of individual liberties.

That is why we have worked hard to craft a compromise that strikes a sensible balance between the need to censure China for its deplorable policies, while restoring the United States commitment to critical family planning programs in other nations that are trying hard to struggle with exponential population growth which makes their economic development goals even more difficult to meet. The bill before us today, and the foreign operations appropriations bill we will debate tomorrow, accomplish these goals. They impose strong policies to confront the abuses, and impose tough restrictions on the use of United States funds. UNFPA would be required to maintain United States funds in a segregated account, so no United States funds would be used in China.

Today, we have the opportunity to restore funding to the U.N. population fund, funding which has been held hostage to antiabortion politics. Today, we can begin to make a real difference in the lives of millions of women, and the future of our planet.

Yet, despite the opportunity to make real progress in world health, some would punish UNFPA and developing nations for China's policies. Approval of the Smith amendment would mean denying UNFPA funds for worthwhile projects all over the world.

Passage of the foreign aid bills will make a real impact on women's lives and in developing countries by restoring funding for UNFPA. Unfortunately, this amendment would place this in jeopardy.

Let us be frank. The language currently in the foreign aid bill makes clear that no United States funds shall be used in China. A vote for the Smith amendment is a vote against sensible, cost-effective international family planning programs.

I urge my colleagues to oppose the Smith amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

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

RECORDED VOTE

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered

The vote was taken by electronic device, and there were—ayes 191, noes 236, not voting 12, as follows:

[Roll No. 232]

AYES—191

Allard	Fields (TX)	Livingston
Applegate	Foglietta	Manton
Archer	Fowler	Manzullo
Armey	Franks (NJ)	Mazzoli
Bachus (AL)	Gallegly	McCrery
Baker (CA)	Gekas	McDade
Baker (LA)	Geren	McHugh
Ballenger	Gillmor	McInnis
Barcia	Gingrich	McKeon
Barlow	Goodlatte	McMillan
Barrett (NE)	Goodling	Mica
Bartlett	Goss	Michel
Barton	Grams	Miller (FL)
Bateman	Grandy	Molinari
Bentley	Gunderson	Mollohan
Bilbray	Hall (OH)	Montgomery
Bilirakis	Hall (TX)	Moorhead
Bliley	Hancock	Murphy
Blute	Hansen	Myers
Boehner	Hastert	Nussle
Bonilla	Hayes	Oberstar
Bonior	Hefley	Ortiz
Borski	Herger	Orton
Browder	Hobson	Oxley
Bunning	Hoekstra	Packard
Burton	Hoke	Parker
Buyer	Holden	Paxon
Callahan	Hunter	Peterson (MN)
Camp	Hutchinson	Petri
Canady	Hutto	Pombo
Clinger	Hyde	Portman
Coble	Inglis	Poshard
Collins (GA)	Inhofe	Pryce (OH)
Combest	Istook	Quillen
Costello	Jacobs	Quinn
Cox	Johnson, Sam	Rahall
Crane	Kanjorski	Ravenel
Crapo	Kasich	Regula
Cunningham	Kildee	Ridge
Danner	Kim	Roberts
de la Garza	King	Roemer
Deal	Kingston	Rogers
DeLay	Kleczka	Rohrabacher
Diaz-Balart	Klink	Ros-Lehtinen
Dickey	Knollenberg	Roth
Doolittle	Kyl	Royce
Dornan	LaFalce	Santorum
Dreier	Laughlin	Sarpalius
Duncan	Levy	Saxton
Dunn	Lewis (FL)	Schaefer
Emerson	Lightfoot	Schiff
Everett	Linder	Sensenbrenner
Ewing	Lipinski	Shaw

Shuster
Skeen
Skelton
Slattery
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Stupak
Sundquist
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (WY)
Thurman
Underwood (GU)
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Whitten
Wolf
Young (AK)

NOES—236

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Bacchus (FL)
Baesler
Barca
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bevill
Bishop
Blackwell
Boehlert
Boucher
Brewster
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Calvert
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Coyne
Cramer
Darden
de Lugo (VI)
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Faleomavaega (AS)
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Ford (MI)
Frank (MA)
Franks (CT)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Glickman
Gonzalez
Gordon
Green
Greenwood
Gutierrez
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Horn
Houghton
Hoyer
Huffington
Hughes
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy
Kennelly
Klein
Klug
Kolbe
Kopetski
Kreidler
Lambert
Lancaster
Lantos
LaRocco
Lazio
Leach
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Margolies-Mezvinsky
Markey
Martinez
Matsui
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Moran
Morella
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Norton (DC)
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Penny
Peterson (FL)
Pickett
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Reed
Reynolds
Richardson
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Schenk
Schroeder
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Slaughter
Smith (IA)
Snowe
Spratt
Stark
Stokes
Strickland
Studds
Swett
Swift
Synar
Tanner
Thomas (CA)
Thompson
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOT VOTING—12

Fish
Ford (TN)
Henry
McCandless
McCollum
Moakley
Pelosi
Pickle
Romero-Barcelo (PR)
Schumer
Thornton
Young (FL)

□ 1836

The Clerk announced the following pair:

On this vote:

Mr. McCollum for, with Mr. Schumer against.

Messrs. SAWYER, MATSUI, WILLIAMS, HINCHEY, and NEAL of Massachusetts changed their vote from "aye" to "no."

Ms. DANNER and Mr. FOGLIETTA changed their vote from "no" to "aye."

Mr. RUSH changed his vote from "present" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. BERMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think it is the intent of the bipartisan members of the committee and the managers of the bill to take up three amendments, none of which we expect will have a rollcall vote, before we offer a motion to rise. In other words, for our colleagues' purposes, there is no intent to have another recorded vote this evening.

The CHAIRMAN. The Chair would inquire, is that the agreement of the other side of the aisle, or does someone speak for the other side of the aisle?

Ms. SNOWE. Mr. Chairman, I will speak for the other side of the aisle. That is agreed, that we will just offer the next three amendments and be done for the evening.

AMENDMENTS EN BLOC OFFERED BY MR. BERMAN, CONSISTING OF AMENDMENTS NUMBERED 5, 8, AND 9 (EACH AS MODIFIED) AND AMENDMENTS NUMBERED 10 AND 12

Mr. BERMAN. Mr. Chairman, I offer amendments en bloc consisting of amendments numbered 5, 8, and 9, each as modified, and amendments numbered 10 and 12.

The CHAIRMAN. The Clerk will designate the amendments numbered 10 and 12, and without objection, the reading of the amendments numbered 5, 8, and 9 (each as modified) will be dispensed with.

There was no objection.

The text of the amendments en bloc offered by Mr. BERMAN, consisting of amendments numbered 5, 8, and 9 (each as modified) and amendments numbered 10 and 12, is as follows:

AMENDMENT NO. 12

Page 125, strike lines 11 through 19 and insert the following:

(1) to promote the reinvigoration of the Arms Control and Disarmament Agency;

(2) to provide renewed impetus in improving the United States Government's ability to manage the complex process of negotiating and implementing arms control treaties;

(3) to establish a higher priority for United States nonproliferation policy and activity as part of United States arms control and to stress cooperative leadership and coordination both at the United States Arms Control and Disarmament Agency and the Department of State with all other agencies; and

(4) to improve Congressional oversight of the operating budget of the United States Arms Control and Disarmament Agency.

Page 125, strike line 20 and all that follows through line 23 on page 126.

Page 127, line 1, strike "303" and insert "302".

Page 127, strike lines 6 through 12 and insert the following:

"(a) APPOINTMENT.—The President may appoint, by and with the advice and consent of the Senate, Special Representatives of the President for Arms Control and Disarmament in the United States Arms Control and Disarmament Agency. Each Presidential Special Representative shall hold the rank of ambassador.

"(b) DUTIES.—Presidential Special Representatives shall perform their duties and exercise their powers under direction of the President and the Secretary of State acting through the Director.

Page 128, line 2, strike "Nonproliferation." and insert "Disarmament.".

Page 128, line 3, strike "304" and insert "303".

Page 128, line 7, after "Director" insert ", acting under the direction of the Secretary of State,".

Page 128, strike lines 10 through 17, and insert the following:

forums in the fields of arms control and disarmament. To this end—

"(1) the Director, acting under the direction of the Secretary of State, shall have primary responsibility for the preparation, formulation, and support for all such negotiations and forums; and

Page 128, line 18, strike "all".

Page 128, line 23, strike "Director." and insert "Director, as appropriate.".

Page 128, lines 20 and 21, strike "arms control, disarmament, or nonproliferation" and insert "arms control and disarmament".

Page 128, line 23, strike "President," and insert "President and Secretary of State,".

Page 129, line 1, strike "305" and insert "304".

Page 130, line 2, strike "No" and all that follows through "decision." on line 7.

Page 129, strike line 3 and insert the following:

The Arms Export Control Act is amended as follows:

Page 131, strike lines 4 through 23.

Page 132, line 1, strike "306" and insert "305".

Page 133, line 19, strike "307" and insert "306".

Page 134, after line 25, insert the following:

SEC. 307. APPOINTMENT OF PERSONNEL.

Section 41(b) of the Arms Control and Disarmament Act (22 U.S.C. 2581(b)) is amended striking "except that during the 2-year" and inserting "except that the Director may, to the extent he or she deems necessary to the discharge of his or her responsibilities, appoint in the Excepted Service and fix the compensation of employees possessing specialized technical expertise notwithstanding the provisions of title 5, United States Code, governing appointment or compensation of employees of the United States, provided that, an employee who is appointed under this provision may not be paid a salary in excess of the rate payable for positions of equivalent difficulty or responsibility, and in no event, may be paid at a rate exceeding the maximum rate in effect for level 15 of the General Schedule, and provided further, that

the number of employees appointed under this provision shall not exceed ten percent of the Agency's Full Time Equivalent (FTE) ceiling.".

MODIFICATION OF AMENDMENT NO. 5

Page 21, strike lines 16 through 18, and insert the following:

(5) members of the Senior Foreign Service serving under limited non-career appointments.

Page 59, strike lines 17 and 18, and insert "include chiefs of mission, principal officers and their deputies, and administrative and personnel officers abroad.".

Page 9, strike lines 16 through 18 and insert the following:

for administrative expenses to carry out the purposes of the Migration and Refugee Assistance Act of 1962.

Page 61, strike line 25 and all that follows through line 2 on page 62, and insert "mission in a foreign country whose claims arose from a departure authorized or ordered under circumstances described in section 5522(a) of title 5 of the United".

Page 44, line 15, after "striking" insert the following: "Legal Advisor of the Department of State.", "Chief of Protocol, Department of State.".

Page 44, before the period at the end insert the following:

and inserting "21 Assistant Secretaries of State and 4 other State Department officials to be appointed by the President, by and with the advice and consent of the Senate.".

Page 73, line 21, after "Dams" insert ", except those revenues paid pursuant to subsection (d) to the general fund of the Treasury of the United States,".

Page 74, line 4, strike "(d)" and insert "(e)".

Page 74, after line 3, insert the following:

"(d) Revenues in the Maintenance Fund in excess of operation, maintenance, and emergency needs shall be paid annually to the general fund of the Treasury of the United States to return the costs of replacements and the original investments, with interest.

Page 7, line 5, strike "$481,416,000" and insert "$484,416,000".

Page 7, line 6, strike "$494,495,000" and insert "$497,495,000".

Page 12, strike lines 1 through 4.

AMENDMENT NO. 10 (MR. HALL OF OHIO)

Page 95, after line 22, insert the following:

SEC. 196. FOOD AS A HUMAN RIGHT.

(a) THE RIGHT TO FOOD AND UNITED STATES FOREIGN POLICY.—

(1) IN GENERAL.—The United States shall, in accordance with its international obligations and in keeping with the longstanding humanitarian tradition of the United States, promote increased respect internationally for the rights to food and to medical care, including the protection of these rights with respect to civilians and noncombatants during times of armed conflict (such as through ensuring safe passage of relief supplies and access to impartial humanitarian relief organizations providing relief assistance).

(2) RESPONSIBILITIES OF ASSISTANT SECRETARY OF STATE.—The responsibilities of the Assistant Secretary of State who is responsible for human rights and humanitarian affairs shall include promoting increased respect internationally for the rights to food and to medical care in accordance with paragraph (1).

(b) UNITED NATIONS CONVENTION ON THE RIGHT TO FOOD.—It is the sense of the Congress that a major effort should be made to strengthen the right to food in international law to assure the access to all persons to adequate food supplies. Toward that end, the Secretary of State, through the United States Representative to the United Nations, should propose to the United Nations General Assembly that a Declaration and Convention concerning the right to food be adopted and submitted to the countries of the world for ratification.

MODIFICATION OF AMENDMENT NO. 8 (MS. SNOWE OF MAINE)

Page 75, after line 9, insert the following:

SEC. 167. INTERNATIONAL PEACEKEEPING REFORM.

(a) FINDINGS.—The Congress finds that—

(1) at the beginning of 1993, there were 13 United Nations international peacekeeping operations in existence, 9 of which were established since 1990;

(2) in 1987 the United Nations spent $233,000,000 on all international peacekeeping operations, compared to $3,800,000,000 budgeted for this function in 1993;

(3) while the United States is currently assessed 25 percent of the regular budget of the United Nations and its specialized agencies, the United States had, until 1993, been assessed 30.4 percent for the United Nations peacekeeping operations;

(4) by early 1993, the United Nations unilaterally increased the United States assessed level for international peackeeping operations to 31.7 percent to compensate for the breakup of the former Soviet Union;

(5) the United States' share of the United Nations international peacekeeping assessments is significantly higher than that of any other member state, regardless of economic strength, location, or potential to benefit from specific peacekeeping missions;

(6) the United States Government faces a protected period of serious fiscal constraint, particularly in its international affairs budget;

(7) there is growing concern in the Congress over the potential for excessive reliance on United Nations international peacekeeping operations for the resolution of local and regional conflicts, including concern over the continued viability of existing United Nations peacekeeping operations that have become permanent fixtures in local disputes rather than serving to bring such disputes to resolution; and

(8) for fiscal year 1994, the executive branch has requested the creation of a United States Peacekeeping Emergency Fund to increase the ability of the United States to respond quickly to unforeseen peacekeeping emergencies.

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

(1) the United States should seek to negotiate a reduction of its assessed share for any international peacekeeping operation to its current share of the regular assessed budget for the international organization or entity with jurisdiction over that operation;

(2) all United States military assistance, logistical support and in-kind contributions for an international peacekeeping operation should either be fully counted toward the United States assessment for that operation or should be fully reimbursed; and

(3) regional countries or groups of countries that would receive disproportionate benefit from the establishment of an international peacekeeping operation should voluntarily provide a higher proportionate share of the costs of that peacekeeping operation.

(c) RESTRICTIONS ON THE USE OF FUNDS IN THE ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES ACCOUNT.—Notwithstanding any other provision of law, funds authorized under this Act to be appropriated to the Contributions for International Peacekeeping Activities Account at the Department of State may not be made available for the payment of assessed contributions to United Nations international peacekeeping operations in excess of 30.4 percent of the cost of such operations.

MODIFICATION OF AMENDMENT NO. 9 (MS. SNOWE OF MAINE)

Page 95, strike lines 4 through 8 and insert the following:

(4) It is the sense of the Congress that all program and administrative audit and efficiency reviews should be fully available to the governing bodies of such organizations.

(5) It is the sense of the Congress that the President should include as a condition of new membership (or renewal of suspended membership) in any major international organization that the international organization have effective program and administrative audits and efficiency reviews which are provided to member states as expeditiously as possible after such reports and findings are made.

The CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. BERMAN] will be recognized for 5 minutes, and the gentlewoman from Maine [Ms. SNOWE] will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. BERMAN].

□ 1840

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

Mr. Chairman, I have a set of en bloc amendments at the desk consisting of the amendments as reported by the Rules Committee and contained in the rule adopted by the House, and germane modifications of the reported amendments. I assume that the amendments are deemed read and, therefore, I would like to just briefly describe the en bloc amendments.

Amendment No. 12 in the rule regarding the Arms Control and Disarmament Agency, as reported; a modification of amendment 5 as reported, which contains a variety of technical changes to personnel and organizational provisions, corrects definitional and mathematical errors, and deletes one extraneous paragraph; amendment 10 offered by Representative HALL as reported regarding food as a human right, and I would include for the RECORD Mr. HALL's statement at this point.

Also, a modification of amendment No. 8 presented by Ms. SNOWE regarding international peacekeeping reform, and a modification of amendment No. 9 by Ms. SNOWE regarding inspectors general at the international organizations.

Mr. Chairman, I note that the en bloc amendments, as I mentioned, add a modification of a provision authored by the gentlewoman from Maine relating

to U.S. contributions to international peacekeeping activities. Because the United States is already the largest contributor of funds for peacekeeping, I believe that our capacity to continue support for it depends on an assurance that the proportion that we pay will not increase.

I have agreed to Ms. SNOWE's amendment for that reason. However, I do not agree with all of the language in this provision, and it is our intention to work out our differences before enactment.

I am particularly troubled by language that would suggest that there is excessive reliance on international peacekeeping. I also note that the language on credit for U.S. military assistance, logistical support, and in-kind contributions raises complex issues about the rate and manner of its calculation, which needs to be clarified.

The amendments offered in the en bloc amendment have been agreed to within the minority. I urge their adoption.

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

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

Mr. Chairman, I rise in support of the en bloc amendment offered by the gentleman from California, the distinguished chairman of the Subcommittee on International Operations.

This en bloc amendment was specifically made in order by the rule to provide for expeditious consideration of purely technical provisions and noncontroversial amendments that have been agreed upon by both sides.

The technical provisions are nonsubstantive corrections to the text of the bill that have been identified either by the administration or by staff. They include corrections to:

A mistaken inclusion of administrative personnel overseas in the category of State Department management;

An incorrect reference in law to the administrative expenses of the State Department Refugee Bureau;

The unintended retention of references to specific titles for four Assistant Secretary equivalents at the State Department; and

A jurisdictional error in the border commission section of the bill, which is corrected by language provided by the Interior Committee.

The en bloc amendment also contains four noncontroversial amendments that were made in order by the rule, and which are being included in the en bloc to facilitate consideration of the State Department authorization. All four of these amendments have been cleared by both the Republican and Democratic sides.

The first is an amendment by the distinguished former chairman of the Hunger Committee, Mr. HALL. This amendment recognizes access to food as a fundamental human right, and calls for the State Department to work to increase the world's recognition of this right.

The second amendment is a rewrite of the Arms Control and Disarmament Agency Revitalization Act, with the approval of the administration. The gentlemen from California, Mr. LANTOS and Mr. BERMAN, included a provision in the bill to strengthen ACDA's ability to combat nuclear and conventional arms proliferation. The administration originally had some objections to that provision as drafted, which are corrected in this amendment.

Finally, the en bloc amendment contains two major legislative initiates I have drafted. The first is a correction and strengthening to an amendment I offered during committee markup. That amendment called for the implementation of recommendations contained in a March 1, 1993, report by Dick Thornburg, then the U.N. Under Secretary General for Administration and Management. The Thornburg report found the U.N. to be "almost totally lacking in effective means to deal with fraud, waste, and abuse." This is a truly disturbing and discouraging report, given all of the efforts Congress has made over the past decade to reform the management and budget process of the U.N. One of the Thornburg report's major recommendations was the establishment of a strong, independent Office of Inspector General at the United Nations.

The amendment in the en bloc clarifies that every major international organization should create a similar office and that all reports and findings by inspectors general or other internal auditing offices should be fully available to member states. Finally, the amendment strongly urges the President to make the creation of an inspector general office a condition for U.S. entry to any new international organization.

My second amendment included in the en bloc is the text of the International Peacekeeping Reform Act of 1993, which I introduced earlier this year. That bill and this amendment calls for:

The United States to pay no higher an assessment for peacekeeping than for the regular U.N. budget;

All U.S. in-kind contributions either to be counted toward our assessment or to be fully reimbursed; and

Regional countries that receive a disproportionate benefit from peacekeeping operations to voluntarily pay a higher share.

My peacekeeping amendment also prohibits the U.N. from increasing the U.S. assessed share for peacekeeping, which the United Nations is presently attempting to do.

As costs for international peacekeeping operations threaten to spiral out of control, the level of the U.S. assessment for international peacekeeping has increasingly raised concern in Congress. For a little background on this issue, the United States pays 25 percent of the regular U.N. budget, but until the beginning of this year we have been billed 30.4 percent for the peacekeeping budget. This year, however, the United Nations is attempting to increase our peacekeeping assessment to 31.7 percent.

At the beginning of this year there were 13 U.N. peacekeeping operations, 9 of which were created in just the last 3 years. In 1987, the United Nation spent $233 million on this function. For 1993, the United Nations has budgeted $3.8 billion for peacekeeping operations.

Mr. Chairman, both my inspector general and peacekeeping reform amendments will bring a reality check to the United Nations. These amendments will make clear that Congress expects real reform and budgetary equity at the United Nation and will no longer accept business as usual. I urge adoption of the end bloc amendment.

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

Mr. BERMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Georgia [Ms. MCKINNEY].

Ms. MCKINNEY. Mr. Chairman, I rise in support of the Zaire provision of H.R. 2333.

I strongly urge my colleagues to vote for this provision. The world stood by while Zaire deteriorated into a lawless country where the leader acts only to protect his own hold on power. In Zaire the stores have no food, the hospitals have no medicine, and the currency is virtually useless. Mobutu long ago lost the confidence of his people. Even the Bush administration labeled the Mobutu dictatorship a "kleptocracy." Nevertheless, Mr. Bush continued to assert that Mobutu should be a part of the solution for Zaire's future.

Mr. Mobutu has impoverished Zaire and sabotaged his country's movement toward democracy.

It is my hope that the measures contained in section 1307 of H.R. 2333 will encourage Mr. Mobutu to step down so that Zaire may move toward a form of government that is administered for the people and by the people.

I, therefore, urge my colleagues to support section 1307 of H.R. 2333.

Mr. HALL of Ohio. Mr. Chairman, I would like to explain an amendment of mine made in order under the rule. I ask unanimous consent to revise and extend my remarks.

Mr. Chairman, the amendment I am offering adds a new section to the State Department Authorization Act of 1993 concerning the international right to food. I am pleased that my colleagues on the House Foreign Affairs Committee have agreed to include my amendment in Chairman HAMILTON's en bloc amendments. The amendment underscores the promotion of the right to food as a matter of U.S. foreign policy, includes encouraging increased international respect for the right to food and medi-

cal care as a responsibility of the Assistant Secretary of State who is responsible for human rights and humanitarian affairs, and urges the United States to propose that the United Nations draft and submit for ratification of its member nations a Convention on the Right to Food.

This amendment is similar to one adopted as part of the House-passed foreign aid authorization bill in 1991. That amendment sprang from the Freedom From Want Act of 1991—H.R. 2258—an omnibus domestic and international antihunger bill which I introduced as chairman of the Select Committee on Hunger.

The principal provision of the amendment is the proposal for an international Convention on the Right to Food to increase global respect for the right to food, especially among governments and armed opposition groups. There are important precedents for such an international agreement. In 1991, while leading a congressional delegation to Ethiopia, I urged President Meles Zenawi to convene a humanitarian summit for the Horn of Africa. This summit, which took place in May 1992, was attended by five heads of State from the region, United Nations observers, and representatives of nongovernmental organizations. The summit produced a document outlining humanitarian guidelines to be used in the region.

This summit, plus the World Declaration and Plan of Action for Nutrition arising from last year's International Conference on Nutrition, helped to raise the right to food as a matter of global concern. But a Convention on the Right to Food would provide the required set of principles to support future acts of humanitarian intervention.

I would envision that a Convention on the Right to Food would encompass the following issues: First, the obligations of each country's government to ensure the realization of the right to food by the people of that country; second, the obligations of the international community to ensure the realization of the right to food by the people of all countries, including the provision of both emergency and nonemergency assistance; third, the obligations of individual governments, and of armed opposition groups, to ensure the realization of the right to food during times of war or other forms of armed conflict; and fourth, sanctions against governments or armed groups that fail to take adequate steps to ensure the realization of the right to food by the people of the country.

Individual, country-specific United Nations resolutions have been adopted to provide the authority for the kind of humanitarian interventions we have witnessed with respect to the Kurds in Iraq and the people of Somalia. I believe we need to have universally acknowledged guidelines in place. A Convention on the Right to Food would set the overall framework for the responsibilities of the world community when lives are at stake in a humanitarian crisis.

There is a general global consensus that torture and genocide are violations of human rights. However, the denial of the right to food or the use of food as a weapon in times of conflict are not yet considered human rights violations of the same magnitude.

The world community needs to agree that using food as a weapon or blocking food is a human rights crime, and that those who engage in such conduct are criminals. We must elevate the right to food and expand our concept of human rights in the post-Cold War era. Adopting this amendment to set in motion a Convention on the Right to Food is a significant first step.

I urge my colleagues to vote in favor of this amendment.

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

The CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from California [Mr. BERMAN].

The amendments en bloc were agreed to.

Mr. BERMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. OBERSTAR] having assumed the chair, Mr. MFUME, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2333) to authorize appropriations for the Department of State, the United States Information Agency, and related agencies, and for other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Mr. MCCANDLESS. Mr. Speaker, due to a malfunctioning pager, I was absent during roll call vote 232. Had I been here, I would have voted "nay" on the Smith amendment to cut funds for the UNFPA.

PERSONAL EXPLANATION

Ms. PELOSI. Mr. Speaker, as a result of personal family business, I was absent from a couple of votes. Had I been here to vote, I would have voted the following way:

On Rollcall No. 231, the Gilman amendment to H.R. 2404, the foreign aid bill, "aye."

On Rollcall No. 232, the Smith amendment to H.R. 2333, the State Department authorization bill, "no."

□ 1850

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1876, EXTENSION OF "FAST TRACK" PROCEDURE FOR THE URUGUAY ROUND AGREEMENT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103–133) on the resolution (H. Res. 199) providing for consideration of the bill (H.R. 1876) to provide authority for the President to enter into trade agreements to conclude the Uruguay Round of multilateral trade negotiations under the auspices of the General Agreement on Tariffs and Trade, to extend tariff proclamation authority to carry out such agreements, and to apply congressional "fast track" procedures to a bill implementing such agreements, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2295, FOREIGN OPERATIONS APPROPRIATIONS, 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103–134) on the resolution (H. Res. 200) providing for consideration of the bill (H.R. 2295) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the House Calendar and ordered to be printed.

STATE DEPARTMENT, USIA, AND RELATED AGENCIES AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995

The SPEAKER pro tempore (Mr. OBERSTAR). Pursuant to House Resolution 197 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2333.

□ 1851

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2333) to authorize appropriations for the Department of State, the U.S. Information Agency, and related agencies, and for other purposes, with Mr. MFUME in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendments en bloc offered by the gentleman from California [Mr. BERMAN] had been disposed of.

It is now in order to consider the amendment No. 4 printed in part 2 of House Report 103–132.

AMENDMENT OFFERED BY MR. LEACH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LEACH: Page 19, after line 20, add the following:

SEC. 108. ADDITIONAL FUNDING FOR UNITED STATES DIPLOMATIC AND CONSULAR POSTS ABROAD.

(a) AUTHORITY TO TRANSFER FUNDS.—Notwithstanding any other provision of law, the President may direct that funds described in subsection (b) be transferred to an appropriate appropriations account of the Department of State and used for expenses of United States diplomatic and consular posts abroad, including expenses of staffing such posts.

(b) SOURCE OF FUNDS.—The funds that may be transferred under subsection (a) are any funds hereafter appropriated for bilateral foreign assistance programs for fiscal year 1994 or 1995, other than funds that are earmarked within an appropriations account for a specified country, organization, or purpose.

(c) LIMITATION ON AMOUNT TRANSFERRED.—Each fiscal year, the authority of subsection (a) may not be used to transfer more than 0.75 percent of the aggregate amount made available for that fiscal year for bilateral foreign assistance programs.

(d) NOTICE TO CONGRESS.—At least 15 days before transferring funds under subsection (a), the President shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate in accordance with the regular reprogramming procedures of those committees.

The CHAIRMAN. Pursuant to the rule, the gentleman from Iowa [Mr. LEACH] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

Is there a Member in opposition to the amendment? Is the gentleman from California [Mr. BERMAN] asking to control the time in opposition?

Mr. BERMAN. I do, Mr. Chairman.

The CHAIRMAN. The Chair will recognize the gentleman from California [Mr. BERMAN] for 5 minutes.

The Chair recognizes the gentleman from Iowa [Mr. LEACH].

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

Mr. Chairman, I raise a profound issue before this body and suggest that there may be a way, albeit an awkward one, of dealing with it.

Frankly, this Member is very disappointed that the Department of State is not standing up for itself, for its missions abroad, and for the professional Foreign Service of the United States.

The Department of State in its proposal to Congress has proposed to cut some 20 posts out of our Foreign Service activities. The funding level in this bill makes the administration sanctioned problem greater. We are cutting an extra $200 million, including more of the funds for diplomatic facilities.

I agree with the committee of jurisdiction that there are too many personnel at the Department of State. I profoundly disagree, however, that any prescription at this time should be one based on cutting consulates and embassies abroad, at least to any particularly large extent.

Mr. Chairman, we are a superpower unwilling to act like a superpower. The world is changing. There are now approximately 185 countries. There is an increasing interlinkage of change, demanding more rather than less diplomatic representation.

We need more posts, particularly more support for business.

At the economic and commercial level, it is impressive to note that the administration request—even before the cuts today—involved hardly a commercial or economic officer in the new posts behind the former Iron Curtain.

At the political level, I think it is important that this Congress recognize that we should be legitimatizing and working hard to legitimatize those former Republics of the Soviet Union. I think it is also important not to delegitimatize our representation to other countries.

I have mentioned to several members a remarkable occurrence about a decade ago before the House Committee on Foreign Affairs where the President of France. Mr. Mitterand, came before the committee, and he said, "What an embarrassment that the United States was thinking, for monetary reasons, to eliminate its post in Strasbourg, the capital of Europe."

What this amendment is is basically a promote-and-protect-America-first amendment. It authorizes the discretionary transfer of funds from foreign aid, exclusive of designated countries such as Israel, to embassy and consulate upgrading abroad.

The choice for those who do not like foreign aid or the Foreign Service is between cholera and malaria, but I would hope, and my own sense is, that this kind of approach makes sense.

Having said that, there has been significant opposition indicated from several committees of jurisdiction, and I personally, at great reluctance, am willing to consider withdrawing the amendment at this time, but I must say that it is an embarrassment if we think at a time the world is becoming closer together and more complicated that we ought to be presiding over a demise of first-class representation abroad. I think it is also an embarrassment to think that we will be ceding superior representation in the commercial arena to a large number of powerful economic competitors and their activities abroad.

So it is my view that this issue needs to be revisited by the committees of jurisdiction, and I would hope that perhaps several representatives of those committees will indicate their agreement.

In any regard, before withdrawing, I might ask if the gentleman from California would like to comment.

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

Mr. LEACH. I am happy to yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I want to commend the gentleman for focusing attention on this important aspect of our consular posts and where we can get some funding. I think it is an appropriate consideration, and I hope our committee will take a good, hard look at it.

I regret that the gentleman is going to be withdrawing his amendment. But I thank the gentleman for bringing this issue to the floor.

Mr. LEACH. Mr. Chairman, I thank the gentleman for his comments.

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

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

Mr. Chairman, I rise to respond to the gentleman's very legitimate inquiry.

There is not a thing he said that I disagree with. I think it is of critical importance for this country, a superpower, to have the kind of representation and staffing and competence in the countries of this world where both our very specific interests and our broader interests in democracy, in human rights, and economic benefits can be well represented and well staffed.

I have always deeply believed that if there is one thing that we needed to do it was to make sure that that representational ability, that capacity to be staffed in foreign countries in the embassies and consulates abroad, from the political to the military to the economic spheres, was healthy and intact. What I disagree with about the gentleman's amendment, and I appreciate hearing of his intent to withdraw it, is that it provides the discretion of the administration to take it from programs.

Because, as the gentleman knows so well, because there is no one who is more knowledgeable on practically any specific foreign affairs issue one can raise in this body than the gentleman from Iowa, those programs have also been suffering over the past 10 years. If one takes a look at the level of foreign assistance now compared to what it was in 1986, one sees a tremendous decrease in those expenditures.

So what I would like to do is that I believe there are areas within the State Department bureaucracy that have expanded much too rapidly that have questionable purposes, whether it is duplication and other kinds of overlapping activities, and I think particularly of the massive burgeoning of the diplomatic security personnel in Washington, not protecting embassies and buildings around the world, but in Washington.

The gentlewoman from Maine and I have spent a great deal of time trying to focus on that. We have targeted our cuts in this bill, and I think some of the shifts that the gentleman from Iowa talks about should come from that area. That is why I have always resisted across-the-board cuts.

He has done well to renew my interest in focusing on this issue by virtue of offering his amendment, and I know that I will want to have him feel that we have met his desires and his aims with the work we do and continue to do in the subcommittee.

Ms. SNOWE. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. I am happy to yield to the gentlewoman from Maine.

Ms. SNOWE. Mr. Chairman, I thank the gentleman for yielding.

I want to commend the gentleman from Iowa for raising, I think, a very thoughtful approach in recognizing that we have had to make some very difficult decisions over the years, particularly as we have had to reduce our funding, and in the past with respect to embassies and consulates, we have had to also provide for upgrades in security that has cost us more than $2 billion over the last few years.

At the same time, the State Department has recommended areas in which we can reduce the number of consulates and posts worldwide, so I think that we do have to take every opportunity to determine where we have to best represent our interests.

Obviously we do not want to approach this in an indiscriminate fashion, but, at the same time, we have to recognize the fiscal environment in which we are operating. But I certainly would like to work with the gentleman from Iowa with respect to this issue, and particularly there have been posts recommended for closure where we can do a better job.

□ 1900

One of the areas the gentleman from California [Mr. BERMAN] is talking about is in the area of personnel. We found that not only is the State Department top-heavy with its bureaucracy but most of the people who work in the State Department, working here in Washington, DC, even the diplomatic corps, rather than worldwide representing Americans' interests. We are trying to curtail that, redirect the bureaucracy in a way that would make it more responsive, particularly with the lesser funding we have available to us.

I would like to work with the gentleman in the future regarding this as to the way in which we can do a better job of focusing the limited expenditures we now have.

Mr. LEACH. Mr. Chairman, I appreciate the comments of the chairman of the subcommittee and the ranking member.

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

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BERMAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from California [Mr. BERMAN] is recognized.

There is no objection.

Mr. BERMAN. Mr. Chairman, I yield to the gentlewoman from Georgia for some comments she has on foreign affairs issues.

Ms. MCKINNEY. I thank the gentleman for yielding to me.

Mr. Chairman, I rise today to draw my colleagues' attention to a part of the world that remains important for our strategic and commercial objectives. We must continue to direct our efforts toward promoting democracy—not just in Russia and the Middle East. We must also continue to support democracy in the Caribbean as well.

The administration recently stated that one cornerstone of our foreign policy is to support the global march toward democracy and to stand by the world's new democracies. The promotion of democracy, which not only reflects our values but also increases our security is important in our own hemisphere. As part of that goal, I consider it a high priority to return democracy to Haiti and to return its democratically elected President, Jean-Bertrand Aristide, to his office.

I urged this administration to take the necessary steps to expedite the return of President Aristide to power. I call upon this administration to adopt the Congressional Black Caucus six point list of demands to increase pressure on this defacto regime, and return Aristide by a date certain.

In addition to expediting the return of Mr. Aristide to power, we must focus on preserving stability and democracy throughout the Caribbean Basin. Over the past decade, our foreign aid and trade programs have focused on encouraging the development of market-oriented economies, supporting anti-narcotics efforts, and stimulating U.S.-Caribbean commercial links. Using programs such as the Caribbean Basin Initiative, we have supported Caribbean economic reforms through trade preferences and vital debt relief facilities.

These efforts have succeeded in generating economic growth, which has advanced Caribbean living standards and created a market for U.S. goods and services. The Caribbean now imports close to $11 billion a year from the United States. The region is the 10th largest export market for the United States supporting roughly 220,000 U.S. export-related jobs.

We should not, however, take these successes for granted. Trinidad and Tobago and Jamaica are still undertaking difficult privatization and programs and trade liberalization measures that need our support. Continued U.S. assistance is still vital to sustain the momentum of these reforms. Trinidad and Tobago, which does not receive aid, still relies upon United States-supported loans from the Inter-American Development Bank to finance policy reform that are successfully encouraging new investment in productive industries.

This year's foreign assistance authorization bill and report contains strong language that should keep part of our focus on the Caribbean. The foreign aid measure encourages continued funding of critical regional accounts—such as the Enterprise for the Americas initiative—and calls upon the administration to ensure funding and attention to help Caribbean nations sustain economic reforms.

We must never take democracy for granted and our democratic neighbors and relatives in the Caribbean must not be neglected. Effective foreign policy requires that we reward friends, not simply punish those with whom we disagree.

I urge my colleagues to support the Caribbean provision in the foreign assistance authorization bill.

The CHAIRMAN. It is now in order to consider Amendment No. 6 printed in Part 2 of House Report 103-132.

AMENDMENT OFFERED BY MR. GILMAN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILMAN:

Page 43, after line 10, insert the following:

(f) OFFICE OF THE COORDINATOR FOR COUNTERTERRORISM.—Notwithstanding any other provision of this section, there shall be in the Department of State an Office of the Coordinator for Counterterrorism which shall be headed by a Coordinator for Counterterrorism. The office shall have the same responsibilities and functions as the Office of the Coordinator for Counterterrorism at the Department of State had as of January 20, 1993.

The CHAIRMAN. Pursuant to the rule, the gentleman from New York [Mr. GILMAN] will be recognized for 5 minutes, and a Member opposed to the amendment will be recognized for 5 minutes.

Is there a Member in opposition to the amendment?

Mr. BERMAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California [Mr. BERMAN] will be recognized for 5 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, my amendment is simple and straightforward. It would maintain the current separate Office of the Coordinator for Counterterrorism at the State Department which is now scheduled for elimination under a planned reorganization. The reorganization plan downgrades this function to a Deputy Assistant Secretary level, unless we act.

Make no mistake about it, this downgrading of the counterterrorism function sends the wrong message, at the very wrong time, that the U.S. position, posture, and the importance of countering international terrorism is being diminished.

Unfortunately, even in this new post-cold-war era, the old scourge of terrorism is still with us. Most recently we saw this horror right here on our own soil with the terrible and tragic terrorist bombing of the New York World Trade Center in our Nation's largest city. This bombing took the life of a constituent of mine, caused more than 1,000 injuries, and resulted in over $600 million in property and business disruption damage.

The recent arrests by the FBI in St. Louis of several followers of the terrorist Abu Nidal who were intent on attacking the Israeli embassy in Wash-

ington and the planned attack on former President Bush also make it clear the threat of terrorism is real, possible even on our very own soil, and against our own political leaders.

America's commitment against terrorism must not waiver. Sadly the State Department's reorganization plan, as to counterterrorism at least, sends the wrong message at the wrong time.

The State Department may not have gotten the message from the billowing dark smoke from the Trade Center bombing, but the American people have. Let us not, on the first vote on international terrorism since it has come to America, send the message that we are not willing to make this fight among the highest of our Government's priorities. Accordingly, I urge adoption of my amendment.

Mr. Chairman, let us not send the wrong message on terrorism.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maine [Ms. SNOWE], the ranking member of the subcommittee.

Ms. SNOWE. I thank the gentleman for yielding to me.

Mr. Chairman, I want to commend the gentleman from New York [Mr. GILMAN] for offering this amendment. I think the gentleman raises a very valid point with respect to the organizational structure that the administration has requested that would merge this small office on counterterrorism into the Bureau of Narcotics. The issues are not only dissimilar, but I think there is a very real possibility that the function with respect to counterterrorism will get lost and will not receive the kind of attention that it certainly deserves because it has been folded into a larger bureaucratic structure.

I think it is important, as we begin to make some changes—and we have considerably in this legislation—giving the administration considerable flexibility to reorganize their department, we also at the same time have to be very much concerned about reflecting the interests and the issues that are important to us. We have made exceptions in this legislation already in overriding the administration's request for a specific organizational structure, one providing for a consulate office in Romania and, second, making permanent the Arms Control Disarmament Agency and not having it folded into the larger bureaucracy.

By downgrading the Office of Counterterrorism, we really are diminishing the importance of this issue at a time that it should receive the greatest priority within the department. We saw that in the World Trade Center, we will see it in other instances, no doubt, and we have to be prepared and we have to make sure that every country—every terrorist recognizes the United States is going to give this a preeminent consideration within our department and within our Government.

Mr. GILMAN. I thank the gentlewoman for her very kind, supporting remarks.

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

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

I feel terrible about rising in opposition to the gentleman's amendment because he is such a fine Member of this House. I have such a great respect for his work, particularly in the whole range of foreign affairs issues. I know of his concern because we have worked together on so many legislative efforts in the area of terrorism, counterterrorism, and what to do about it.

But I am against this amendment for several different reasons, and I think it is a real mistake to adopt the amendment.

First of all, the whole approach of this bill has been to increase management flexibility, to avoid micromanagement, to pull back from trying to write and shape the placement of each executive branch bureau as we authorize and appropriate less and less funds.

The quid pro quo for cutting down on the resources that these agencies will have to adopt is giving them the flexibility to operate in the way that they think they can do it more efficiently. That is a general principle.

□ 1910

There is a merger here of two areas that I know the gentleman from New York is very concerned about, the merger of the Population and Refugee Bureaus. I care very much about these issues. We have one major area of increase, one of our two major areas of increase in this bill in the area of refugee funding and overseas refugee assistance, and I am worried about that.

Will that merger mean a dimunition of interest in these issues? That is our job as oversight committees to make sure that does not happen.

But let me tell you about a separate office of counterterrorism, because we have had one. The gentleman's amendment seeks to preserve it in exactly the form it was.

I am here to tell you that I will bet that I have spoke to the Ambassador who headed that office more often than the Secretary of State spoke to him. It was an office floating outside the whole structure of the State Department. The Office of Counterterrorism had no significant influence on the bilateral relationships, on the desk officers who worked vis-a-vis these specific countries.

While we had an office of counterterrorism, we ended up taking Iraq off the list of countries supporting terrorism. While Abu Nidal was still based in Baghdad, while we had an office of counterterrorism we shipped arms to the Iranians which was a country on the terrorist list.

Believe me, the Office of Counterterrorism was not formulating or even having a significant impact on fundamental policies while it existed.

I think part of the reason was because of its organizational structure.

This administration recognizes that issue, has created a new Under Secretary for Global Affairs, has taken these multinational, cross-national issues like terrorism and narcotics and refugees and population planning and put them into an Under Secretary who meets every single day that he is in town with the Secretary of State and raises those issues with him.

We have a chain of command in this new administration reorganization which will give more status, more influence to an office of counterterrorism.

There is nothing about the track record when the office existed separately that should make us feel particularly comfortable, and there is a lot about the administration's proposed reorganization here that makes sense.

This amendment blocks that part of the reorganization, runs against the fundamental philosophical approach of this bill.

And so while I have tremendous respect for the gentleman from New York, for his intentions and for his goals in offering this amendment, I must reluctantly but strongly oppose it.

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

Mr. BERMAN. I am happy to yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, would the gentleman not recognize that in this bill at the gentleman's request, as a matter of fact, we did limit management flexibility, as the gentleman is contending that this violates, in providing for deputy assistant secretaries, that there shall be in the Department of State not more than 66 deputy assistant secretaries. That was in title I, section 131(b) and in title III, section 302 mandates that the Arms Control and Disarmament Agency [ACDA] director should be a permanent member of the President's National Security Council. We mandated that.

And in title I, section 101(b)(2) authorized $1 million to be available only for the establishment of a U.S. Consulate in Cluj, Romania. These were mandates, and yet the gentleman suggests there is a lack of flexibility.

The CHAIRMAN. The time of the gentleman from California [Mr. BERMAN] has expired.

The gentleman from New York has 1 minute remaining.

Mr. BERMAN. Mr. Chairman, I ask unanimous consent that we have an additional 2 minutes to consider this amendment.

The CHAIRMAN. That would only be in order if it were on each side.

Mr. BERMAN. All right, Mr. Chairman, I so amend my unanimous consent request.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Who would first like to control the time?

Mr. BERMAN. Mr. Chairman, I would like to control 2 minutes of it.

Mr. GILMAN. And I would be pleased to control 2 minutes, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, I only have three things to say.

One is I do not consider the limitation on the number of Assistant Secretaries or the Deputy Assistant Secretaries to be a limitation on flexibility. I consider it to be a fundamental constraint on the expansion of bureaucracy.

As to the other provisions that the gentleman mentioned, there are only two things I can say.

One is "Consistency is the hobgoblin of small minds."

And second, "Touché."

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, I want to commend my colleague, the gentleman from New York, for offering this amendment, and I want to speak in support of it.

Mr. Chairman, I believe that with the end of the cold war, with the end of the competition of the arms race with the Soviet Union, the greatest foreign danger we are likely to face in the next few decades is the threat of terrorism. I am not going to go through the examples that have been cited here. There are many more. God forbid that in a few years more we may face terrorists who get hold of nuclear weapons. That is a possibility we all have to face.

We ought to be examining this and having attention paid to this at the highest possible levels. That is why I support the amendment to retain at the Assistant Secretary level the Office of Counterterrorism.

What are the arguments against it? That we should not have micromanagement, that we can operate more efficiently through mergers?

Mr. Chairman, I have seen mergers in many cases. Usually the mergers result in one function being submerged in the other function.

I am concerned that by merging this with narcotics, counterterrorism will be submerged by the attention given to narcotics.

Second, we are told that the Office of Counterterrorism was not effective, it did not prevent the Iraqi move from the terrorist list and various other things that should not have happened from happening.

All that tells me is that the people in charge, from the President to the Secretary of State or whoever in the former administration, did not pay proper attention, had other policy goals or whatever. Hopefully in the next administration and the one after that eventually proper attention will be paid to the issue of terrorism and to the Office of Counterterrorism.

So I commend my colleague, the gentleman from New York, and I urge adoption of this amendment.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for his support.

Mr. Chairman, I yield 30 seconds to the gentlewoman from Maine [Ms. SNOWE].

Ms. SNOWE. Mr. Chairman, I thank the gentleman for yielding this time to me.

I just want to respectfully disagree with the gentleman from California with respect to whether or not it would downgrade the position and the issue of counterterrorism. In fact I think it would.

There is no doubt in my mind when this position has been handled by an ambassador, it has been given greater prominence. In fact, the former career Foreign Service officer, Paul Bremer, who did an outstanding job in his position as Ambassador at Large for Counterterrorism, made the case against this reorganization recently at a subcommittee hearing:

> * * * I am disappointed, indeed, dismayed by the administration's decision to downgrade the bureaucratic level of the State Department's office for combatting terrorism. It seems to me this will not only make interagency coordination more difficult and problematic in our government, but will make us much less effective when we go to our allies or to state sponsors and ask them for help. In my experience, other governments are not often persuaded by importuning deputy assistant secretaries.

Mr. BERMAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Georgia [Ms. MCKINNEY].

Mr. BERMAN. Mr. Chairman, the one thing I can ensure, whatever happens with this amendment and however it proceeds in the legislative process, is my commitment to work with the gentleman from New York very closely to make sure that counterterrorism and a vital office and operation in the State Department is maintained and enhanced, because of both his and the gentlewoman's and my interest in the subject. This is a subject I am very interested in. This disagreement is organizational and structural.

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

Mr. BERMAN. I am happy to yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for his support, and I look forward to working together.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

The amendment was agreed to.

Mr. DINGELL. Mr. Chairman, I rise in support of H.R. 2333, the State Department Authorization Act. I would like to commend the gentleman from California, the distinguished chairman of the subcommittee, Mr. BERMAN, for bringing this measure before us today.

I am, however, concerned about one provision of this bill, which purports to implement the administration's plans to reorganize the Bureau for Communications and Information Policy. As the distinguished chairman knows, I have two reservations about this proposed reorganization.

My first concern is substantive. The communications and information industries are among the most important in the United States. They represent areas in which the United States leads the rest of the world. The proposed reorganization appears to downgrade the Bureau of Communications and Information Policy, merging it into the larger Economic Bureau.

I would like to assure the distinguished chairman that I look forward to working with him to ensure that the reorganization does not in any way diminish the ability of the U.S. Government to represent the interests of these important industries.

In addition to my substantive concerns, I am also concerned that the language implementing the reorganization could have the unintended effect of reassigning to the State Department functions currently vested in other departments and offices. The Foreign Affairs Committee adopted an amendment designed to clarify that this legislation does not reassign any function that is vested in either the Commerce Department or the Federal Communications Commission. I would like to commend the chairman, Mr. HAMILTON, for his willingness to add that clarification.

It is my understanding that OMB may be in the process of reviewing the language in this bill, to make sure that it does not cause confusion with respect to the responsibilities of the Trade Representative or the National Telecommunications and Information Administration. I note that the gentleman from California [Mr. BERMAN] has indicated his willingness to entertain alternative language in the event that the administration seeks a change. I appreciate his, and the committee's, willingness to make sure that the passage of this bill does not inadvertently cause problems with other agencies. I look forward to working with the committee in the event that further clarification is necessary.

I have written to the distinguished chairman of the committee, Mr. HAMILTON, and expressed my reservations to him. I insert the text of my letter to Chairman HAMILTON, together with his gracious reply, at this point in the RECORD.

COMMITTEE ON
ENERGY AND COMMERCE,
Washington, DC, June 8, 1993.

Hon. LEE HAMILTON,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing with respect to the proposed reorganization of the State Department's Bureau of Communication and Information Policy (B-CIP). As you

may be aware, I have, on occasion, had reason to question the policies pursued by B-CIP, and from time to time have been critical of the attempts of that office to usurp the prerogatives of other Government agencies.

Against that backdrop, however, I am concerned that the proposed reorganization will seriously impair the ability of the United States Government to represent U.S. interests effectively. This is a particularly serious problem in light of the fact that telecommunications and information technologies are profoundly altering our economy and society. Downgrading—or even appearing to downgrade—this Bureau signals other governments that the United States Government does not place a high priority on telecommunications and information policies.

My concerns with respect to the proposed reorganization are based on several considerations. For example, in most other countries, there is a Ministry-level Department of Communications. U.S. negotiators are frequently sitting across the table from someone who is a minister; is frequently a member of a cabinet, and who enjoys a status that is substantially above that of a Deputy Assistant Secretary of State. If we want to assure that foreign governments give high level consideration to U.S. positions in various negotiations or disputes, it is incumbent on us to make sure that our own government has done likewise.

In addition, U.S. manufacturers of telecommunications equipment have been increasingly aggressive in the international marketplace. In that marketplace, it is frequently the case that the potential customer is a government agency. U.S. embassy personnel can be very helpful in providing assistance.

Yet making effective representations and aggressively assisting U.S. manufacturers can sometimes be an unpleasant task. Given the occasional need for these embassy personnel to undertake such a task, having someone with the rank of Ambassador helping to motivate them can only increase the effectiveness of U.S. Government effort.

Finally, I am concerned that the proposed reorganization will have an adverse impact on the performance of U.S. delegations to the International Telecommunications Union (ITU) and other international bodies. At the Mobile WARC held in February and March, 1992, the ITU made decisions that will result in the creation of four or five new industries in the United States. These range from the proposed "Personal Communications Services" to "Low Earth Orbit Satellite Services". Each of these new industries has the potential to make a significant contribution to the lives of all Americans; and in each case, American companies have the potential to lead the rest of the world in the development and deployment of new technologies.

The positive results achieved at the Mobile WARC were the result of years of careful planning and preparation, followed by a coordinated effort among Government personnel and private companies to achieve a successful result. Contentious and technical issues had to be addressed and resolved. Extensive consultations with other governments—both prior to and during the WARC—were necessary.

In my view, the United States cannot risk achieving its objectives at future such conferences. Given the importance of the decisions reached at these conferences—to U.S. customers of telecommunications services, the providers of such services, and to manufacturers—it is imperative that the State Department's organization reflect that importance. The proposed reorganization does precisely the opposite.

I recognize that we all want to see the new Administration succeed, and are collectively endeavoring to assure that each department under the jurisdiction of our respective Committees has the authority necessary to accomplish that goal. In this case, however, I am not convinced that enough thought has been given to these aspects of the proposal by the proper officials.

I am therefore writing to respectfully ask that you consider the views expressed in this letter, and will, of course, be happy to answer any questions that you may have.

Sincerely,

JOHN D. DINGELL,
Chairman.

COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 14, 1993.

Hon. JOHN D. DINGELL,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. DINGELL: Thank you for recent letter concerning the portion of the State Department Authorization bill dealing with the reorganization of the communication and information policy function. As always, your concerns and conclusions are right on target.

Both I and members of the Foreign Affairs Committee staff have expressed, on any number of occasions, some of the same concerns to the State Department officials responsible for the reorganization effort. The Department has given the Committee assurances that these functions will not be diminished, but rather enhanced by the organization. They claim that under the new plan the telecommunications and information experts will now have the resources of a much larger bureau to draw from and the support of an Under Secretary more attuned to these cutting edge issues. They have further promised that there will be a Deputy Assistant Secretary with the rank of Ambassador assigned full time to those issues. I want to assure you that we will monitor these commitments carefully.

Howard Berman, Chairman of the Subcommittee on International Operations, and I are committed to giving the new Secretary of State a chance to organize the Department in the manner he feels is most appropriate. But, having said that, I realize that it is incumbent on those of us in the Congress with oversight responsibilities to see that the resultant organization serves U.S. foreign policy objectives. I am committed to exercising that oversight responsibility as effectively as I know how.

Thanks again for you thoughtful letter. I look forward to working with you in the future on important telecommunications and information policy issues.

With best regards,

Sincerely,

LEE H. HAMILTON,
Chairman.

Mr. LANTOS. Mr. Chairman, I rise in strong support of the Berman amendment to the bill H.R. 2333, the State Department and Related Agencies Authorization Act which is now under consideration.

I want to address my remarks particularly to title III of this legislation before us, which deals with the Arms Control and Disarmament Agency [ACDA]. Originally, title III was identical to H.R. 2155 which I introduced with my good friend and colleague from California, HOWARD BERMAN. We agreed that these provisions should be included as title III of the State Department authorization bill. The amendment which Mr. BERMAN has introduced, and which we are now considering, includes changes to title III of the bill which take into consideration concerns of the Department of State and ACDA. I support these changes.

I am delighted our legislation on ACDA was an element in moving the Department of State and the Arms Control and Disarmament Agency to reach agreement on steps to enhance ACDA's important responsibilities to address the serious new threats to U.S. security in the post-cold war era. These provisions clarify ACDA's role as the primary agency for the conduct, preparation, and management of arms control, nonproliferation, and disarmament negotiations. They authorize the President to appoint special representatives in ACDA as needed to conduct current and future arms control negotiations, and they strengthen ACDA's voice on export controls as an integral part of placing a higher priority on U.S. nonproliferation policy.

Mr. Chairman, it is noteworthy that this effort to strengthen and reinvigorate ACDA has been accomplished in cooperation with the bipartisan leadership of the Foreign Affairs Committee and with the executive branch. It is our intention that ACDA play a leading role in advancing the vital arms control objectives that have been outlined by President Clinton and by Secretary of State Christopher. These critical issues include the need to provide for an indefinite extension of the Non-Proliferation Treaty [NPT] and negotiate a comprehensive nuclear test ban [CTB] agreement in the next few years. Our intention is to ensure that ACDA maintains its primacy in the management of our arms control agenda, involving all aspects of international negotiations, including the staffing of delegations, providing financial support, backstopping delegations, coordination of the ratification of agreements, and related activities.

I would note, Mr. Chairman, that agreement between the Department of State and ACDA, on some of the issues involved here, came after action on the bill had been completed in the full Foreign Affairs Committee, and for this reason some of the details were not included in the text of title III. I would note for the record that the administration and the Foreign Affairs Committee have agreed on significant language reaffirming ACDA's responsibility to coordinate government-wide arms control and nonproliferation research and development. Agreement was also reached to consolidate reports for which ACDA is currently responsible and to produce new reports which address proliferation concerns under new post-cold-war conditions.

Mr. Chairman, just a few weeks ago, the Subcommittee on International Security, International Organizations and Human Rights held a hearing with Inspector General Sherman Funk to consider the study of ACDA which he undertook at the direction of the Congress. Inspector General Funk told us of his very strong views on the importance of the continuing independence of ACDA and its critical role in arms control and nonproliferation: "U.S. in-

terests relating to arms control, including nonproliferation, would be served best by the continuation of an independent arms control advocate. * * * The long-term interest of the United States would therefore be better served by an independent advocate—an independent watchdog, if you will—for nonproliferation."

The provisions of this bill relating to ACDA are an important step in strengthening that agency. It is important that we develop and implement a strong policy on arms control and nonproliferation. I urge my colleagues to support this amendment and the provisions of this bill, which includes these important provisions.

Ms. WOOLSEY. Mr. Chairman, I rise to give voice to the women of the former Yugoslavia. Although here in Washington, we have debated about the level of involvement the United States should take in the conflict, there is one thing that we don't need to debate. The women of Bosnia are suffering.

That is why the State Department authorization is so important. This bill authorizes funds for the one aspect of the Bosnia crisis we can all agree upon—the need to help the victims of war crimes in the former Yugoslavia.

It is estimated that 30 to 50,000 women have been raped during the war. Like so many of us, I am deeply disturbed by the reports of these atrocities. This bill offers us an avenue to reach out to these innocent victims in their time of desperate need. This bill provides for essential assistance to victims of rape and other war crimes in the former Yugoslavia, and we have a duty to do our share—to move this aid to these victims as quickly as we can.

I would also like to take this opportunity to thank more than 100 of my colleagues for signing the letter to the U.N. Secretary General, which I initiated with Congressman HAMBURG, urging the United Nations to consider rape a war crime and to ensure that women are adequately represented on the War Crimes Tribunal which is soon to be created. I am pleased to report that our voices were heard. The United Nations has resolved to adopt both of our recommendations.

Again, I urge my colleagues to support the State Department authorization. While the politicians are debating, women are suffering. Essential aid to war victims is something we don't need to debate.

Ms. PELOSI. Mr. Chairman, I rise today in support of H.R. 2333, the foreign assistance authorization bill. This bill creates the framework for our foreign assistance programs and includes the authorization for funding for all development, economic, and military assistance programs, as well as policy decisions for a variety of countries. As a member of the Foreign Operations Appropriations Subcommittee, I am especially pleased to support this legislation and commend Chairman HAMILTON, ranking member Mr. GILMAN, and the other members of the House Foreign Affairs Committee for their work in crafting this foreign assistance bill.

Foreign aid is an easy target for those who want to look like deficit cutters. Offering an amendment to cut foreign aid is perceived to sell well in many people's districts. However, the reality of the foreign aid budget and its importance is too often overlooked.

Foreign aid is less than 1 percent of the Federal budget. Over the past 8 years, Congress has cut the administration's foreign aid requests by more than $8 billion. This authorization bill is $300 million less than the fiscal year 1993 level and $228 million less than the President's request. Working with the administration, we are making serious efforts to increase the efficiency and success of the foreign aid programs.

A significant portion of foreign aid is actually spent here in the United States, helping to support U.S. jobs and exports. In addition, foreign aid allows the United States to meet its legitimate humanitarian, economic, and strategic interests around the world.

The bill before us today addresses the important foreign policy issues facing this Nation. Of these issues, none is as critical as the need to provide assistance to the republics of the former Soviet Union. We have spent over $82,000 per family in this country on defense expenses to fight the cold war. The end of the cold war allows us to scale back our national defense spending and focus on domestic priorities and deficit reduction. While the cold war is over, however, our need to assist the former Soviet republics is not. It is vital to our national interests to assist Russia and the other former Soviet Republics in their transition to democracy and market economies.

The foreign assistance bill authorizes $904 million for aid to Russia and other former Soviet states. This amount represents a critical investment in global security. If the former republics do not successfully make a peaceful transition to market economies and democratic states, we face the real possibility of an explosion of regional conflicts which would dwarf the tragic situation in the former Yugoslavia.

We must do what we can as a nation to help the people of the former Republics of the U.S.S.R. in their transition. This aid is designed to promote private sector development, people-to-people exchanges, democracy-building, environmental clean-up, and humanitarian assistance. It is, I believe, a wise and necessary investment. Assistance provided in a timely manner now can save us increased defense and military expenses in future years.

H.R. 2333 contains a number of other important principles, provisions, and guidelines for our foreign aid program. I urge my colleagues to support it.

Mrs. LOWEY. Mr. Chairman, I rise in support of the International Relations Act of 1993. It is a good bill, one that promotes American security and prosperity while simultaneously reducing foreign aid spending by $240 million below this year's level.

There are two priorities that make up the bulk of this bill. The first is aid to Israel and Egypt. The second is aid to Russia.

Both these priorities represent foreign policy triumphs. The Israel-Egypt aid package is a product of the Camp David Peace Treaty, a landmark treaty that was brokered by the United States. That treaty ended 30 years of war between Israel and Egypt and eliminated the possibility of United States involvement in the Israeli-Egyptian conflict. It has saved countless lives since 1979: Arab lives, Israeli lives, and—quite possibly—American lives.

The aid to Israel and Egypt that was agreed to at Camp David, and which remains part of this year's aid bill, is not inexpensive. But it is a bargain when you consider how much more expensive a war would be. Viewed in that context, $5 billion for Israel and Egypt, two-tenths of 1 percent of Federal spending, is a very good deal for America and for the world.

The Russian aid component of this bill also represents an American triumph: Victory over the Soviet Union. Sometimes I think that some of us take that for granted. But we shouldn't. The disappearance of the Soviet Union not only eliminates the threat of a nuclear catastrophe but allows us to reduce spending on defense and renew our commitment to rebuilding this country.

It is almost impossible to quantify how much the cold war cost the United States. But we do know that we spent $4 trillion to arm ourselves against the Soviet Union. Between 1945 and 1993, each American family contributed $80,000 to help our country confront the Soviet military threat.

Those days are now over. But, we do have to invest—a fraction of what the arms race cost us—to help the former Soviet Union become a democracy. Neither this bill nor the foreign operations bill funds foreign aid giveaways to Russia.

On the contrary, we fund people-to-people exchanges that will allow thousands of Russians to learn firsthand about democracy and how it works. Our technical aid will teach citizens of the ex-Soviet states how to set up a modern banking system and how to create a modern legal system. In short, our aid program is designed to help the citizens of the former Soviet Republics help themselves—help themselves by creating a modern democratic free enterprise system.

This is a price well worth paying. Because if we don't help, if we allow Russia and the other Republics of the former Soviet Union, to collapse, we will help create a situation that can lead to the return of communism or of fascism. To do nothing is not a neutral act. To do nothing is to contribute to the return of the cold war, an arms race, and to the possibility of war. To do nothing is to guarantee that we will once again spend trillions on defense.

But we have a choice. We can enact this bill. We can allow President Clinton to live up to the commitment he made to Boris Yeltsin.

Mr. Speaker, historians agree that World War II could have been avoided if only the victorious allies had worked to build a just peace in the days following the First World War. There were then, as there are now, voices here in Congress that called for America to show leadership and not turn its back on Europe's postwar traumas. American indifference, they warned, would only plant the seeds of future wars. And there were then, as there are now, voices here in Congress saying that the world's problems were not ours, and that it was time for America to look inward.

It was those voices that prevailed. America turned away. America pretended that the Atlantic Ocean guarded us from the problems of Europe. America returned to normalcy.

And 20 years later the Second World War began—a war that took 50 million lives around the world and hundreds of thousands of American lives.

Mr. Chairman, we must not allow history to repeat itself. We cannot pretend that Russia's problems do not concern us. We cannot pretend that developments in the Middle East are

not our affair. We cannot pretend that America is an island.

That is why we must enact this bill. Because it is not about the world out there. Quite simply, it is about us, about our constituents, about our families, and about the future of all of us. Let's do the right thing. Let's enact this bill.

Mr. LEVY. Mr. Chairman, I rise in strong support of the amendment offered by the ranking member of the Foreign Affairs Committee, Mr. GILMAN.

H.R. 2333 gives wide latitude to the administration to reorganize the State Department. While I support this general concept, I strongly oppose the proposal to eliminate the Assistant Secretary equivalent position of Coordinator for Counterterrorism. This notion is ill-conceived and compromises our ability to battle international terrorism.

Mr. Chairman, before this year, many in this country believed that we are immune to terrorism. However, during the last 6 months, we have witnessed the bombing of the World Trade Center, the shootings at the CIA, and arrests of Abu Nidal followers in St. Louis. Of the six people who lost their lives at the World Trade Center blast, one was a constituent of mine from Valley Stream, NY. For that family, fundamentalist killing is real and the scourge of international terrorism has reached their home.

Making the State Department leaner is an idea whose time has come. However, cutting the office of the Assistant Secretary for Counterterrorism jeopardizes our ability to combat terrorists and their unconventional means of expression. Counterterrorism should remain a paramount concern of our State Department. Therefore, I urge my colleagues to support the Gilman amendment to create a permanent office of the Coordinator for Counterterrorism in the State Department.

Mr. BERMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

□ 1920

Accordingly the Committee rose; and the Speaker pro tempore [Mr. BILBRAY] having assumed the Chair, Mr. MFUME, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2333) to authorize appropriations for the Department of State, the U.S. Information Agency, and related agencies, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1754

Mr. SLATTERY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1754.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

VACATION OF SPECIAL ORDERS

Ms. MCKINNEY. Mr. Speaker, I ask unanimous consent to vacate the 60-minute special order on June 16, 1993, for the gentleman from American Samoa [Mr. FALEOMAVAEGA], and I also ask unanimous consent to vacate my 60-minute special order on June 17, 1993.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

SUDAN: TRAGEDY IN THE DESERT

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLF. Mr. Speaker, I rise to condemn the Clinton administration for its inaction and lack of policy in Sudan. And the Congress ought not feel very good about its action, because the only thing we have done in this body on hunger in Sudan is to abolish the House Select Committee on Hunger, when more people are starving than at any other time in the history of this country.

I have sent numerous letters to the Clinton administration urging them to act, and they have not acted.

Finally, let me say the media is finally beginning to cover this story. I urge my colleagues to read Vanity Fair, the article in this month's issue, which says, "Tragedy in the Desert, the Sudan's Quiet Death," by Roger Rosenblatt. Mr. Speaker, all Members and everyone in the Clinton administration should read it because when history condemns this administration for not acting and this Congress for not acting, no one can then say, "We did not know," because now you know. Hundreds of thousands have died and thousands die every week.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 18, 1993.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: I recently returned from a trip to the Horn of Africa, during which I spent two days in southern Sudan witnessing the horrible famine and civil war. I want to share with you some observations and recommendations and encourage your Administration to work to end the suffering in Sudan. I have enclosed several photos from my trip.

Overall, the situation is deteriorating rapidly. I visited Sudan previously in 1988 and 1989, but the destruction and despair I witnessed on this recent trip were far more severe than before. The tragedy of drought, plague and famine, worsened by the government's inhumanity to its own people, is beyond belief.

I flew in a small twin engine airplane carrying relief medical supplies into southern Sudan by the Norwegian People's Aid (NPA), the only non governmental organization with a permanent round-the-clock presence in Sudan. All other international relief groups have either partially or completely withdrawn their workers from Sudan since the murder by the Sudanese military of two U.S. Agency for International Development relief workers last September.

During my visit to two refugee camps, I saw relief efforts which seem, at best, to fend off starvation and sickness for the moment, but certainly fail to provide lasting sustenance to the refugees. Twice each day, infants and children holding their feeding bowls form a seemingly endless line to receive meager rations of food to prolong their existence until they again line up and repeat the process. Because few relief groups are operating in Sudan and because the government is disrupting humanitarian supply efforts, the need for food and basic medical supplies is especially acute.

I also visited a make-shift hospital where victims of recent bombing attacks on Kajo Keji—a village with no military significance—were brought. One woman, injured in the air raid, had shrapnel still buried in her head. She might be considered one of the more fortunate ones as she was not killed when government aircraft bombed a crowded marketplace.

During my trip I met with many people ranging from representatives of the Sudan Peoples Liberation Army (SPLA), Catholic priests, local officials, and destitute, starving civilians, each with his or her own view about why this tragedy continues. But I was struck by the comments of one woman, a Dinka named Rebekka, who had lost her husband and three children to starvation and war.

Rebekka believes that the world has been silent in this crisis because the victims are black; that race discrimination, which would not be tolerated elsewhere, has worsened the suffering. She also told me that she felt civilians were being persecuted, starved, bombed and killed because they were Christians. As you know, the Islamic fundamentalist government in Khartoum has shown absolutely no tolerance for those with different religious beliefs. I believe Rebekka's comments are right on target.

I understand the complexities of this issue; however, I believe bold, dramatic steps by your Administration could alter the present course in Sudan. Immediate action is critical as the dry season is rapidly approaching in southern Sudan and intelligence estimates suggest that the government will soon begin a major military offensive against the SPLA—and against innocent civilians—in the south.

I ask that you consider the following recommendations.

1. Immediately appoint a special envoy to Sudan, possibly someone such as General Norman Schwarzkopf.

2. The United States must use its influence in the United Nations to force the government of Sudan to stop its brutal pattern of human rights abuses. Most important, pressure must be put on the military junta ruling Sudan to stop the indiscriminate bombing of towns and villages in southern Sudan. Working with other nations, the United States must attempt to stem the flow of sophisticated military equipment to Sudan from Libya, Iran and the People's Republic of China.

3. The United States must work to ensure that private relief organizations are allowed to operate freely within Sudan to deliver and distribute food and medical supplies. Assurances from the government in Khartoum that relief workers may carry out their work without fear for their lives is essential to reducing the suffering.

This is a terribly difficult issue; a decade of civil war and famine cannot be reversed overnight. But your strong leadership, and the signal it sends to other nations, could

truly be the difference between life and death for so many millions of people.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 1993.

Hon. TIMOTHY E. WIRTH,
Counselor, Department of State, Washington, DC.

DEAR TIM: Congratulations on your nomination as Undersecretary of State for Global Affairs. I am certain this position will be extremely challenging as the post-Cold War world is defined.

I am writing to ask that, in your new capacity, you become personally involved in ending the suffering in Sudan. Many of the areas now in your portfolio—democratization, human rights, refugees and terrorism—are the very issue with which the people of Sudan now grapple.

I recently returned from my third Congressional trip to Sudan, during which I witnessed firsthand the effects of the famine and civil war on the people of southern Sudan. The tragedy of drought, plague and famine, worsened by the government's inhumanity to its own people, is beyond what I saw even during the 1984 famine in Ethiopia. I've enclosed several photos for your review.

I understand the complexities of this issue; however, I believe bold, dramatic steps by the United States could alter dramatically the present course in Sudan. Immediate action is critical as the dry season is rapidly approaching in southern Sudan and intelligence estimates suggest that the government will soon begin a major military offensive against the SPLA—and against innocent civilians—in the south.

I've just written President Clinton and asked that he consider the following recommendations.

1. Immediately appoint a special envoy to Sudan, possibly someone such as General Norman Schwarzkopf. The government of Sudan's greatest fear is that the United States will begin a relief operation in Sudan—involving U.S. troops—similar to Operation Provide Hope in Somalia. Appointing one person to deal specifically with this crisis will make clear to the leadership in Khartoum that America is serious about ending the conflict in Sudan.

2. The United States must use its influence in the United Nations to force the government of Sudan to stop its brutal pattern of human rights abuses. Most important, pressure must be put on the military junta ruling Sudan to stop the indiscriminate bombing of towns and villages in southern Sudan. Working with other nations, the United States must attempt to stem the flow of sophisticated military equipment to Sudan from Libya, Iran and the People's Republic of China.

3. The United States must work to ensure that private relief organizations are allowed to operate freely within Sudan to deliver and distribute relief supplies. Assurances from the government in Khartoum that these workers may carry out their work without fear for their lives is essential to reducing the suffering.

This is a terribly difficult issue; a decade of civil war and famine cannot be reversed overnight. But Sudan is right now at a critical crossroads. Your strong leadership could truly be the difference between life and death for so many millions of people.

Best regards.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 10, 1993.

Mr. DENNIS JETT,
Acting Senior Director for African Affairs, National Security Council, The White House, Washington, DC.

DEAR MR. JETT: It is my understanding that the National Security Council will be hosting an interagency meeting next week to review U.S. policy toward Sudan. Sudan is at a critical crossroads: a bold policy developed early in the Clinton Administration will send a clear message to the government of Sudan that the United States is serious about ending the conflict and starvation in Sudan.

I want to share with you a letter I recently sent to the President and ask that this interagency group consider my recommendations. Having just returned from my third trip to southern Sudan, I am aware of the myriad of problems facing the Administration as it contemplates a new U.S. position on the civil war and famine.

I also encourage you to pay close attention to Congressional action on this issue. To date, there has been wide bipartisan support in Congress for a stronger U.S. policy toward Sudan. If Congress and the White House can walk in step on Sudan policy, tens of thousands of lives may be saved.

Enclosed are several photos from my trip and a copy of my testimony before the House Foreign Affairs Subcommittee on Africa.

I appreciate your consideration of my recommendations.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 17, 1993.

Mr. JAMES R. KUNDER,
Director, Office of Foreign Disaster Assistance, Agency For International Development, Washington, DC.

DEAR MR. KUNDER. You are well aware of my deep concern for the people facing famine and civil war in Sudan.

On my most recent visit to southern Sudan, I saw some of the most gruesome scenes of famine and disease I have ever witnessed in my life. I was deeply moved by the sight of a woman in a hospital with shrapnel in her head which she received from a bomb that exploded in a marketplace in Kajo Keji. The people of southern Sudan need help—and they need it now.

That is why I am so concerned that OFDA still has not approved a $100,000 grant request by Norwegian People's Aid for medical supplies. As you know, NPA is the only NGO with a full-time presence in southern Sudan.

I simply do not understand why this small humanitarian grant has been held up since August. A long term solution to the civil war in Sudan may or may not be on the horizon. An end to the hunger and starvation may be some time away as well. But it makes no sense for the U.S. government to continue to withhold a small grant which will provide emergency help to those most in need.

Please do everything in your power to approve an NPA grant as quickly as possible. The lives of thousands of innocent people may hang in the balance.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 23, 1993.

Hon. TIMOTHY E. WIRTH,
Counselor, Department of State, Washington, DC.

DEAR TIM: Thank you for your letter. I am so pleased at your interest in Sudan and the tragic events that are taking place there almost as a matter of routine. I urge you to visit southern Sudan at your earliest opportunity. The time is ripe to act in this region. More people are dying there than in any other place on the globe.

I hope we can keep the pressure on all parties to pursue meaningful peace talks. To be sure, turning up the public spotlight on this region can only help.

It is good to know that the administration plans a pro-active policy in bringing relief to the people of this area who are, today, without hope.

Best regards.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 19, 1993.

Mr. ROBERT A. BRADTKE,
Acting Assistant Secretary, Office of Legislative Affairs, Department of State, Washington, DC.

DEAR MR. BRADTKE: Thank you for your letter on efforts to assure individual rights for the Sudanese people and for the copy of the UN Commission's resolution. I appreciate the information.

I do urge you, the Secretary, and the administration to do more in this area. Many people in southern Sudan still perish each day, conditions there continue to be indescribably bad, and, despite the Khartoum government's assurances otherwise, periodic bombing of innocent civilians and refugees continues to take place.

I am enclosing a copy of a memorandum describing a recent bombing and the terrifying results, as well as a copy of a picture carried in a recent edition of Time Magazine which graphically depicts today's situation in southern Sudan.

I hope our government will come to the aid of these people. Thank you.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 5, 1993.

Mr. ROBERT A. BRADKE,
Acting Assistant Secretary of State for Legislative Affairs, Department of State, Washington, DC.

DEAR MR. BRADKE: I am formally requesting that the State Department declassify relevant portions of an April 28, 1993, confidential cable from the U.S. Embassy in Khartoum, Sudan.

This cable contains important information about the government of Sudan's direct involvement in torture, kidnapping, slavery and export of women and children. I do not ask that any of the sources who contributed to this cable be revealed or that any information that would cause any harm to individuals be declassified.

I appreciate your prompt attention to this matter.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 1993.

Hon. WARREN CHRISTOPHER,
Secretary of State,
Department of State,
Washington, DC.

DEAR MR. SECRETARY: I am writing to request that you appoint a special envoy from the United States government to Sudan to help end the famine and civil war there.

As you know the second round of peace talks is currently underway in Aduja, Nigeria between the government of Sudan and John Garang's SPLA rebels. unfortunately, according to some in the State Department and National Security Council, there is little optimism about these talks resulting in a lasting peace. That is why I believe that you must quickly appoint a senior level American who would become immersed in bringing an end to starvation and civil war in Sudan, much the same way General Vessey has with the POW issue in Vietnam.

I travelled to southern Sudan earlier this year and witnessed some of the most horrifying scenes of famine imaginable. I visited Sudan previously in 1988 and 1989, but the destruction and despair I witnessed on this recent trip were far more severe than before, worse even than that of the 1984 famine in Ethiopia.

This is a terribly difficult issue; a decade of civil war and famine cannot be reversed overnight. But your strong leadership, and your prompt appointment of a special envoy, could truly be the difference between life and death for so many millions of people in Sudan.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, June 16, 1993.

The PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We are writing to request that you appoint a special envoy from the United States government to Sudan to help end the famine and civil war there.

As you know, the peace talks in Abuja, Nigeria, between the government of Sudan and John Garang's SPLA rebels recently ended. Unfortunately, it appears that these talks yielded few results in bringing a lasting peace to southern Sudan. That is why we believe that you must quickly appoint a senior level American who would dedicate his or her full attention to helping bring all sides together to solve a wide range of problems including negotiating a permanent cease fire in Sudan, ending human rights abuses by the government and rebel forces, and allowing emergency humanitarian relief to be delivered in southern Sudan.

The appointment of a special envoy is especially timely since the State Department has recently declassified powerful new information detailing widespread human rights atrocities being committed by the military of Sudan. Most appalling among these abuses is the Sudanese government's practice of kidnapping and slavery of women and children from southern Sudan. The State Department has reported that many of these slaves are exported to other nations, most notably Libya.

This is a terribly difficult issue; a decade of civil war and famine cannot be reversed overnight. But strong leadership by the United States, and your prompt appointment of a special envoy, could truly be the difference between life and death for so many millions of people in Sudan.

Sincerely,

Frank R. Wolf, Tony Hall, David A. Levy, George J. Hochbrueckner, Roscoe G. Bartlett, Tim Penny, Albert R. Wynn, Connie Morella, Alcee L. Hastings, Mike Castle, Nita M. Lowey, Carolyn B. Maloney, Bill Hughes, Cynthia McKinney, Thomas M. Foglietta, Jim Moran, Carrie P. Meek, L.F. Payne, Barbara-Rose Collins, Steve Buyer, Eliot L. Engel, Mike Kreidler.

Xavier Becerra, Edolphus Towns, Howard L. Berman, Bob Carr, Julian C. Dixon, Jon Kyl, Bill Emerson, Ben Gilman, Eni Faleomavaega, Walter Tucker III, Ronald V. Dellums, Jerry Solomon, Jerry Lewis, J. Dennis Hastert, Dan Burton, Gary L. Ackerman, William L. Clay, John Edward Porter, H. Martin Lancaster, Chris Smith.

100TH ANNIVERSARY OF THE FIRST BLACK KINDERGARTEN ESTABLISHED WEST OF THE MISSISSIPPI RIVER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. SLATTERY] is recognized for 5 minutes.

Mr. SLATTERY. Mr. Speaker, I rise today to pay tribute to the 100th anniversary of the first black kindergarten established west of the Mississippi River, which was founded by Charles Sheldon in Topeka, KS, in 1893. Dr. Sheldon was a pastor of Topeka's Central Congregation Church and author of the bestseller, "In His Steps: What Jesus Would Do." The school was located in the Tennessee Town section of Topeka in an old dance hall and speakeasy. Tennessee Town was so named because it was home to many African-Americans who came to Kansas from Tennessee.

With us today are Charles Sheldon Sudduth and Margaret Sudduth of Topeka. Sheldon, as he is known, was a 4-year-old student of Charles Sheldon at this school in 1915. Sheldon and Margaret are accompanied by their son-in-law, Frank West, their granddaughter, Nicole West, and their grandson, Garland Blackwell.

After the Civil War, Kansas became home to many African-American settlers, who were known as the "black exodust" and were described as having "Kansas fever." These exodusters established the first black settlement in Kansas in 1877 in Nicodemus, which is west of Topeka. This is the last survivor of a dozen all-black Kansas settlements and was declared a national historic landmark in 1974. Seeking inexpensive, good farm land and the constitutional rights and freedoms enjoyed by other Americans, thousands of freed men and women came to envision Kansas as a promised land, a place where they might be able to forge the life of which they dreamed.

Some 500 exodusters established the community of Tennessee Town in Topeka around 1880. In 1913, the Sheldon kindergarten of Tennessee Town had 31 students between the ages of 4 and 6. This institution later was moved into a schoolhouse and became a member of the public school system in 1915. Today, it is the site of the Sheldon Child Development Center, which previously was an elementary school in the Topeka public school system and is now a Head Start Center. This structure is named after Dr. Charles Sheldon. One of the school's most famous graduates was Eliza Scott, a lawyer who was one of the architects of the Brown versus Board of Education case. Charles Scott, Eliza's son, argued the case before the Supreme Court.

Topeka is well known to all Americans as the location of the school system involved in the Brown versus Board of Education of Topeka case. The U.S. Supreme Court's decision, handed down in 1954, held that the separate but equal school facilities were inherently unequal and that school segregation violated our U.S. Constitution's guarantee of equal protection under the 14th amendment.

As we honor the 100th anniversary of the first black kindergarten west of the Mississippi, it is instructive to recall Chief Justice Warren's words in Brown versus Board of Education:

> Today, education is perhaps the most important function of State and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the Armed Forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the State has undertaken to provide it, is a right that must be made available to all on equal terms.

As James Madison said,

> Learned institutions ought to be favorite objects with every free people. They throw that light over the public mind which is the best security against crafty and dangerous encroachments on the public liberty.

These words are inscribed in the Madison Memorial Hall of the Library of Congress.

Our heritage of early child education for the exoduster children calls to mind the words of Carl Becker's book "Kansas," published in 1910:

> The passion of equality in Kansas is thus the complement of the individualism and the idealism of its people. It has at the basis of it an altrusitic motive, aiming not so much to level all men down as to level all men up. The Kansan's sense of individual worth enables him to believe that no one can be better than he is, while his confident idealism encourages him to hope that none need be worse. The Kansas spirit is the American spirit double distilled.

In conclusion, please allow me to note the fine work of Mr. C.E. "Sonny" Scroggins, of Topeka, the chairman of the Sheldon kindergarten anniversary committee, who helped to make this special order possible. Mr. Speaker, I thank you for this opportunity to pay tribute to the first African-American kindergarten west of the Mississippi. And I ask unanimous consent to place in the RECORD an article concerning Sheldon Sudduth and this noteworthy kindergarten.

OLDEST BLACK KINDERGARTEN IN WEST MARKS CENTENNIAL

(By Matt Truell)

TOPEKA, KS.—Charles Sheldon Sudduth doesn't know what his life would have been like had he not attended kindergarten 80 years ago. But as luck would have it, his hometown had the first kindergarten for black children west of the Mississippi.

"Back in those days, as I remember, they had little classrooms with desks, they had a band and they taught us to march, and they read us stories," Sudduth, 83, said.

"As I look back on it, I don't know what I would have done without it." The kindergarten was founded by the white theologian and Sudduth's namesake, Charles Sheldon, in 1893 in an old dance hall and speakeasy near downtown Topeka.

A celebration to observe the kindergarten's centennial is planned for April.

The Topeka public school system took over the private kindergarten in 1910, but the school still bore Sheldon's name and remained all-black. Sudduth said it had 18 pupils when he attended in 1914.

The kindergarten later was moved to a schoolhouse and was absorbed into the school system. The building still stands, although it has been converted into a house.

One of the school's most famous graduates was Eliza Scott, who became a lawyer and the architect of the Brown vs. the Board of Education case that resulted in the landmark U.S. Supreme Court ruling on classroom segregation in 1954. Charles Scott, Eliza's son, argued the case before the U.S. Supreme Court.

Sudduth's family lived around the corner from the kindergarten.

Before he started school at 4, Sudduth's mother had given him only a nickname—Beaut—because she thought he was a beautiful baby. She had not named him because she didn't know what to call him.

"My mother was one of these old-fashioned women," Sudduth said. She thought all the boys in the neighborhood, with biblical names such as Timothy and Paul, were "scoundrels," he said.

When Sudduth's mother took him to kindergarten, she explained the situation to the teacher, June Chapman, who suggested she name him after Charles Sheldon, Sudduth said.

Sheldon was a fiery reform-minded minister, whose novel, "In His Steps: What Jesus Would Do," was well-received when it was published in 1897.

Sheldon's interest in starting a kindergarten for black children reflected his social activism, said Timothy Miller, associate professor at the University of Kansas and author of Sheldon's biography, "Following In His Steps."

Some white people in Topeka opposed starting a black kindergarten, Miller said.

"Racism was pretty up front in those days," he said.

It is generally believed to be the first kindergarten for black children west of the Mississippi River, Miller said.

Sheldon, who was born in Wellsville, N.Y., in 1857, came to Topeka in 1889 to be pastor at Central Congregational Church. He died in Topeka in 1946.

Sudduth met Sheldon when he was 17 or 18.

"He was kind of a soft-spoken person," Sudduth said. "His hair was white. When he talked to you, his eyes were kind of penetrating. He took a great deal of interest in you."

Sudduth worked for the Santa Fe Railroad for more than 30 years. But over the years he started a janitorial service company, sang in the same gospel quartet for 50 years, and taught Sunday school for 60 years.

□ 1930

ILLEGAL ALIENS IN AMERICA

The SPEAKER pro tempore (Mr. BILBRAY). Under a previous order of the House, the gentleman from California [Mr. KIM] is recognized for 5 minutes.

Mr. KIM. Mr. Speaker, I stand in strong opposition to our own policy that allows HIV infected Haitians entry into the United States on a recent court order by our own Federal judge.

The cost to American citizens and taxpayers will be $13.6 million for treatment of these 134 infected illegal aliens. That is for their medical care only. Their lodging and maintenance will drive the costs even higher.

In our Nation, we have thousands of needy men and women with HIV. They are having to pay a high cost for treatment—either personally or through their insurance coverage. They are the ones who need our help. Not illegal aliens.

Our taxpayers over the last 10 years alone have sent $575 million to Haiti in various forms of AID. American taxpayers have paid more than their fair share to Haiti. These infected Haitians should be returned back to Haiti for their own treatment. It is time for America to start taking care of her own citizens first.

As I speak, there are proposals to cut Medicare and tax senior citizens who have paid for benefits over a lifetime of work. How will they feel when our own administration shows it cares more about alien Haitians who have contributed nothing to America.

I, like so many other foreign born Americans, came to this great Nation to become a part of America. Like so many others, I came here not to take but to contribute to this great Nation.

I didn't come for handouts. I found a job and attended school. Because I knew that I had to earn my opportunity. I am proud of my American citizenship. There is no pride in a handout.

Mr. Speaker, we have to begin to reevaluate our concern for our own citizens. Our Nation is buried in illegal immigration from people who don't come here to be a productive participant in America.

These illegal immigrants come here to take. To demand handouts. They don't come to enrich America. Many great men and women passed through Ellis Island from every point around the world. But they came here to become Americans—not to become welfare recipients.

We seem to have lost our bearings on the value of American citizenship. We give illegal immigrants all the rights without any obligations.

Let me remind this House of the 14th amendment of our Constitution: Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States * * *.

These privileges and equal protection rights are restricted to citizens only, not illegal aliens. But it seems a Federal judge has decided to revise our Constitution.

Mr. Speaker, I urge the President to support the laws of the land and fight to reverse the unfair decision.

ON THE INTRODUCTION OF H.R. 2415, THE RESERVE ACCOUNT FOR ADMINISTRATIVE SAVINGS ACT OF 1993

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, yesterday Congressman LAMAR SMITH and I introduced H.R. 2415, the Reserve Account for Administrative Savings Act of 1993. This bill requires that 5 percent of funds appropriated for salaries and expenses be placed in a reserve account each year for the next 5 years. The bill could produce up to a 25-percent reduction in administrative costs Governmentwide over this period. This 25-percent savings in administrative costs equals President Clinton's announced White House personnel reduction of 25 percent.

Specifically, the bill requires that when appropriations are apportioned under the Anti-Deficiency Act, 5 percent of the actual amount incurred for salaries and expenses in the previous year be placed in a reserve account.

The heads of agencies are then required, in consultation with their chief financial officers and the Deputy Director of the Office of Management and Budget, to make recommendations to the President for changes in law, regulations or other changes that would produced a more efficient and cost-effective operation of Government programs that they administer.

When the President submits the budget for the following fiscal year he can submit to Congress a special message regarding the current year funds for salaries and expenses held in reserve. The President can recommend the following: First, that the funds be permanently rescinded because they are no longer necessary due to the achievement of efficiencies and cost savings; second, that all or part of the funds need to be released and spent; or third, that the funds in reserve should offset supplemental appropriations that are necessary for other programs. If the President makes no recommendation, the funds in reserve are automatically rescinded 2 months before the beginning of the following fiscal year, August 1.

The bill provides a special, fast-track procedure requiring Congress to consider and vote

on the President's recommendations regarding the disposition of the funds held in reserve. The President's special message would be introduced as one bill and referred to the Appropriations Committee. If the Appropriations Committee does not report the bill within 7 legislative days, the bill is automatically discharged.

A final vote must be taken in the House of Representatives on or before the close of the tenth legislative day after the date of introduction of the bill. Only amendments to strike or reduce the amounts being released are in order.

Below is the text of H.R. 2415 for your review.

H.R. 2415

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

SECTION 1. SHORT TITLE.

"The Reserve Account for Administrative Savings Act of 1993."

SEC. 2. GOVERNMENT EFFICIENCY RESERVE ACCOUNTS.

Subchapter II of chapter 15 of title 31, United States Code, is amended by adding at the end the following:

"§ 1520. Special rule for apportioning salaries and expenses within an appropriation

"(a) All appropriations for salaries and expenses shall be apportioned as necessary to carry out this section.

"(b)(1) Except as provided by paragraph (2), in apportioning any appropriation for salaries and expenses for a fiscal year under this section, a reserve shall be established in an amount that is equal to 5 percent of the actual amount incurred for those salaries and expenses in the immediately preceding fiscal year.

"(2) The size of each reserve to be established under paragraph (1) for a fiscal year shall (if applicable) be reduced by a dollar amount equal to the amount by which that fiscal year's appropriation for salaries and expenses is less than the actual amount incurred for those salaries and expenses in the immediately preceding fiscal year.

"(c) Each appropriation subject to this section shall be apportioned by the appropriate official referred to in section 1513 and within the applicable time parameters set forth in that section.

"(d) The head of each agency that has an appropriation for salaries and expenses for a fiscal year subject to this section shall, within 60 days after the beginning of that fiscal year or within 60 days after the date of enactment of the law by which the appropriation for that fiscal year is made available, whichever occurs later, and after consultation with it chief financial officer and the Deputy Director for Management (or his or her designee) of the Office of Management and Budget, make recommendations to the President of changes in laws or regulations or other changes that should be made to bring about a more efficient and cost-effective operation and thereby reduce salaries and expenditures without jeopardizing any programs that agency administers.

"(e) The President's annual budget submission for a budget year under section 1105(a) shall include a special message which sets forth on an agency-by-agency basis a recommendation for the current fiscal year of whether—

"(1) for the programs that agency administers to be maintained at a proper administrative level the release of all or part of those funds held in reserve under subsection (b) is necessary;

"(2) those programs can function effectively at reduced levels and the funds held in reserve under subsection (b) should be rescinded and returned to the Treasury; or

"(3) supplemental appropriations for other programs are necessary and can be offset by rescissions of the funds held in reserve under subsection (b).

If that special message recommends the option set forth in paragraph (1) for any agency, then the President shall include with that special message a bill that, if enacted, would release specified amounts of funds held in reserve under subsection (b) as set forth in that bill.

"(f) Except to the extent that a law is enacted under section 1521 requiring the release of all or part of the money reserved under subsection (b), on August 1 of the calendar year during which a fiscal year ends, all funds held in any reserve under subsection (b) respecting that fiscal year are hereby rescinded and shall be promptly returned to the general fund of the Treasury.

"§ 1521. Fast-track supplemental appropriation of amounts not to exceed aggregate amount rescinded under section 1520

"(a)(1) Before the close of the second legislative day of the House of Representatives after the date of receipt of a special message transmitted to Congress under section 1520(e), the majority leader or minority leader of the House of Representatives shall introduce (by request) the draft bill accompanying that special message. If the bill is not introduced as provided in the preceding sentence, then, on the third legislative day of the House of Representatives after the date of receipt of that special message, any Member of that House may introduce the bill.

"(2) The bill shall be referred to the Committee on Appropriations of the House of Representatives. The committee shall report the bill with or without recommendation. The bill shall be reported not later than the seventh legislative day of that House after the date of receipt of that special message. If the Committee on Appropriations fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

"(3) During consideration under this subsection, any Member of the House of Representatives may move to strike any provision of the bill or offer an amendment to reduce any amount proposed to be released.

"(4) A vote on final passage of the bill shall be taken in the House of Representatives on or before the close of the 10th legislative day of that House after the date of the introduction of the bill in that House. If the bill is passed, the Clerk of the House of Representatives shall cause the bill to be engrossed, certified, and transmitted to the Senate within one calendar day of the day on which the bill is passed.

"(5)(A) A motion in the House of Representatives to proceed to the consideration of a bill under this section shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(B) Debate in the House of Representatives on a bill under this section shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall be in order to move to recommit a bill under this section or to move to reconsider the vote by which the bill is agreed to or disagreed to.

"(C) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

"(D) Except to the extent specifically provided in the proceeding provisions of this subsection, consideration of a bill under this section shall be governed by the Rules of the House of Representatives.

"(6)(A) A bill transmitted to the Senate pursuant to paragraph (4) shall be referred to this Committee on Appropriations. The committee shall report the bill with or without recommendation. The bill shall be reported not later than the seventh legislative day of the Senate after it receives the bill. A committee failing to report the bill within such period shall be automatically discharged from consideration of the bill, and the bill shall be placed upon the appropriate calendar.

"(B) During consideration under this subsection, any Member of the Senate may move to strike any provision of the bill or offer an amendment to reduce any amount proposed to be released.

"(C) A vote on final passage of a bill transmitted to the Senate shall be taken on or before the close of the 10th legislative day of the Senate after the date on which the bill is transmitted. If the bill is passed in the Senate without amendment, the Secretary of the Senate shall cause the engrossed bill to be returned to the House of Representatives.

"(7)(A) A motion in the Senate to proceed to the consideration of a bill under this subsection shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(B) Debate in the Senate on a bill under this subsection, and all debatable motions and appeals in connection therewith, shall not exceed 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

"(C) Debate in the Senate on any debatable motion or appeal in connection with a bill under this section shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designees. Such leaders, or either of them, may, from time under their control on the passage of a bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

"(D) A motion in the Senate to further limit debate on a bill under this subsection is not debatable. A motion to recommit a bill under this section is not in order.

"(b) AMENDMENTS AND DIVISIONS.—No amendment to a bill consider under this section shall be in order in either the House of Representatives or the Senate except an amendment to strike a provision of the bill or to reduce an amount proposed to be restored by the bill. It shall not be in order to demand a division of the question in the House of Representatives (or in a Committee of the Whole) or in the Senate. No motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House to suspend the

application of this subsection by unanimous consent.

"(c) REQUIREMENT TO MAKE AVAILABLE FOR OBLIGATION.—Any amount of budget authority proposed to be restored in a special message transmitted to Congress under section 1520(e) shall be made available for obligation on the day after the date on which the bill proposing to restore such amount of budget authority is enacted into law unless it has been automatically rescinded under that section.

"(d) DEFINITION.—For purposes of this section, the term 'legislative day' means, with respect to either House of Congress, any day during which that House is in session.".

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall only apply to fiscal years 1994, 1995, 1996, 1997, and 1998 and shall have no force or effect after September 30, 1998.

FLAG DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, this week America honored its flag on Flag Day, June 14, which also is the 179th anniversary of the "Star Spangled Banner," and the 14th anniversary of the "Pause for the Pledge." I was proud to be invited to address the luncheon of the National Flag Day Foundation in my beloved home city of Baltimore, a port and a State that built a nation, as I once heralded weekly for 15 years on television.

A port that proved so critical in the War of 1812 that the American victory in "the dawn's early light" in September 1814 forced the British to the peace table in Europe making the Battle of New Orleans a mere incident of that war—the peace treaty was signed before the Battle at New Orleans was ever fought. The war was won at Baltimore.

It seems fitting that the victory not only secured the peace, but gave us the anthem which celebrates—with each singing—the flag that flew over Fort McHenry that day. If the author of the song was a Marylander, the flag which gave him such hope on that long ago morning had been made by another Marylander, Mary Pickersgill.

There is such a long history of Maryland's proprietary interest in the Stars and Stripes from Mary Pickersgill's needlework to Barbara Fritchie's heroic stance protecting the flag from southern troops at Frederick during the Civil War that for those persons returning to the celebration of the flag in Baltimore every June 14, there must be a feeling of home coming.

Thousands of Americans are indebted to the National Flag Foundation and the representatives of the 50 States, for the countless hours of work put into this effort every year.

It is an ancient tradition to celebrate a nation with a standard. Prehistoric excavations have documented the display of banners in the earliest of civilizations, identifying their country, heralding their sovereignty.

The flag which we salute today came into being in 1818, when President Monroe designated 13 stripes, one for each of the original colonies, instead of the 15 shown in the Fort McHenry flag, assigning one star for each State, allowing for new States to be recognized as they entered the Union.

The name "Old Glory" began to be spread when a mother stitched together a flag for her son, a ship's captain named William Driver. When he raised it above his first command, he told his sailors, "This is Old Glory, boys."

So Old Glory sailed the world until Captain Driver retired in the late 1850's to his hometown of Nashville, TN. When the Civil War broke out, the captain sewed Old Glory up in his mattress cover to protect it from being seized by Confederate troops.

Toward the end of the war, when the Union Army broke through to liberate the city, Captain Driver took the flag out and flew it over his house to welcome the Army. The Union soldiers were so excited at seeing one of their flags, they took up the cry that it's "Old Glory" and spread the story of the flag and its name across the country as they returned home after the victory.

Prior to the Civil War period in American history, the congressional booklet, "Our Flag," states, "Following the War of 1812, a great wave of nationalistic spirit spread throughout the country; the infant Republic had successfully defied the might of an empire. As this spirit spread, the Stars and Stripes became a symbol of sovereignty."

To every citizen of this country, the flag has a unique meaning. Last year, the Foundation's speaker was the Chairman of the Joint Chiefs of Staff, General Colin Powell, spoke about the meaning it had to him as a soldier. He suggested it "captures the soul of a nation and its people."

That it absorbs "the blood of patriots into its crimson stripes."

But, when carried into battle, when flown over the Capitol of the United States or over any public building, it is a sign of the sovereignty of this Nation. Of the power of the American people over their destiny.

It carries the hope of freedom to all of the oppressed in the world. I have been told by refugees from behind the old Iron Curtain of how, when they finally reached the haven of an American Embassy, looking up at the Stars and Stripes, they fell to their knees thanking God for all it represented to them.

It is unfortunate, that after over 200 years, we are in jeopardy of losing this sovereignty which the flag has so proudly proclaimed. The threat is coming at us from several international trade treaties, the Canadian Free Trade Agreement which became law in 1988, the North American Free Trade Agreement [NAFTA], slated to be voted on later this year, and the General Agreement on Tariffs and Treaties [GATT] also to be voted on by this Congress.

In the discussions of any one of these treaties, the focus has been on the economic consequences of U.S. ratification. Unfortunately, the most critical section of every one of the agreements is the mechanism being used to settle any trade disputes among the nation signators.

In both the NAFTA and the Canadian Free Trade Agreement, there is a provision for binational, or possibly, trinational panels if we ratify with Canada and Mexico in the NAFTA. Panels made up of international trade lawyers representing the nations involved that have the power to overturn the internal laws of the Nation being charged in the dispute.

Moreover, these panels meet in secret. There is no appeal from their decisions.

For those of you in this C–SPAN audience today it is hard to believe that the quality of our every day lives will be affected by these agreements—what does "international law" have to do with domestic commerce, the comings and goings of people in Maryland? In cities and towns across the country?

The effect on our life style can be as close as the nearest super highway. Already Alberta, Canada, and Mexico are negotiating with six Midwestern States to change the traffic safety standards on interstate highways that serve as a corridor between Alberta and western Mexico.

Any law that can be construed to be a structural impediment to the free flow of goods and services among the three countries is liable to be challenged along with any law that is seen to be discriminatory against any foreign product being competitive in our markets.

Since our health and safety standards are as far above both Mexico and Canada, the evidence is there already that these laws will be the first laws challenged.

Under the current GATT, Canada is in the United States courts challenging our standards on the levels of toxicity in asbestos as being merely in place to stop the sale of their asbestos into our markets.

Since our agreement with Canada, passed in 1988, of the challenges to United States law filed, that we have studies two-thirds of the decisions were made against the United States position, representing United States law and regulations.

A stunning usurpation of the powers of the United States courts, the Congress and the people by a supranational body representative only of international interests, answering only to those interests.

The new GATT is even more ambitious. If it is ratified, under its dispute mechanism, called the Multilateral Trade Organization [MTO], 107 nations will be able to challenge our laws, our very living standards.

Beyond these treaties what happens to our hard-fought-for sovereignty? Or, our individual rights, yes, even our collective rights as citizens of the United States?

What flag do we fly then in this new world order? NAFTA panelists will be meeting somewhere, at times in Mexico City, or Washington, or Ottawa. GATT will be headquarted in Geneva, Switzerland.

The Constitution guarantees the right of Americans to petition their representatives and to appeal to constitutional courts in Geneva? In Mexico City?

As a Congresswoman I have fought for highway safety laws for more responsibility by shippers on the size and weight of containers. Many United States safety laws exist which neither Canada nor Mexico have in place, nor does either nation desire such laws, they are already under attack in our far Western States. And though these laws have been passed by the Congress, supported by the people of this Nation, and in some instances, have been upheld by our courts.

They can be struck under any one of these three treaties, by international lawyers, elected

by no one, meeting in secret possibly, even outside of the country.

In President Washington's Farewell Address to the Nation, in September of 1796, he stated, "The basis of our political system is the right of the people to make and to alter their constitutions of government."

Let me repeat, the right of the people to alter their constitutions of government. He also warned, "There can be no greater error than to expect or calculate upon real favors from nation to nation."

The Speaker, I sumbit to you that we are at one of the most critical junctures in our Nation's history. Every statement I have made today about the threat to this Nation's sovereignty and the constitutional authority upon which my official power rests is accurate. A suit challenging the constitutionality of the Canadian Free Trade Agreement is in the Washington, DC, Federal court. My statements are based on the findings of the lawyers who filed the suit, one of them, Jerome Zeifman, is the former chief staff counsel of the House Judiciary Committee.

These treaties must be renegotiated to protect our constitutional rights to protect the constitutional rights of all Americans.

President Wilson said in his Flag Day message of 1917,

"This flag, which we honor and under which we serve, is the emblem of our unity, our power, our thought and purpose as a nation. It has no other character than that which we give it from generation to generation. The choices are ours."

Whatever identity this nation has in the 21st century is in our hands. Whatever unity or power or thought and purpose of this Nation is our responsibility as American citizens, under the power of the Constitution which we now have.

And the continuing freedom of each citizen under the Stars and Stripes can only be secured by our willingness to defend the sovereignty that the flag represents.

Many men and women have risked their lives and their fortunes to protect Old Glory. The battle that we face against international tribunals, even though it carries no physical risk and will be fought in the Halls of the Congress, is none-the-less as important to the future of this Nation as was Normandy or the Coral Sea.

But, we are fortunate, this fight only demands a determined commitment to inform, educate and then, to act.

A commitment learned from my immigrant parents who came to America through this very Port of Baltimore from Yugoslavia in the early years of this century. Born in Nevada, I simply by great good fortune retraced my parents' footsteps. Coming East from college, I joined the staff of the Baltimore Sun on June 14, 1945.

Since Flag Day is a major anniversary in my life, the message, the flag carries for me is to "never, never, never, give up." Where it flies, there should always be freedom. Where it leads must always be to the higher ground. Where it stands it represents the best and brightest hope of mankind and, if we carry it forward, as individuals we must always be worthy of the challenge it represents to each of us to join the long parade of Patriots who went before.

□ 1950

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted:

Mr. HYDE (at the request of Mr. MICHEL) from 10 a.m. until 3 p.m. today, on account of medical reasons.

Mr. SOLOMON (at the request of Mr. MICHEL) on June 15, on account of illness.

Mr. PICKLE (at the request of Mr. GEPHARDT) for today after 5 p.m. and the balance of the week, on account of official business.

Ms. PELOSI (at the request of Mr. GEPHARDT) for today after 4:30 p.m. and the balance of the week, on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. BENTLEY) to revise and extend their remarks and include extraneous material:)

Mrs. BENTLEY, for 60 minutes each day, on June 18, 23, 24, 28, 29, 30; July 1, 13, 14, 15, 16, 19, 20, 21, 22, 26, 27, and 28.

Mr. MICHEL, for 5 minutes, today.

Mr. HORN, for 60 minutes, on June 18.

(The following Members (at the request of Ms. MCKINNEY) to revise and extend their remarks and include extraneous material:)

Mr. FALEOMAVAEGA, for 60 minutes, on June 17.

Ms. MCKINNEY, for 60 minutes, on June 22.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. BENTLEY) and to include extraneous matter:)

Mr. BEREUTER in two instances.
Mr. COX.
Mr. FIELDS of Texas.
Mr. GINGRICH.
Ms. MOLINARI.
Mr. GALLEGLY.
Mr. WALSH in two instances.
Mr. EMERSON.
Mr. GILLMOR.

(The following Members (at the request of Ms. MCKINNEY) and to include extraneous matter:)

Mr. STUPAK.
Mr. HOYER.
Mrs. SCHROEDER in two instances.
Mr. STARK.
r. BLACKWELL in two instances.
r. OBERSTAR.
r. VENTO.
r. SWETT.
r. TRAFICANT in five instances.
r. LAFALCE.
r. RUSH in two instances.
r. FOGLIETTA.
r. WISE.
r. KLEIN in two instances.
r. HOCHBRUECKNER.
r. LEVIN.
r. FARR.
r. ROMERO-BARCELÓ.
r. STUDDS.
r. CONDIT.
r. BARRETT of Wisconsin.
r. ROEMER.

(The following Member (at the request of Ms. MCKINNEY) and to include extraneous matter:)

r. BROWN of California.

ADJOURNMENT

rs. BENTLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 53 minutes p.m.) the House adjourned until tomorrow, Thursday, June 17, 1993, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1435. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's statement of principles for legislation creating a new drinking water State revolving fund: jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

1436. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled, "Economic Development Administration Reauthorization Act of 1993"; jointly, to the Committees on Public Works and Transportation and Banking, Finance and Urban Affairs.

1437. A letter from the Chairman, Physician Payment Review Commission, transmitting a report entitled, "Monitoring Access of Medicare Beneficiaries," pursuant to 42 U.S.C. 1395w-1(c)(1)(D); jointly, to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOAKLEY: Committee on Rules. H.R. 1876. A bill to provide authority for the President to enter into trade agreements to conclude the Uruguay round of multilateral trade negotiations under the auspices of the General Agreement on Tariffs and Trade, to extend tariff proclamation authority to carry out such agreements, and to apply congressional "fast track" procedures to a bill implementing such agreements (Rept. 103-128, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. BEILENSON: Committee on Rules. House Resolution 199. Resolution providing for the consideration of the bill (H.R. 1876) to provide authority for the President to enter into trade agreements to conclude the Uru-

guay round of multilateral trade negotiations under the auspices of the General Agreement on Tariffs and Trade, to extend tariff proclamation authority to carry out such agreements, and to apply congressional "fast track" procedures to a bill implementing such agreements (Rept. 103–133). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 200. Resolution providing for consideration of the bill (H.R. 2295) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes (Rept. 103–134). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLACKWELL (for himself, Mr. ABERCROMBIE, Ms. MARGOLIES-MEZVINSKY, Mr. WYNN, Mr. FOGLIETTA, Ms. PELOSI, Mr. FALEOMAVAEGA, Mr. ANDREWS of New Jersey, Mr. BARTLETT of Maryland, Mr. FILNER, Mr. UNDERWOOD, and Mr. MILLER of California):

H.R. 2429. A bill to amend the Immigration and Nationality Act to extend preferential treatment in the admission of Amerasian children to children born in the Philippines; to the Committee on the Judiciary.

By Mr. BLILEY:

H.R. 2430. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for adoption expenses in excess of 7.5 percent of adjusted gross income; to the Committee on Ways and Means.

By Ms. BROWN of Florida (for herself, Mr. MINETA, and Mr. TRAFICANT):

H.R. 2431. A bill to designate the Federal building in Jacksonville, FL, as the "Charles E. Bennett Federal Building"; to the Committee on Public Works and Transportation.

By Mr. CAMP (for himself, Mr. KLUG, Mr. GREENWOOD, Mr. EMERSON, Mr. GUNDERSON, Mr. SANTORUM, Mr. GINGRICH, and Ms. MOLINARI):

H.R. 2432. A bill to provide financial incentives to encourage parents receiving public assistance to have their children appropriately immunized against disease; jointly, to the Committees on Energy and Commerce, Ways and Means, and Agriculture.

By Mr. DORNAN:

H.R. 2433. A bill to impose certain requirements on medical malpractice liability claims; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. GRAMS (for himself, Mr. HUTCHINSON, Mr. ISTOOK, Mr. KNOLLENBERG, Mr. HOEKSTRA, Mr. TALENT, Mr. CRAPO, Mr. MANZULLO, Mr. LEVY, Mr. KIM, Mr. HOKE, Mr. POMBO, Ms. DUNN, Ms. PRYCE of Ohio, Mr. TORKILDSEN, Mr. BACHUS of Alabama, Mr. MCKEON, Mr. BARTLETT of Maryland, Mr. LINDER, Mr. BLUTE, Mr. BAKER of California, Mr. COLLINS of Georgia, Mr. MCINNIS, Mr. INGLIS of South Carolina, Mr. DICKEY, Mr. SMITH of Michigan, Ms. FOWLER, Mr. GINGRICH, Mr. ARMEY, Mr. HYDE, Mr. DELAY, Mr. SOLOMON, Mr. DOOLITTLE, Mr. BARTON of Texas, Mr. BURTON of Indiana, Mr. RAMSTAD, Mr. BOEHNER, Mr. COX, Mr. SMITH of Oregon, Mr. PACKARD, Mr. DORNAN, Mr. SANTORUM, Mr. HERGER, Mr. EWING, and Mr. HEFLEY):

H.R. 2434. A bill to provide a tax credit for families, to provide certain tax incentives to encourage investment and increase savings, and to place limitations on the growth of domestic spending; jointly, to the Committees on Ways and Means, Government Operations, and Rules.

By Mr. JOHNSON of South Dakota:

H.R. 2435. A bill to authorize the establishment of the Wounded Knee National Memorial Park and the Wounded Knee National Memorial in the State of South Dakota, and for other purposes; to the Committee on Natural Resources.

By Mr. PAYNE of Virginia:

H.R. 2436. A bill to amend title XVIII of the Social Security Act to include services provided by interns and residents under any medical residency training program approved by the Accreditation Council for Graduate Medical Education in determining the amount of payment to hospitals under part A of the Medicare Program for the indirect costs of medical education; to the Committee on Ways and Means.

By Mrs. SCHROEDER:

H.R. 2437. A bill to amend title 5, United States Code, to allow Federal employees to take parental leave for purposes of participating in or attending certain education-related activities; to the Committee on Post Office and Civil Service.

By Mr. SCHUMER:

H.R. 2438. A bill to amend the Immigration and Nationality Act to provide for confinement in a Federal facility of illegal aliens sentenced to imprisonment under State law and to authorize the Attorney General to deport aliens sentenced to imprisonment before the completion of the sentence; to the Committee on the Judiciary.

By Mr. SHAW:

H.R. 2439. A bill to amend the Internal Revenue Code of 1986 to allow for an unlimited number of shareholders in an S corporation if all of the shareholders are members of the same family; to the Committee on Ways and Means.

By Mr. OBERSTAR:

H.R. 2440. A bill to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

By Mr. STUDDS (for himself, Mr. NEAL of Massachusetts, Mr. MOAKLEY, Mr. MARKEY, Mr. KENNEDY, Mr. MEEHAN, Mr. FRANK of Massachusetts, Mr. OLVER, Mr. MENENDEZ, Mr. FILNER, Mr. KOPETSKI, Mr. ACKERMAN, Mr. COLEMAN, Ms. MCKINNEY, Mrs. UNSOELD, Mr. HUGHES, Mr. THOMPSON, Mr. HAMBURG, Ms. SCHENK, Mr. DEUTSCH, Mr. HASTINGS, and Ms. FURSE):

H.R. 2441. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for fees for sewer and water services to the extent such fees exceed 1 percent of adjusted gross income, and to offset the cost of such deduction by disallowing the deduction for amounts paid pursuant to settlements and for compensatory damages under certain environmental laws; to the Committee on Ways and Means.

By Mr. WISE (for himself, Mr. MINETA, Mr. SHUSTER, and Ms. MOLINARI) (all request):

H.R. 2442. A bill to reauthorize appropriations under the Public Works and Economic Development Act of 1965, as amended, to revise administrative provisions of the act to improve the authority of the Secretary of Commerce to administer grant programs, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. BLACKWELL:

H.J. Res. 215. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of Justice Thurgood Marshall; to the Committee on Post Office and Civil Service.

By Mr. BLILEY (for himself, Mr. BATEMAN, Mr. BOUCHER, Ms. BYRNE, Mr. GOODLATTE, Mr. MORAN, Mr. PAYNE of Virginia, Mr. PICKETT, Mr. SCOTT, Mr. SISISKY, Mr. WOLF, Mr. BALLENGER, Mr. COBLE, Mrs. COLLINS of Illinois, Mr. DARDEN, Mr. EMERSON, Mr. FALEOMAVAEGA, Mr. FISH, Mr. FROST, Mr. GALLEGLY, Mr. GEKAS, Mr. GILLMOR, Mr. GINGRICH, Mr. GONZALEZ, Mr. HAMILTON, Mr. HANSEN, Mr. HUGHES, Mr. HUNTER, Mr. HYDE, Mr. INHOFE, Mr. JEFFERSON, Mr. KASICH, Mr. KREIDLER, Mrs. LLOYD, Mr. MCCLOSKEY, Mr. MCDADE, Mrs. MEYERS of Kansas, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. OXLEY, Mr. PETERSON of Florida, Mr. PORTER, Mr. QUILLEN, Mr. ROGERS, Mr. ROTH, Mr. SARPALIUS, Mr. SLATTERY, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SUNDQUIST, Mr. TOWNS, Mr. WALSH, and Mr. WASHINGTON):

H.J. Res. 216. Joint resolution designating January 16, 1994, as "Religious Freedom Day"; to the Committee on Post Office and Civil Service.

By Mrs. BENTLEY:

H. Con. Res. 112. Concurrent resolution to express the sense of Congress in support of consumer labeling utilizing an American and foreign flag program, labeling all goods and services; to the Committee on Energy and Commerce.

By Mr. HYDE (for himself, Mr. MICHEL, Mr. GINGRICH, Mr. ARMEY, and Mr. CLINGER):

H. Res. 198. Resolution requesting the President to furnish to the House of Representatives certain documents concerning the response of the Federal Bureau of Investigation to allegations of criminal conduct in the White House travel office; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 54: Mr. CUNNINGHAM, Mr. FILNER, and Mr. LEVIN.

H.R. 55: Mr. YATES, Mr. TORRICELLI, and Mr. CRAMER.

H.R. 94: Mr. GILCHREST and Mr. PICKETT.

H.R. 107: Mr. STRICKLAND.

H.R. 123: Mr. FRANKS of Connecticut.

H.R. 124: Mr. FRANKS of Connecticut.

H.R. 173: Mr. ROGERS.

H.R. 324: Ms. FOWLER and Mr. GILMAN.

H.R. 431: Mr. HOCHBRUECKNER, Ms. DELAURO, and Mr. HINCHEY.

H.R. 535: Ms. ROBAL-ALLARD and Mr. ENGEL.

H.R. 558: Mr. HOBSON, Mr. JEFFERSON, Mr. MINETA, Mr. ENGEL, Mr. MCCURDY, Mr. DICKS, Mr. JACOBS, Mr. RANGEL, and Ms. BROWN of Florida.

H.R. 561: Mr. MCMILLAN, Mr. CLINGER, Mr. MCCRERY, Mr. ALLARD, Mr. MCINNIS, Mr. DORNAN, Mr. COMBEST, Mr. HOEKSTRA, Ms. LAMBERT, and Mr. SOLOMON.

H.R. 563: Mr. MOLLOHAN.

H.R. 767: Mr. VOLKMER.

H.R. 789: Mr. BERMAN, Mr. EVERETT, Mr. FISH, Mr. GRANDY, Mr. HASTERT, Mr. HOEKSTRA, Mr. HUFFINGTON, Mr. KLUG, Mr. KNOLLENBERG, Mr. KYL, Mr. LEACH, Mr. MCKEON, Mr. POMBO, Mr. UPTON, Mr. SMITH of New Jersey, Mr. MCCRERY, Mr. PAYNE of New Jersey, Mr. MCMILLAN, Mr. BISHOP, Mr. BLUTE, Mr. DE LA GARZA, Mr. GALLEGLY, Mr. GALLO, Mr. MCCOLLUM, Mr. QUILLEN, Mr. ROBERTS, Mr. SUNDQUIST, and Mr. WELDON.

H.R. 794: Mr. OBERSTAR and Mr. MINGE.

H.R. 840: Mr. MARKEY, Ms. DELAURO, and Mr. FROST.

H.R. 903: Mr. MACHTLEY.

H.R. 937: Mr. SANTORUM, Mr. FALEOMAVAEGA, and Mr. KOPETSKI.

H.R. 982: Mr. LIVINGSTON, Mr. WOLF, Mr. BATEMAN, Mr. APPLEGATE, Mr. PAYNE of New Jersey, Mr. SKEEN, and Mr. MOORHEAD.

H.R. 999: Mr. DEFAZIO.

H.R. 1009: Mr. MEEHAN.

H.R. 1012: Mr. BATEMAN, Mr. FLAKE, Mrs. FURSE, Mr. MCDERMOTT, Ms. ROYBAL-ALLARD, Mr. SERRANO, Mr. SKEEN, Mr. TOWNS, Mrs. UNSOELD, and Mr. WYDEN.

H.R. 1025: Mr. VISCLOSKY.

H.R. 1120: Mr. SHAYS, and Mr. GILMAN.

H.R. 1153: Mr. ENGEL, and Mr. JOHNSTON of Florida.

H.R. 1194: Mr. JOHNSON of Georgia, Mr. TALENT, Mr. SCHIFF, Mr. FLAKE, Mr. FISH, Mr. EVANS, Mr. CRAMER, Mr. STRICKLAND, and Mr. ENGEL.

H.R. 1200: Mr. BROWN of California, Mr. UNDERWOOD, and Mr. WASHINGTON.

H.R. 1251: Mr. WALSH.

H.R. 1276: Mr. YOUNG of Alaska and Mr. ISTOOK.

H.R. 1289: Ms. PELOSI, Mr. COMBEST, Mr. OBEY, and Mr. BARRETT of Wisconsin.

H.R. 1419: Mrs. BENTLEY, Mr. LEACH, Mr. SHAYS, Mr. BOEHLERT, and Mr. WELDON.

H.R. 1440: Mr. PETE GEREN of Texas.

H.R. 1481: Mr. HINCHEY.

H.R. 1492: Mr. MORAN.

H.R. 1505: Mr. EWING.

H.R. 1542: Mr. BARCIA of Michigan and Mr. HINCHEY.

H.R. 1559: Mr. MINETA.

H.R. 1627: Mr. PETERSON of Minnesota, Ms. DUNN, and Mr. GALLO.

H.R. 1683: Mr. LAFALCE, Mrs. THURMAN, Mr. ORTON, and Mr. GENE GREEN of Texas.

H.R. 1720: Mr. HAMBURG, Ms. WOOLSEY, Ms. SHEPHERD, Mr. VENTO, and Mr. SMITH of New Jersey.

H.R. 1744: Mr. APPLEGATE.

H.R. 1767: Mr. UPTON.

H.R. 1770: Mr. CLINGER, Mr. STRICKLAND, and Mr. UPTON.

H.R. 1771: Mr. CLINGER and Mr. UPTON.

H.R. 1772: Mr. STRICKLAND and Mr. UPTON.

H.R. 1773: Mr. CLINGER, Mr. STRICKLAND, and Mr. UPTON.

H.R. 1793: Mr. BOUCHER, Mr. STUDDS, Mr. MANTON, Mr. MARKEY, Mr. KOPETSKI, and Mr. BONIOR.

H.R. 1795: Mr. BECERRA.

H.R. 1815: Mr. ARMEY, Mr. MCCRERY, Mr. PAXON, Mr. CRAPO, and Mr. LIGHTFOOT.

H.R. 1816: Mr. STENHOLM.

H.R. 1823: Mrs. MALONEY and Mr. SANDERS.

H.R. 1887 Mr. BONILLA, Mr. SHAYS, and Mr. DARDEN.

H.R. 1923: Mr. SCOTT.

H.R. 1944: Mr. APPLEGATE.

H.R. 1948: Ms. FURSE.

H.R. 1981: Mr. GILLMOR, Mr. CALLAHAN, Mr. KOPETSKI, Mr. HANCOCK, Mr. INSLEE, Mr. FRANK of Massachusetts, Mr. ORTON, Mr. RAVENEL, Mr. LIGHTFOOT, Mr. BROWDER, Mr. BARCIA of Michigan, Mr. LEWIS of California, and Mrs. THURMAN.

H.R. 2010: Mr. BISHOP, Mr. BROWN of California, Ms. BROWN of Florida, Mr. CLYBURN, Mr. FOGLIETTA, Ms. FURSE, Mr. GUTIERREZ, Mr. HAMILTON, Mr. HASTINGS, Mr. HILLIARD, Ms. LONG, Ms. MCKINNEY, Mrs. MEEK, Mr. NEAL of North Carolina, Ms. NORTON, Mr. PALLONE, Mr. PASTOR, Mr. RANGEL, Mr. ROWLAND, Mr. RUSH, and Mr. SARPALIUS.

H.R. 2050: Mr. POMEROY, Mr. DEFAZIO, Ms. MCKINNEY, Mr. MEEHAN, and Mrs. CLAYTON.

H.R. 2076: Mr. VENTO, Mr. BECERRA, Mr. HINCHEY, Mr. UNDERWOOD, Mrs. MINK, Mr. KOPETSKI, Mr. MCDERMOTT, and Mr. STUDDS.

H.R. 2130: Mr. FRANKS of Connecticut, Mr. CRANE, Mr. FILNER, Mrs. JOHNSON of Connecticut, Mr. KINGSTON, Mr. KREIDLER, and Mr. NUSSLE.

H.R. 2157: Mr. EMERSON, Mr. GINGRICH, Mr. BARTLETT of Maryland, Mr. RAMSTAD, and Mrs. THURMAN.

H.R. 2207: Mr. HANSEN and Mr. LAUGHLIN.

H.R. 2241: Mr. KREIDLER and Ms. NORTON.

H.R. 2296: Miss Collins of Michigan.

H.R. 2307: Mr. SKEEN, Mrs. MEYERS of Kansas, and Mr. SPENCE.

H.R. 2316: Mrs. KENNELLY.

H.R. 2355: Mr. OXLEY, Mr. ZIMMER, Mr. GREENWOOD, Mrs. THURMAN, Mr. SOLOMON, Mr. CANADY, and Mr. WALKER.

H.J. Res. 11: Mr. BEILENSON, Mrs. BENTLEY, Ms. DELAURO, Ms. DUNN, Ms. ESHOO, Mr. GALLEGLY, Mr. GINGRICH, Mr. GREENWOOD, Mr. HANSEN, Mr. HOCHBRUECKNER, Mr. HUTTO, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. KENNELLY, Mr. KING, Mr. KINGSTON, Mr. KLECZKA, Mr. LAFALCE, Mr. LIPINSKI, Mr. MCDERMOTT, Ms. MCKINNEY, Ms. MARGOLIES-MEZVINSKY, Mr. MARTINEZ, Mr. MAZZOLI, Mrs. MEYERS of Kansas, Mrs. MINK, Mrs. MORELLA, Ms. NORTON, Ms. PELOSI, Mrs. ROUKEMA, Ms. ROYBAL-ALLARD, Mr. SARPALIUS, Ms. SCHENK, Mr. SHARP, Mr. SHAW, Ms. SLAUGHTER, Mr. SPRATT, Mr. STUDDS, Mrs. THURMAN, Mr. WAXMAN, and Mr. WOLF.

H.J. Res. 79: Mr. BUNNING, Mr. COOPER, Mr. CRAMER, Mr. DE LUGO, Mr. DOOLITTLE, Mr. EMERSON, Mr. EVANS, Mr. ROEMER, Mr. TANNER, Mr. WHITTEN, and Mr. MOORHEAD.

H.J. Res. 90: Mr. BILIRAKIS.

H.J. Res. 128: Mr. LIVINGSTON.

H.J. Res. 137: Mr. STRICKLAND, Mr. BEVILL, Mr. FRANK of Massachusetts, and Ms. ENGLISH of Arizona.

H.J. Res. 139: Mr. HANSEN.

H. Con. Res. 15: Mr. PETERSON of Minnesota, Mrs. THURMAN, Mrs. JOHNSON of Connecticut, and Mr. COPPERSMITH.

H. Con. Res. 42: Mr. DELLUMS.

H. Con. Res. 52: Ms. BYRNE, Mr. MCCLOSKEY, Mr. HINCHEY, Mr. RAVENEL, Mr. HOLDEN, Mr. WAXMAN, Mr. MICA, Mr. DERRICK, Mr. TEJEDA, Mr. LANTOS, Mr. FIELDS of Louisiana, Mr. BARRETT of Wisconsin, Mr. HAYES, Mr. GIBBONS, Mr. JOHNSON of South Dakota, Mr. WATT, Mr. BROWN of California, Mr. CLYBURN, and Mr. EDWARDS of California.

H. Con. Res. 66: Miss COLLINS of Michigan.

H. Con. Res. 69: Mr. SKELTON, Mr. LIGHTFOOT, Mr. MCINNIS, Mr. UPTON, Mr. LANCASTER, and Mrs. THURMAN.

H. Con. Res. 110: Mr. HUGHES, Mr. WOLF, and Mr. UNDERWOOD.

H. Res. 165: Mr. VALENTINE, Mr. FISH, Mr. ACKERMAN, Mr. FAZIO, Mr. EVANS, Mr. CLAY, and Mr. SWETT.

H. Res. 194: Mr. MOORHEAD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1754: Mr. SLATTERY.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2403

By Mr. JACOBS:

—Page 41, line 25, strike out "$2,833,000" and insert in lieu thereof "$762,000."