Mr. HORN. Madam Speaker I yield, such time as he may consume to the gentleman from New York (Mr. GILMAN), my good friend and one of the ranking members of the Committee on Government Reform and Oversight.

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

Mr. GILMAN. Madam Speaker, I want to commend the gentleman from California (Mr. HORN), a senior member of our Committee on Government Oversight and Reform, for bringing this measure to the floor and for sponsoring this measure along with the gentlewoman from New York (Mrs. MALONEY), the gentleman from Texas (Mr. SESSIONS) the gentleman from New Hampshire (Mr. SUNUNU) and the gentleman from Pennsylvania (Mr. KANJORSKI), a bipartisan measure out of our Committee on Government Reform. It is amazing to hear the statistics that the gentleman from California (Mr. HORN) related of over $100 million in bad debts, and $10 million being wiped out each year, and many of those debts over 180 days due and delinquent. This is the kind of attention we should be giving in Federal management.

I remember the Grace Commission during my earlier days in the Congress, and I was pleased to follow some of his recommendations. I was the first one to insist that checks received by our government be deposited within 30 days, a very simple business like method, and I am pleased to see that the gentleman from California (Mr. HORN) is carrying on that tradition of trying to get rid of some of the waste and mismanagement in our vast bureaucracy, the Federal Government. I commend him and the sponsors, and I thank the gentleman from California (Mr. WAXMAN) for pursuing this matter as well, and I want to urge our colleagues to fully support this measure.

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

Madam Speaker, I thank the gentleman from New York (Mr. GILMAN) for his kind remarks on a number of us.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 4243, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REQUIRING THE SECRETARY OF STATE TO SUBMIT AN ANNUAL REPORT TO CONGRESS CONCERNING DIPLOMATIC IMMUNITY

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 759) to amend the State Department Basic Authorities Act of 1956 to require the Secretary of State to submit an annual report to Congress concerning diplomatic immunity.

The Clerk read as follows:

S. 759

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

SECTION 1. REPORTS AND POLICY CONCERNING DIPLOMATIC IMMUNITY.

Title I, of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301 et seq.; commonly referred to as the ''Foreign Missions Act'') is amended by inserting after section 204A the following new section:

''SEC. 204B. CRIMES COMMITTED BY DIPLOMATS.

''(a) ANNUAL REPORT CONCERNING DIPLOMATIC IMMUNITY.—

''(1) REPORT TO CONGRESS.—The Secretary of State shall prepare and submit to the Congress, annually, a report concerning diplomatic immunity entitled ''Report on Cases Involving Diplomatic Immunity''.

''(2) CONTENT OF REPORT.—In addition to such other information as the Secretary of State may consider appropriate, the report under paragraph (1) shall include the following:

''(A) The number of persons residing in the United States who enjoy full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

''(B) Each case involving an alien described in subparagraph (A) in which an appropriate authority of a State, a political subdivision of a State, or the United States reported to the Department of State that the authority had reasonable cause to believe the alien committed a serious criminal offense within the United States, and any additional information provided to the Secretary relating to other serious criminal offenses that any such authority had reasonable cause to believe the alien committed before the period covered by the report. The Secretary may omit from such report any matter the provision of which the Secretary reasonably believes would compromise a criminal investigation or prosecution or which would directly compromise law enforcement or intelligence sources or methods.

''(C) Each case described in subparagraph (B) in which the Secretary of State has certified that a person enjoys full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

''(D) The number of United States citizens who are residing in a receiving state and who enjoy full immunity from the criminal jurisdiction of such state under laws extending diplomatic privileges and immunities.

''(E) Each case involving a United States citizen under subparagraph (D) in which the United States has been requested by the government of a receiving state to waive the immunity from criminal jurisdiction of the United States citizen.

''(F) Whether the Secretary has made the notifications referred to in subsection (c) during the period covered by the report.

''(3) SERIOUS CRIMINAL OFFENSE DEFINED.—For the purposes of this section, the term 'serious criminal offense' means—

''(A) any felony under Federal, State, or local law;

''(B) any Federal, State, or local offense punishable by a term of imprisonment of more than 1 year;

''(C) any crime of violence as defined for purposes of section 16 of title 18, United States Code; or

''(D)(i) driving under the influence of alcohol or drugs;

''(ii) reckless driving; or

''(iii) driving while intoxicated.

''(b) UNITED STATES POLICY CONCERNING REFORM OF DIPLOMATIC IMMUNITY.—It is the sense of the Congress that the Secretary of State should explore, in appropriate fora, whether states should enter into agreements and adopt legislation—

''(1) to provide jurisdiction in the sending state to prosecute crimes committed in the receiving state by persons entitled to immunity from criminal jurisdiction under laws extending diplomatic privileges and immunities; and

''(2) to provide that where there is probable cause to believe that an individual who is entitled to immunity from the criminal jurisdiction of the receiving state under laws extending diplomatic privileges and immunities committed a serious crime, the sending state will waive such immunity or the sending state will prosecute such individual.

''(c) NOTIFICATION OF DIPLOMATIC CORPS.—The Secretary should periodically notify each foreign mission of United States policies relating to criminal offenses committed by individuals with immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Indiana (Mr. HAMILTON) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 days within which to revise and extend their remarks on S. 759.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

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

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

Mr. GILMAN. Madam Speaker, I am pleased to bring this bill before the House sponsored by the gentleman from San Dimas, California (Mr. DREIER), the distinguished senior member of the Committee on Rules. This is a measure that is substantially identical to a provision that has passed the House, is a portion of another bill, the enactment of which into law is still uncertain in the other body. It is noncontroversial, and it is backed by organizations such as the Fraternal Order of Police, and the calls upon the President to seek to reform the practice of diplomatic immunity so as to assure that diplomats who commit crime are punished either in the country where they are posted or in their home country. It also provides for enhancing reporting of crimes by diplomats in this Nation and encourages the Secretary of State to communicate clearly to foreign missions in our Nation our Nation's policy of zero tolerance for diplomatic crimes.

This bill is a counterpart of a bill, H.R. 1672 introduced by the gentleman from California (Mr. DREIER) who has

been a leader in the effort to accomplish sensible reform of diplomatic immunity, and the passage of this bill at this time is a tribute to Mr. DREIER's dedication. The gentleman from California is an internationalist who recognizes the importance of American diplomatic missions abroad and of the presence of their counterparts in our Nation. But he also understands that diplomats should not be able to have free rein to commit crimes.

I should note that the legislation also draws on elements of an amendment propounded by H.R. 1757 by the gentleman from Colorado (Mr. HEFLEY). I salute his contributions and, of course, the leadership of the senator from Georgia, Mr. COVERDELL who is a sponsor of the Senate bill which we are considering today.

This bill is worthy legislation, and it deserves the support of our colleagues.

Madam Speaker, I reserve the balance of my time.

Mr. HAMILTON. Madam Speaker, I yield myself such time as I may consume, and I rise in support of the bill.

Let me begin by commending the distinguished chairman of the committee, the gentleman from New York (Mr. GILMAN), and Senator COVERDELL and the gentleman from California (Mr. DREIER) for their work in bringing this bill to the floor today. The bill would require the State Department to provide an annual report to Congress on foreign diplomats in the United States who commit serious crimes. I think it is a very worthy bill. Such a report would enable us to determine the gravity of offenses committed by foreign diplomats and the number of times diplomatic immunity has been requested by foreign government in U.S. prosecutions. At the same time the report would also track cases where foreign countries have asked the United States to waive immunity for U.S. diplomats who have committed serious crimes. So I think the report does serve a useful purpose.

My only concern about the bill is, of course, the number of times we place upon the administration the burden and the cost of reports, and we have to be cognizant of that, but I do recognize hear the information that is required by this report can be very helpful to us in assessing this possible abuse of diplomatic immunity.

I urge my colleagues to join me in support of this bill.

Madam Speaker I reserve the balance of my time.

Mr. GILMAN. Madam Speaker, I yield such time as he may consume to the gentleman from San Dimas, California (Mr. DREIER), the author of this measure.

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Mr. DREIER. Madam Speaker, I thank my friend from Middletown, the distinguished chairman of the Committee on International Relations, and I appreciate his strong support and leadership on this issue in helping us shepherd it through.

I would also like to say to my friend the gentleman from Indiana (Mr. HAMILTON) that I have appreciated his understanding of the need to deal with what obviously is a very important issue and his support, as he just stated, of the legislation.

Let me just take one moment, and I know that I had the privilege during the special order that we had the other evening to enter some very strong words in support of LEE HAMILTON and making it clear he is going to be sorely missed when he retires at the end of this Congress, and we do not know exactly when that will be, so his service may be extending further than he anticipated. We already know, having gone for several days, that it has done that.

But it has been a privilege for me to have worked closely with LEE HAMILTON on a number of issues. This obviously is one of them, issues dealing with the committee which he used to Chair and now, I am happy to say, serves as ranking minority member of the Committee on International Relations, formerly the Committee on Foreign Affairs, and I should say that actually is one of the issues we spent a great deal of time working on, trying our darnedest to bring about a modicum of reform of this institution.

We had the privilege in 1993, I guess that was the 103d Congress, to work together on an overall reform of the institution. I was privileged to serve as his co-vice chairman of what was called the Joint Committee on the Organization of Congress. Unfortunately, we were not able to get many, really none of those recommendations, that we had through in the 103d Congress. But when we did come to majority in 1995, we were able to take large parts of the work product which LEE HAMILTON had overseen and were able to implement that.

I also would like to say on the issue of global trade, there has been no one who has been more passionate and committed to what I think is the correct position than LEE HAMILTON. He is a strong free-trader, and we worked long and hard on our goal of expanding western values through trade internationally, and he will be sorely missed in that effort as we continue to pursue fast track, normal trade relations with the People's Republic of China and a number of other issues in the years to come.

I would like to say, what a great friend, and I wish LEE and Nancy well in their retirement. LEE showed his great brilliance by selecting a Californian as his wife, and I know that they will be here in Washington in this great spot at the Wilson Center and also at the Indiana University.

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

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

Mr. HAMILTON. Madam Speaker, I just want to thank the gentleman for his very kind and generous and even magnanimous remarks, and to say it has been for me too a magnificent privilege to work with you. I do not want to try to make a prediction about the elections coming up, but I know that if they turn out favorably for the majority party here, the gentleman in the well now will have very, very major responsibilities in the next Congress. I have no doubt that he will discharge those well, and we wish him well. Thank you very much.

Mr. DREIER. Madam Speaker, reclaiming my time, I thank my friend.

Madam Speaker, let me just take a moment to again express my appreciation of the gentleman from New York (Mr. GILMAN) for moving this legislation forward. This is a very important measure. The gentleman from Indiana (Mr. HAMILTON) and the gentleman from New York (Mr. GILMAN) had it incorporated in the Foreign Assistance Authorization Act, and we all know exactly what happened to that. Unfortunately, we have not been able to see that bill become public law.

But last year, just into this Congress, we all heard, the world heard, about the horrible tragedy of the killing of Jovian Waldrich, a 16 year old girl who was run over by a drunken diplomat from the State of Georgia. It seems to me that when this problem came to the forefront, it focused attention on the issue of diplomatic immunity.

We recognized that repeal of diplomatic immunity, obviously, could be devastating for our national interests. We cannot have in other countries people have their lives jeopardized and threatened by governments if we were to repeal diplomatic immunity. That conceivably could happen. So diplomatic immunity is a very important thing.

But with the dramatic increase in the number of diplomats that we have seen in this country and throughout the world, there has been abuse, and when you have the tragic loss of life and some of the other horrendous instances that have been reported to me, of raping and other crimes that have been inflicted against our citizenry, and diplomatic immunity has been claimed, it seems to me we need to take some kind of action to bring about reform.

This bill, which we have been working, as I said, for nearly two years on with our friends, is one which is designed to really make sure that, first, we have a reporting from the State Department on the instances of diplomatic immunity being used, and then it is our hope that we can see accountability come about, where we will have the nations involved actually take responsibility for the actions of their representatives who are here in this country.

It is my hope that if crimes are perpetrated here in the United States or anywhere in the world, that these diplomats or their family members who use diplomatic immunity will be sent back to their home countries and face

full responsibility for the actions that they have perpetrated here.

So I am a supporter of diplomatic immunity. I believe it is a very important tool for us. But I believe also when you look at the tragic loss of Jovian Waldrich and the countless other victims of those who have been victims of those who have used diplomatic immunity to free themselves of responsibility, that this is a step towards addressing that.

So I again thank my colleagues, and I believe this is a very important measure, and urge my colleagues to support it.

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

Madam Speaker, I thank the gentleman from California for his very persuasive arguments on behalf of the bill. It is worthy legislation, and I hope our colleagues will join with him in support of this measure.

Madam Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), the chairman of the Subcommittee on Aviation, who is a cosponsor, along with the gentleman from California, of the House counterpart of this bill.

Mr. DUNCAN. Madam Speaker, I would like first to thank the gentleman from New York (Chairman GILMAN) and other members of the committee for bringing this important legislation to the floor today, which is almost identical to a bill that the gentleman from California (Mr. DREIER) and myself introduced in the House early last year.

I would also like to thank Senator COVERDELL, a senior member of the Senate Foreign Relations Committee, for introducing the same legislation in the Senate.

This language, the language in this bill, will encourage the State Department to hold diplomats accountable for crimes committed in the United States, and it is the first time that we have had legislation that will attempt to accomplish this.

Specifically, the bill urges the State Department to pursue waivers of diplomatic immunity when foreign diplomats commit serious crimes in the United States. In addition, if a foreign government of a diplomat who commits a crime will not agree to waive immunity, that government will be encouraged to prosecute the criminal for the same offense in their own courts.

Madam Speaker, this problem was brought to the forefront last year in Washington when a 16 year old girl was killed by a diplomat who was driving while drunk. This diplomat could have avoided prosecution under diplomatic immunity.

I believe this case and others have shown us that we need to take a serious look at how the current system operates. In fact, it has been reported that there has been on average one death a year over the last 10 years in which a diplomat has been involved when the perpetrator was not charged. We need to make foreign representatives in this country know that they will be held accountable when they commit terrible crimes. I welcome all people, all of us welcome all people of all nationalities into this country, but, at the same time, I do not think diplomats should have the right to come here and kill or commit other serious crimes against U.S. citizens without expecting punishment.

Again, Madam Speaker, I would like to thank the chairman and the other members of the Committee on International Relations for recognizing this problem and for moving on this legislation to attempt to correct this problem.

Mr. HAMILTON. Madam Speaker, I am pleased to yield three minutes to the distinguished gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I want to take this time to say something that has absolutely nothing to do with this bill. I do simply want to say that when the gentleman from Indiana (Mr. HAMILTON) retires, this institution will have lost one of the most thoughtful human beings who has ever walked the floor of this House.

Of all of the relationships that I have had through the years in this House, it is hard for me to think of one that has made me feel more rewarded than the relationship I have had with the gentleman from Indiana (Mr. HAMILTON) in dealing with our mutual responsibilities in the area of international affairs.

When Congresses deal with foreign affairs, usually we are dealing with issues that are not very well understood by our constituents and, frankly, often not very well understood by a number of our colleagues as well.

Often in dealing with international affairs, the right thing for our country is to do something which may not be, for the moment, very popular. That has never stopped the gentleman from Indiana from doing exactly what he has thought was right for this country on each and every occasion that I have ever dealt with him, whether the issue is seeing to it that we have a constructive policy in the Middle East, or whether it is searching for ways to open up lines of assistance to the newly emerging democracies that were behind the Iron Curtain, or whether it is dealing with the economic problems that we face in Asia on each and every issue, the gentleman from Indiana has simply asked what is in the best long-term interests of the United States. He has stood on principle, and yet he has not been afraid to look for reasonable compromises that did not compromise those principles.

I, for one, will very much miss him, and I am certain that every thoughtful Member of this House would share my views and say that the country is experiencing a major loss with his departure from this institution. But I know that in his next work, he will also be contributing to the long-term interests of this country.

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

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

Mr. HAMILTON. Madam Speaker, let me just say I appreciate very deeply the comments the gentleman from Wisconsin has made. He and I have had an opportunity to work on a great many foreign policy issues over a period of years, and everything you have said about me I return in spades for you. It has been a great pleasure to work with you. I thank you for your kind and generous remarks.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the Senate bill, S. 759.

The question was taken.

Mr. HAMILTON. Madam 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. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

CENTENNIAL OF FLIGHT COMMEMORATION ACT

Mr. PAPPAS. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1397) to establish a commission to assist in commemoration of the centennial of powered flight and the achievements of the Wright Brothers.

The Clerk read as follows:

S. 1397

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 ''Centennial of Flight Commemoration Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) December 17, 2003, is the 100th anniversary of the first successful manned, free, controlled, and sustained flight by a power-driven, heavier-than-air machine;

(2) the first flight by Orville and Wilbur Wright represents the fulfillment of the age-old dream of flying;

(3) the airplane has dramatically changed the course of transportation, commerce, communication, and warfare throughout the world;

(4) the achievement by the Wright brothers stands as a triumph of American ingenuity, inventiveness, and diligence in developing new technologies, and remains an inspiration for all Americans;

(5) it is appropriate to remember and renew the legacy of the Wright brothers at a time when the values of creativity and daring represented by the Wright brothers are critical to the future of the Nation; and