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House of Representatives

The House met at 9 a.m.

The Reverend Dr. Jerry C. White, Pastor, Riverside Baptist Church, Greer, South Carolina, offered the following prayer:

Almighty God, our Nation has experienced many victories because of people like those here today. Often success did not come with rushing speed but by persistence and faithfulness. We are in Your hands as were our forefathers of old. Enlighten the minds of Your servants with wisdom, guide their counsel, and prosper their work that what they do shall result in good. Give calmness in the face of storms, encouragement in the face of frustration, and humility in the face of their success. May You grant them wisdom and virtue to perform their part with the fervor of a patriot and the art of a statesman in thought, in word, and in deed. Direct their paths that they may lead with boldness and assurance knowing that our cause is far greater than any one of us. I pray this prayer in the name of my Lord and Savior, Jesus Christ. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Washington (Miss MCMORRIS) come forward and lead the House in the Pledge of Allegiance.

Miss MCMORRIS 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.

WELCOMING THE REVEREND DR. JERRY C. WHITE

(Mr. INGLIS of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. INGLIS of South Carolina. Mr. Speaker, I rise today to welcome to the House Dr. Jerry White, the president of the South Carolina Baptist Convention and our guest chaplain this morning. Jerry has been preaching since the age of 13, pastoring for 33 years, 24 of those years in South Carolina, the last 7 at Riverside Baptist Church in Greer, South Carolina. His wife Janet and his father are here with us today. They have two sons, and, maybe most significantly, a brand new baby granddaughter.

Jerry's favorite hymn is Amazing Grace. His life verse is Philippians 4:13, ''I can do all things through Christ who strengthens me.'' Truly the two work together because one of the stanzas of Amazing Grace is, ''Twas grace that taught my heart to fear and grace my fears relieved.''

That is what enables people like Jerry to pastor as they do, realizing that it is grace that causes them to be able to do all things through Christ who strengthens them. We thank him for offering the prayer this morning, and we welcome him to the House.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

After consultation among the Speaker, the majority and minority leaders, the Chair announces that during the joint meeting to hear an address by His Excellency Manmohan Singh, Prime Minister of the Republic of India, only the doors immediately opposite the Speaker and those on his right and left will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance that is anticipated, the Chair feels the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seat by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER. Pursuant to the order of the House of Monday, July 11, 2005, the House stands in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 8 minutes a.m.), the House stood in recess subject to the call of the Chair.

During the recess, beginning at about 9:48 a.m., the following proceedings were had:

□ 0948

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY HIS EXCELLENCY MANMOHAN SINGH, PRIME MINISTER OF THE REPUBLIC OF INDIA

The Speaker of the House presided.

The Deputy Sergeant at Arms, Mrs. Kerri Hanley, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort His Excellency Manmohan Singh, the Prime Minister of the Republic of India, into the Chamber:

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The gentleman from Texas (Mr. DELAY);
The gentleman from Missouri (Mr. BLUNT);
The gentleman from Arizona (Mr. SHADEGG);
The gentleman from California (Mr. DOOLITTLE);
The gentlewoman from Florida (Ms. ROS-LEHTINEN);
The gentleman from Virginia (Mr. TOM DAVIS);
The gentleman from Louisiana (Mr. JINDAL);
The gentlewoman from California (Ms. PELOSI);
The gentleman from Maryland (Mr. HOYER);
The gentleman from New Jersey (Mr. MENENDEZ);
The gentleman from California (Mr. LANTOS);
The gentleman from American Samoa (Mr. FALEOMAVAEGA);
The gentleman from New Jersey (Mr. PALLONE); and
The gentleman from New York (Mr. CROWLEY).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Manmohan Singh, the Prime Minister of the Republic of India, into the House Chamber:

The Senator from Tennessee (Mr. FRIST);
The Senator from Kentucky (Mr. MCCONNELL);
The Senator from Alaska (Mr. STEVENS);
The Senator from Wyoming (Mr. THOMAS);
The Senator from Florida (Mr. MARTINEZ);
The Senator from Nevada (Mr. REID);
The Senator from Illinois (Mr. DURBIN);
The Senator from Michigan (Ms. STABENOW); and
The Senator from Maryland (Mr. SARBANES).

The Deputy Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, His Excellency Jesse Bibiano Marehalau, Ambassador of the Federated States of Micronesia.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Deputy Sergeant at Arms announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 10 o'clock and 3 minutes a.m., the Deputy Sergeant at Arms announced the Prime Minister of the Republic of India, His Excellency Manmohan Singh.

The Prime Minister of the Republic of India, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and a personal pleasure to present to you His Excellency Manmohan Singh, Prime Minister of the Republic of India.

[Applause, the Members rising.]

ADDRESS BY HIS EXCELLENCY MANMOHAN SINGH, PRIME MINISTER OF THE REPUBLIC OF INDIA

Prime Minister SINGH. Mr. Speaker, sir; Mr. Vice President; distinguished Members of the U.S. Congress; ladies and gentlemen, I deem it a great privilege to be invited to address this joint session of the U.S. Congress. I thank you from the core of my heart for this invitation.

I bring you the greetings and good wishes of our Parliament members and, indeed, of the entire Indian people.

India and the United States have much in common that is very important to both our countries. You are the world's oldest democracy; we are its largest. Our shared commitment to democratic values and processes has been a bond that has helped us transcend our differences, if any. We admire the creativity, the spirit of adventure and enterprise of the American people, the excellence of your institutions of learning, the openness of your economy, and of your ready embrace of diversity. These have attracted the brightest young minds from India, creating a bridge of understanding that transcends both distance and differences between us.

In addition to the values we share as democracies, there is also a convergence in our perceptions of a rapidly transforming global environment, bringing us much closer together now than at any time in the past. Globalization, ladies and gentlemen, has made the world so interdependent that none of us can ignore what happens elsewhere in any part of the world. Peace and prosperity are more indivisible than ever before in human history.

As democracies, we must work together to create a world in which democracies can flourish. This is particularly important because we are today faced with new threats such as global terrorism to which democracies are particularly vulnerable.

Indian democracy has been fashioned around India's civilizational ethos which celebrates diversity. Our society today is the culmination of centuries of assimilation of diverse peoples and ethnic groups. All the major religions of the world are represented in India. We have a tremendous diversity of languages, customs, and traditions. The Father of our Nation, Mahatma Gandhi, called for universal adult franchise as early as 1931, long before India became independent. Our political leadership remained true to this commitment and the Constitution we adopted after independence enshrined democracy based on free elections and the associated principles of tolerance of dissent, freedom for political activity, protection of human rights, and commitment to the rule of law.

Our first Prime Minister, Jawaharlal Nehru, acknowledged our debt to America on this score. He said that you could hear in our Constitution the echo of the great voices of the Founding Fathers of your own Republic.

Ladies and gentlemen, the real test of a democracy is not in what is said in the Constitution, but in how it functions on the ground. All Indians can be proud of what we have achieved in this area, and I suggest that our experience in this regard is also relevant beyond our own boundaries. Free and fair elections are the foundations of a democracy. Over the past six decades, governments in India, at both the national and state level, have regularly sought the mandate of the people through elections.

Our elections are conducted under the supervision of a statutory independent election commission, which has earned respect for its fairness and transparency, both at home and abroad. The independent judiciary has been a zealous defender of our Constitution and a credible guarantor of the rule of law. The press is a key institution in any democracy, and our media has a well-earned reputation for being both free and fearless. Our minority, and we have many, participates actively in all walks of our national life, political, commercial, and cultural. Civil society organizations are thriving and are vigilant in protecting fundamental human rights. They are also watchful of threats to our environment. Our army has remained a professional force, subject throughout to civilian control.

Recently, the Constitution was amended to ensure constitutionally mandated elections to village and municipal councils. This process has produced no less than 3 million elected representatives in our country, with 1 million positions reserved for women. This has brought democracy closer to the people and also empowered our women and promoted gender balance.

Ladies and gentlemen, our commitment to democratic values and practices means that there are many concerns and perceptions that we share with the people of this great country. The most important concern is the threat of global terrorism. Democracy can only thrive in open and free societies. But open societies like ours are today threatened more than ever before by the rise of global terrorism. The very openness of our societies makes us more vulnerable, and yet we must deal effectively with the threat without losing the openness we so value and cherish. India and the United States have both suffered grievously

from terrorism, and we must make common cause against it. We know that those who resort to terror often clothe it in the garb of real or imaginary grievances. We must categorically affirm that no grievance can justify resort and recourse to terror.

Ladies and gentlemen, democracies provide legitimate means for expressing dissent. They provide the right to engage in political activity, and must continue to do so. However, for this very reason, they cannot afford to be soft on terror. Terrorism exploits the freedom our open societies provide to destroy these very freedoms we cherish. The United States and India must, therefore, work together in all possible forums to counter all forms of terrorism. We cannot be selective in this area. We must fight terrorism wherever it exists, because terrorism anywhere threatens democracy everywhere.

We know from experience that democratic societies which guarantee individual freedom and tolerance of dissent provide an environment most conducive to creative endeavor and the establishment of socially just societies. We, therefore, have an obligation to help other countries that aspire for the fruits of democracy. Just as developed industrial countries assist those that are less developed to accelerate the pace of their social and economic development, democratic societies with established institutions must help those that want to strengthen democratic values and institutions. In this spirit, President Bush and I agreed yesterday on a joint global initiative to help build democratic capacities in all societies that seek such assistance.

Ladies and gentlemen, the capacities we have in mind are those related to the electoral, parliamentary, judicial, and human rights processes of emerging democracies. Respect for cultural diversity, minority rights, and gender equality is an important goal of this initiative.

Democracy is one part of our national endeavor. Development is the other. Openness will not gain popular support if an open society is not a prosperous society. This is especially so in developing countries, where a large number of people have legitimate material expectations which ought to be and which must be met. That is why we must transform India's economy, to raise the standard of living of all of our people and in the process eliminate poverty, ignorance, and disease.

India's aspirations in this respect are not different from those of other developing countries. But I submit to you, ladies and gentlemen, that we are unique in one respect. There is no other country of a billion people with our tremendous cultural, linguistic, and religious diversity that has tried to modernize its society and transform its economy within the framework of a functioning democracy. To attempt this at our modest levels of per capita incomes is a major challenge. We are determined to succeed in this effort. We shall prevail.

To achieve our developmental goals, our policies and strategies must be in step with changed circumstances, and especially the opportunities now available in the evolving global economy. Prime Minister Rajiv Ghandi, standing at this very podium two decades ago, spoke of the challenge of building anew on old foundations. He started a process of reorienting India's economic policies, which has been continued by successive governments.

The economic policy changes that have been made in India have far-reaching implications. They have liberated Indian enterprise from government control and made our economy much more open to global flows of trade, capital, and technology. Our entrepreneurial talent has been unleashed and is encouraged to compete with the best in the world. We will continue this process so that Indian talent and enterprise can realize its full potential, enabling India to participate in the global economy as an equal partner.

We are often criticized for being too slow in making changes in policy, but democracy means having to build a consensus in favor of change. As elected representatives, ladies and gentlemen, you are all familiar with this problem in democratic societies. We have to assuage the doubts and calm the fears that often arise when people face the impact of change. There is such a thing as the fear of the unknown. Many of the fears we have to address are probably exaggerated, but they must be addressed nevertheless. This is necessary to ensure sustainability. India's economic reforms, therefore, must be seen in this light: they may appear slow, but I assure you they are durable and irreversible.

I am very happy to say that our efforts at transforming India into an economy more integrated with the world have borne fruit. Our rate of economic growth of GDP has increased steadily, and has averaged around 6 percent per annum over the past two decades. Poverty has declined, although more slowly than we would like. We are determined to improve on this performance. We hope to raise our growth rate to 8 percent or more over the next 2 years, and we will ensure that this growth is inclusive so that its benefits are widely shared.

For this we must act on several fronts. We must do much more in health and education, which are crucial for human development. We must continue to open up our economy. We must impart a new impetus to agricultural development. We must expand investment in economic infrastructure, which is a critical constraint on our growth prospects.

India's growth and prosperity, I sincerely believe, is in America's own interests. American investments in India, especially in the new technology areas, will help American companies to reduce costs and become more competitive globally. Equally, India's earnings from these investments will lead to increased purchases from the United States. The information technology revolution in India is built primarily on U.S. computer-related technology and hardware. There are many other examples of such two-way benefits, with both sides gaining from this process.

U.S. firms are already leading the foreign investment drive in India. I believe 400 of the Fortune 500 are already in India. They produce for the Indian market and will hopefully also source supplies from India for their global supply chains. We welcome this involvement, and I look forward to further expansion in the years ahead. India needs massive foreign direct investment, especially in modernizing our infrastructure. I hope American companies will actively participate in the opportunities we are creating.

The 21st century will be driven by knowledge-based production and India is well placed in this area. We have a large and relatively young population with a social tradition that values higher education. Our educated young people are also English-speaking. This makes us potentially a highly attractive location for production of high-end services whether in software, engineering design, or research in pharmaceutical and other areas. Our laws on intellectual property rights have been recently amended to comply fully with our international obligations under the WTO. We look forward to attracting business in these areas from the United States.

The presence of a large number of Indian Americans in high-technology industries here makes the United States and India natural partners. It gives you confidence about India's human resource capability. It also gives you an edge over your competitors in the ease with which you can operate in India. We are proud of what the Indian American community has done in this country. I was touched, as were many of my countrymen, by the news that a resolution of this House celebrated the contribution of Indian Americans to research, innovation, and promotion of trade and international cooperation between India and the United States.

Ladies and gentlemen, to fully exploit potential areas for cooperation between our two countries, we need to make special efforts to bring our private sectors closer together. To this end, President Bush and I have constituted an India-United States forum of chief executive officers. I hope this forum will promote greater understanding of each other's perspectives and also a better assessment of prospects for future cooperation. The two governments will draw on their experience and advice on how to realize the full potential of our relationship and of our partnership.

The bulk of our population still depends upon agriculture for a living. The United States was an early partner

in this area, helping to establish agricultural universities and research institutions in India in the 1960s. I acknowledge that help with gratitude.

It was a great American, Nobel Laureate Norman Borlaug, supported by a grant from the Rockefeller Foundation, who developed high-yielding varieties of wheat in Mexico which were then adapted to Indian conditions in the agricultural universities you helped us establish. This was the start of the Green Revolution in India that lifted countless millions above poverty. I am very happy to say that President Bush and I have decided to launch a second generation of India-United States collaboration in the area of agriculture.

The new initiative will focus on basic and strategic research for sustainable development of agriculture to meet the challenge of raising productivity in conditions of water stress. It seeks to take information and know-how directly to the farming community and promote technologies that minimize post-harvest wastage and improve food storage. It will also help Indian farmers to meet phytosanitary conditions and enable them to participate more fully in global agricultural trade.

Energy security is another area where our two countries have strong common interests. The world's reserves of hydrocarbons are finite and we must, therefore, tap new energy sources. India's reliance on coal and hydropower will increase. We have to invest in new oil and gas exploration and in enhanced recovery of oil and gas from available fields. We must also tap the full potential of nuclear energy. The United States can help in all these areas. I am happy to say, therefore, that we have initiated an energy dialogue with the United States to explore the scope for cooperation in each of these areas in the years that lie ahead.

The field of civil nuclear energy is a vital area for cooperation between our two countries. As a consequence of our collective efforts, our relationship in this sector is being transformed. President Bush and I have arrived at an understanding in finding ways and means to enable such cooperation to proceed.

In this context, I would also like to reiterate that India's track record in nuclear nonproliferation is impeccable. We have adhered scrupulously to every rule and canon in this area. We have done so even though we have witnessed unchecked nuclear proliferation in our own neighborhood which has directly affected our security interests. This is because India, as a responsible nuclear power, is fully conscious of the immense responsibilities that come with the possession of advanced technologies, both civilian and strategic. We have never been, and will never be, a source of proliferation of sensitive technologies.

Ladies and gentlemen, we are conscious that plans to meet our energy requirements will have implications for the environment. This is especially so since any energy scenario for India will involve heavy dependence on coal. Clean coal technologies that can make an impact need to be developed and should be affordable for poorer countries. We need to find ways whereby sufficient resources can be devoted to ensure the development of these technologies. We must also find ways of allowing greater access for developing countries to these technologies including ways of undertaking cooperative research. We stand ready to explore new partnerships in this vital area with the United States, which will help enable a more efficient use of our hydrocarbon resources as well.

There are other areas, too, where we can collaborate effectively. Our combined effort in providing relief and succor to the millions affected by last December's tsunami is an example of what partnerships can achieve. Building on this experience, President Bush and I have launched a joint initiative to ensure that our capabilities will be readily on call for those in need in similar situations in the future.

The global challenge of HIV–AIDS is another area for India-United States active cooperation. President Bush and I have agreed on the need to provide increased international access to safe and effective anti-retroviral drugs.

Ladies and gentlemen, globalization has woven a web of interconnections all around the world. This makes it all the more necessary that we evolve a system of global governance that carries credibility and commands legitimacy. Such a system must be sufficiently participative to be able to generate a true global consensus. It must also reflect contemporary realities. The Doha Round of world trade negotiations and the reform of the United Nations are two major processes now in the international arena where we need to work together to strengthen the system of global governance and equitable management of the evolving interdependence of all nations.

India is committed to strengthening the multilateral trading system, and we will work with the U.S. and other partners for a successful outcome of the Doha Round. I am sure that we can find a reasonable and balanced outcome that is mutually beneficial. We will make every effort to do so.

On the reform of the United Nations, we believe that it is time to recognize the enormous changes that have occurred since the present structure was established. There must be comprehensive reform of the United Nations to make it more effective and also more representative. The U.N. Security Council must be restructured as part of the reform process. In this context, you would agree with me that the voice of the world's largest democracy surely cannot be left unheard on the Security Council when the United Nations is being restructured.

Mr. Speaker, sir; Mr. Vice President, sir; distinguished Senators and Members of the House of Representatives; ladies and gentlemen, I would like to conclude by saying that the Indian people look forward to a bright future, full of confidence, based on a growing recognition of our economic capabilities and the readiness of our society to meet the challenges now before us. We have had some success in improving the quality of life of our own people, and we will redouble our efforts to this end. We will also work towards securing a world order in which democracy can flourish and in which developing nations can strive for greater prosperity.

As two great democracies, we are natural partners in many ways. Partnerships can be of two kinds. There are partnerships based on principle, and there are partnerships based on pragmatism. I believe, ladies and gentlemen, we are at a juncture in our history where we can embark on a partnership between India and the United States, a partnership that can draw both on principle as well as on pragmatism. We must build on this unique opportunity.

My objective on this visit to your great country was to lay the basis for transformed ties between our two great democracies. I believe that we have made a good beginning. With the support and understanding of the Congress of the United States, the full benefits of our partnership will be realized in the months and years to come. Ladies and gentlemen, India is today embarked on a journey inspired by many dreams. We welcome America. We welcome having America by our side. There is much we can accomplish together.

Thank you.

[Applause, Members rising.]

At 10 o'clock and 48 minutes a.m., His Excellency Manmohan Singh, Prime Minister of the Republic of India, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Deputy Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 10 o'clock and 52 minutes a.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess until approximately 11:30 a.m.

□ 1130

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 11 o'clock and 30 minutes a.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PATRIOT ACT REAUTHORIZATION

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

Mrs. BLACKBURN. Mr. Speaker, one of the things we have learned since September 11 is that legislation like the PATRIOT Act is absolutely necessary, so I want to commend the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the committee itself for working to prepare legislation reauthorizing the PATRIOT Act.

I was disappointed to learn that many of the Democrats opposed the legislation in committee, especially in light of the London bombings. Prior to September 11, this country did not have the legal and intelligence infrastructure necessary to pursue terrorist cells operating on our own soil. Republicans in Congress said never again, and we took action to be sure that our police and intelligence agencies were working together to prevent terrorism. The PATRIOT Act should be reauthorized with overwhelming bipartisan support.

I hope Democrats will finally realize we cannot afford to be soft on terrorism here at home and will join Republicans in supporting this bill when it comes to the House floor.

157TH ANNIVERSARY OF SENECA FALLS, NY WOMEN'S CONVENTION

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

Ms. BERKLEY. Mr. Speaker, on this day in 1848, one of the first public appeals for women's suffrage was made when Lucretia Mott and Elizabeth Cady Stanton called a women's rights convention in Seneca Falls, New York. For over 70 years, women organized, marched picket lines, and chained themselves to the White House fence until women won the right to vote with the 19th amendment in 1920.

Suffragettes should be remembered, and last week I introduced a resolution to establish a day to commemorate America's suffragettes. It was not long ago that women in this country did not have the right to vote, and we ought not take that right for granted. Women have a responsibility to exercise that right and make a difference in this country.

We women do have this responsibility to show our patriotism, demonstrate good citizenship by setting an example for our children by participating in the political process and by casting our vote in this country to elect our representatives.

FREE FLOW OF INFORMATION ACT

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

Mr. PENCE. Mr. Speaker, the Constitution of the United States reads in part ''Congress shall make no law abridging the freedom of speech or of the press.'' These freedoms represent the bedrock of our democracy, by ensuring a free flow of information to the public.

Sadly, these freedoms are under attack. And while politicians here in Washington, D.C. engage in a familiar clash along the fault lines of the politics of personal destruction, a much greater scandal languishes in a quiet prison cell in suburban Washington, D.C. in the sad image of an American journalist behind bars whose only crime was standing up for the public's right to know.

Judith Miller is not alone. In the past year, nine journalists have been given or threatened with jail sentences for refusing to reveal confidential sources. That is why my colleague, the gentleman from Virginia (Mr. BOUCHER), and I have introduced the Free Flow of Information Act, which will have its first hearing in the Senate Judiciary Committee tomorrow.

Nothing less than the public's right to know is at stake, and I urge my colleagues to join us in standing for a free and independent press by supporting and cosponsoring the Free Flow of Information Act.

GREENSPAN TO TESTIFY ON STATE OF ECONOMY

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

Mr. EMANUEL. Mr. Speaker, tomorrow the Federal Reserve Chairman Alan Greenspan will testify before the Committee on Financial Services on the state of the economy. During his testimony, Chairman Greenspan will undoubtedly argue that ours is a healthy growing economy. But while he is explaining the flattened yield curve, I am hoping he will take the time to explain the curve balls being thrown at America's middle class.

As the Wall Street Journal reported today, ''In the past few years, overall consumer prices have risen a little over 8 percent while wages have remained flat for the middle class.''

Gasoline prices, up 55 percent; electricity, 11 percent; health care costs, 10 percent; college costs, 12 percent; and the ability to save for retirement is getting harder and harder. For public servants, like teachers, police officers, and firemen, they are being priced out of the housing market.

While he expounds on America's monetary policy, the 10-year note, the housing bubble, Chairman Greenspan should take the time to explain what is happening to America's middle class as they face a flattened wage and rising costs. As their incomes remain unchanged, the barrier to the middle class keeps rising.

Mr. Speaker, the questions that Chairman Greenspan needs to answer are the challenges that face today's middle class, not just the 10-year note.

ILLEGAL IMMIGRATION

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

Mr. PRICE of Georgia. Mr. Speaker, on June 30, the Department of Homeland Security and the FBI's Safe Street Gang Task Force arrested 10 members of the SUR–13 gang on illegal immigration charges in my district. The largest gang bust in Alpharetta, Georgia, history serves to spotlight the ever present need to secure our borders.

These illegal gang members are not only taking American jobs and tax money, they are also taking American lives. These gang members distribute dangerous drugs, they commit murders, assaults, drive-by shootings and auto thefts. We must get serious about immigration reform.

Mr. Speaker, 400,000 illegal aliens who have been ordered deported are still in this country because their deportation orders have not been enforced. In many cases, after being ordered deported by a judge, the illegal alien simply walks out of the courtroom without so much as someone ensuring that they leave the country.

Mr. Speaker, our immigration policies are broken. One of the SUR–13 gang members put it all in perspective. When ordered deported, he said, ''I'll be back. It's so easy. People here are stupid.''

Our borders need to be secured and the time to act is now.

WOMEN AND POLITICAL ENGAGEMENT

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

Ms. SOLIS. Mr. Speaker, today I rise to pay tribute to the women suffragettes who began their campaign for women's right to vote 157 years ago today in Seneca Falls in New York. It

would take over 72 years of perseverance for this campaign to succeed and for women to gain the right to vote, with the ratification of the 19th amendment.

Today, almost 85 years later, a higher percentage of women vote as compared to men. However, we still have about 32 percent of women in the United States who are not even registered to vote. Can you believe that? Among that group of women between 18 and 24 years of age, 45 percent are not even registered to vote.

We need to do more to energize and engage these young women in the political process. Women must have a voice in all national debates that affect them, especially on important issues like reproductive health, equal rights, and Social Security.

As an example, in the debate over privatizing Social Security, 58 percent of seniors receiving Social Security are women. Since women have a longer average life span than men, privatizing Social Security would harm them. Let us take up the banner, like the suffragettes did, and let us work hard for women's rights.

ANNIVERSARY OF WOMEN'S RIGHT TO VOTE

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

Ms. HARRIS. Mr. Speaker, I rise today to mark an important anniversary in our Nation's history. Eighty-five years ago, on August 18, 1920, the 19th amendment to the Constitution was ratified, extending the right to vote to American women.

The road to the 19th amendment was long and difficult, paved with hard work and struggle. The birth of the women's suffrage movement can be traced to the Women's Rights Commission in Seneca Falls, New York, in July of 1848, which laid out the principles that would guide the women's movement.

More than seven decades later, those principles were at last codified into our Constitution, moving our Nation closer to meeting the promise of its founding.

Today, we have more women than ever serving in elected and appointed positions in our local, State, and national governments. Not only in this Chamber, but also in the United States Senate, in the President's Cabinet, and in a wide range of Governors' offices, as well as other positions. This represents a vast change from where we stood 85 years ago, and our Nation is stronger for it.

As we watch the spread of freedom across the globe, and as more and more women take on the rights and responsibilities of full political citizenship, let us pay tribute to those women who blazed the trail for those of us who have followed.

WOMEN'S SUFFRAGISTS MOVEMENT

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

Ms. SLAUGHTER. Mr. Speaker, today I rise to honor the 157th anniversary of the first women's suffragists movement.

Western New York is often said to be the cradle of the women's rights movement, and I am privileged to represent the area where one prominent suffragette, Susan B. Anthony, of Rochester, fought so hard for the rights that women today enjoy.

Susan B. Anthony formed the Equal Rights Association, refuted ideas that women were inferior to men, and fought for a woman's right to vote. She also campaigned for the rights of women to own property, to keep their own earnings, and have custody of their children.

In 1900, she persuaded the University of Rochester to admit their first women students. Through persistent dedication, Susan B. Anthony, and other remarkable leaders, women were finally granted the right to vote in 1920. Since then, we have made progress, but still have a long way to go. We face the gender gap. And whether it is equal pay, health care, Social Security, or family leave, this Congress has refused to address issues critical to hard-working American women.

The suffragist movement had to overcome the rhetoric and the empty promises of Members of this House 85 years ago. Commitment to concrete policies, not grandiose words, honors the battle they fought so hard and won.

85TH ANNIVERSARY OF WOMEN'S RIGHT TO VOTE

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

Mrs. CAPITO. Mr. Speaker, today I rise in recognition of the upcoming 85th anniversary of the women's right to vote.

During the first women's rights convention that took place in Seneca Falls, New York, in 1848, Elizabeth Cady Stanton said, ''We are assembled to protest against a form of government existing without the consent of the governed to declare our right to be free as man is free, to be represented in the government which we are taxed to support.''

Elizabeth Cady Stanton's words marked the beginning of what we now know as the Women's Suffragist Movement. Seventy-two long and hard fought years after that speech, the 19th amendment was written into our country's Constitution. August 26, 2005, marks the 85th anniversary of that right.

In February of 1920, in my home State of West Virginia, the legislature met in special session and was lobbied heavily by the State's suffragettes. On March 10, 1920, the House passed the amendment by a 15 to 14 vote. The State senate made West Virginia the 35th of the 36 States needed to ratify the amendment.

Mr. Speaker, it is only fitting that I stand here to honor and remember those women and men who petitioned, picketed, and demonstrated, even some in spite of being jailed and disgraced, for the sake of women's rights to be equal in the eyes of our government. Had it not been for the bravery and conviction of many important women that preceded us, I would not be standing here today.

Women's voices are heard loud and clear at the ballot box, and we will never forget the value of our vote.

157TH ANNIVERSARY OF HISTORIC SENECA FALLS CONVENTION

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

Mrs. CAPPS. Mr. Speaker, I also speak today in tribute to the 157th anniversary of the historic Seneca Falls convention, which paved the way for women's equality in the political world. Without the principles set forward by those courageous women and men at that convention, neither I nor the other 68 Members of the House currently here would ever have dreamed of being where we are today.

American women everywhere would never have dreamed of being able to contribute what they have over the last century and a half. They have excelled as leaders of political movements and pioneers of important policies.

The women at Seneca Falls set forth an agenda that would guide the women's rights movement for centuries. Their efforts paved the way for the ratification of the 19th amendment, without which women could not cast votes on issues that directly affect them.

Despite strong opposition, they knew then that extending equal rights to women would lead to a more successful society. And 157 years later, we know they were right, and we continue their dream of a United States with full and active participation of all women in politics.

FIGHTING FOR THE RIGHT TO VOTE

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise this morning to honor the 157th anniversary of the women's suffragette movement here in the United States. On this date in 1848, a historic meeting of women leaders took place in Seneca Falls, New York.

Their initial gathering was the first step in the long and challenging road that led women to where I stand today.

Like Lucretia Mott and Elizabeth Cady Stanton in their time, Republican women are leading the fight to highlight the equal and full rights that American women enjoy, and to expand those rights to women around the globe.

Many do not know that the Republican Party first introduced the 19th amendment in 1878. Four times in a row the amendment was actually defeated by the Democrat-controlled Senate. It was not until the Republican Party regained control of Congress in 1919 that the equal rights suffragette amendment finally passed both the House and the Senate.

Republicans deserve credit for promoting the first woman to the highest court in the land and for advancing the rights of women around the world. Mr. Speaker, the Republican Party has a long and distinguished track record of championing women's issues.

□ 1145

INEQUITIES IN TODAY'S WORKFORCE

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

Ms. MOORE of Wisconsin. Mr. Speaker, today on the anniversary of the first Women's Rights Convention, I want to address the inequities that still exist in today's workforce.

In 1996 when we destroyed the safety net for women and children by ending welfare, women have become even more reliant upon work for mere survival. Yet the lack of resources like child care, sick leave and disproportionate pay all conspire against most working women. As a matter of fact, the 9 to 5 National Organization of Working Women reported that women earned 76 cents for every dollar that men earned in 2004. Over a lifetime what that means is a 25-year-old woman who works until age 65 will earn over a half million dollars less than the average working male.

The playing field for women is uneven because 40 percent of single working mothers pay at least half of their cash income for child care, and half the States have cut child care availability. Far too many women are forced to cobble together part-time jobs in order to survive, and 70 percent of the workers who hold two or more jobs are women.

HISTORIC WEEK FOR INDIA AND THE UNITED STATES

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

Mr. WILSON of South Carolina. Mr. Speaker, Prime Minister Manmohan Singh eloquently expressed today that the people of United States and the people of India have much in common. Our nations face the challenges of national security and the global war on terror, enjoy the fruits of economic opportunities, and share a deep passion for democracy. The bonds of cooperation between America, the oldest democracy, and India, the largest democracy, grow stronger every day. Our relationship has never been better.

Yesterday, President Bush and Prime Minister Singh issued a joint statement listing 16 programs that will strengthen the strategic partnership between the United States and India. Our continued efforts will provide stability, democracy, prosperity, and peace in our homes and throughout the world.

My home State of South Carolina is home to thousands of Indian Americans who have quickly assimilated as business, medical, and academic leaders. I learned from my father, who served in India during World War II, that Indians are guided by their strong work ethic and ingenuity. They are dynamic civic leaders of Rotary and chambers of commerce with children who excel with the highest SAT scores. As their representative and friend, I am grateful the India-U.S. friendship has never been stronger.

In conclusion, God bless our troops and we will never forget September 11.

CELEBRATING WOMEN'S SUFFRAGE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, this morning I was honored to hear Prime Minister Singh talk about the empowerment of women and democracy in India. I rise today to celebrate women's suffrage here in the United States. We too believe, from long-standing history, of the value and importance of the empowerment of women. That is why women like Lucretia Mott and Elizabeth Cady Stanton and Susan B. Anthony are pioneers on the battlefield of democracy and voting.

We also recognize Sojourna Truth, who started her life as an abolitionist of slavery, but stood alongside these women fighting for women's suffrage. We look forward to having her statue added along with the outstanding women here in the United States Capitol honored for their early history as Susan B. Anthony, as Lucretia Mott, as Elizabeth Cady Stanton. We hope to have Sojourna Truth's own statue here in our United States Capitol.

Today, I honor those women and recognize that we in the United States Congress must continue to fight for the reauthorization of the Voter Rights Act of 1965 and salute those women who first understood that out of empowerment for women come change and opportunity.

HONORING OFFICER ANDREW PHILLIPS

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

Mr. GINGREY. Mr. Speaker, I rise today to congratulate a courageous police officer from my home town of Marietta, Georgia. Last week, Officer Andrew Phillips was invited to the White House, where President Bush awarded him the National Public Safety Medal of Valor.

This award is given out to honor public safety workers who show exceptional courage in the line of duty. In fact, it is the Nation's highest award for police bravery. Officer Phillips is a model example of this bravery. When two of his fellow officers came under rifle fire during a house raid, Officer Phillips pursued the still-armed assailant, chasing him down and taking him into custody.

Mr. Speaker, Officer Phillips exemplifies the dedication and true bravery we rely on to keep our communities safe. I ask Members to join me in thanking Officer Phillips for his tremendous courage on behalf of the citizens of Marietta.

CELEBRATING FIRST WOMEN'S SUFFRAGE

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

Mrs. MALONEY. Mr. Speaker, as a proud New Yorker, I rise today to mark the anniversary of the first women's suffrage convention in Seneca Falls, New York. Our founding mothers and their successors ultimately gained the right to vote in 1920. Unfortunately, it is the only women's right in the Constitution.

The suffragettes also called for equality of opportunity for women. That is our moral mandate and our great unfinished business. And 157 years after Seneca Falls, we find ourselves in the midst of a rollback of rights we have already won. Passing the Equal Rights Amendment would protect women against these rollbacks.

Title 7 has been weakened. Women's role in the military has been attacked, and Head Start, affordable housing, and child care programs that most benefit women and children are being slashed. We owe it to the suffragettes to establish that all men and women are created equal. It is time to realize our foremothers' goals and get equal rights written into the Constitution.

HONORING TYLER MACEMORE

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

Ms. FOXX. Mr. Speaker, I rise today to pay tribute to a young man who

bravely risked his own life to save the life of another.

Mr. Speaker, 15-year-old Tyler Macemore of Yadkinville, North Carolina, rescued an anonymous 10-year-old boy caught in a rip tide at Atlanta Beach, North Carolina last year. One might wonder what motivated Tyler to selflessly enter the ocean that day. But it is clear that his choice was in some way guided by the lessons and experiences he has learned as a member of Boy Scout Troop 65 in Yadkinville.

Using only a boogie board, Tyler paddled out to the distressed young boy. With reassuring words and a confident, yet calm, demeanor, he placed the boy on the board and paddled against the dangerous surf back to safety. That day, Tyler Macemore became a true hero. By exhibiting a high level of maturity and bravery, he prevented a tragedy.

Since the rescue, Tyler has furthered his accomplishments with the Boy Scouts of America. He is now a Life Scout and working on his Eagle Scout.

Ironically, Tyler will be certified in lifesaving at camp this summer, where he will also be awarded the coveted Honor Medal for his courageous act by the Boy Scouts of America. I am proud and honored to recognize this outstanding young citizen.

PROVIDING FOR CONSIDERATION OF H.R. 2601, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 365 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 365

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2601) to authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate 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 International Relations now printed in the bill modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, 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, 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 are waived. 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 amendment in the nature of a substitute made in order as original text. 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 with or without instructions.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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, the resolution provides for the consideration of H.R. 2601, the Foreign Relations Authorization Act for fiscal years 2006 and 2007. It is a structured rule with 1 hour of general debate and provides for the orderly consideration of 38 separate amendments specified in the text of the resolution. It is important to note that the rules made in order the majority of the amendments that were filed, even some that will be reconsidered here on the floor, and will provide for a wide-ranging debate on virtually all aspects of U.S. foreign policy. The rule also ensures that the bill fits within the budget resolution, thereby also maintaining fiscal discipline within this year's budget.

H.R. 2601 was reported out of the Committee on International Relations with a unanimous vote which is a testament to the tremendous efforts on both sides of the aisle which have gone into this bill. Even though they have dealt with some of the most controversial issues before us, this bipartisanship demonstrated in the unanimous vote by the Committee on International Relations is all that more remarkable and a testament to the fairness, the professionalism, and the statesmanship of both the gentleman from Illinois (Chairman HYDE), as well as the ranking member, the gentleman from California (Mr. LANTOS). We will also be joining in an en bloc amendment, further illustrating their unique efforts in this particular matter.

They are to be commended for demonstrating to the rest of us how Members can work through differences in a constructive manner to move legislation forward for the best interest of our country. Indeed, the Prime Minister of India just a few minutes ago on this floor said there is much we can do together, and this committee has illustrated they can do that.

That is not to say there will not be differences of opinions or views on some of the matters. The rule which we are considering would provide for adequate as well as a wide-ranging debate on all sides of different issues.

The bill, H.R. 2601, is a 2-year authorization for the U.S. Department of State, their activities and programs. Since 1985, or for the past 20 years, the foreign assistance authorization measures have been folded into the State Department authorization legislation. H.R. 2601 continues this pattern. It authorizes for fiscal year 2006 $10.8 billion and $10 billion for 2007. Included in that is $1.5 billion to fortify U.S. embassies and $690 million to bolster security for American diplomatic workers abroad.

It was significant that the ranking member did bring before testimony of the Committee on Rules that this bill fully funds the administration request for worldwide security for our embassies and our personnel working abroad. As he illustrated in 2003, one of the terrorist extremists attacked the British consulate and other British interests in the city of Istanbul. When interrogated, he said that he considered the U.S. consulate, but in his terms, even a bird cannot fly in there, which means that our efforts for security since the tragic bombings in East Africa in 1998 have had some success.

□ 1200

This continues on with that particular practice.

$930 million will also be authorized for border security; $67 million to continue broadcasts into Cuba. The ranking member also illustrated that once again there is an initiative to disrupt the nuclear black markets, that this initiative will help prevent nuclear weapons and weapons technology from getting into the hands of terrorists or rogue nations which is extremely important for our national security. The measure also commits new international mechanisms to restrict the trade in missiles and their components. As the ranking member also pointed out, Secretary Rice is continuing the practices of Secretary Powell in trying to reform the Department of State and this bill authorizes adequate resources for a first-class and well-trained diplomatic service and diplomatic corps.

These are some of the issues that were brought forth with a plethora of amendments that were adopted on both sides of the aisle during the International Relations Committee markup of this particular bill.

Mr. Speaker, H. Res. 356 provides for a structured rule and makes in order the majority of the amendments which were filed in the Rules Committee. Once again, it is a fair, comprehensive and balanced rule. I urge its adoption as well as the adoption of the underlying legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Utah for yielding me the time, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to this restrictive rule. At a time when America's role in international affairs is greater than it has been in over 60 years, it is reprehensible that the majority is trying to block all but a select few from offering amendments to improve the underlying bill.

Yesterday afternoon in the Rules Committee, 70 amendments were brought to the committee. Seventy amendments, Mr. Speaker. Predictably, under the rule, barely 50 percent of those amendments were actually made in order. And of the 39 amendments made in order under the rule, only nine of them are Democratic amendments. In stark contrast, Republican Members will be permitted to offer 24 amendments under this rule, almost three times as many as those on this side of the aisle will be able to offer. And of those 24 amendments, two are downright inflammatory and completely unnecessary.

For starters, as public support for the war in Iraq wavers, Republicans are pulling out every political maneuver they can to regain the support of the American people for a war that has not uncovered any weapons of mass destruction in Iraq and certainly not made us any safer today than we were 3 years ago. Later today, the gentlewoman from Florida (Ms. ROS-LEHTINEN) will offer an amendment in direct contrast to language that her committee unanimously included in the underlying legislation regarding the war in Iraq. The bill rightfully urges the President to develop and provide to Congress a plan for the establishment of a stable government in Iraq that will permit a decreased presence. Three years after this war began and 1,700 American casualties later, the Ros-Lehtinen amendment would provide the President with the same blank-check, open-ended support that got us into this mess in the first place. Have we not learned anything?

Additionally, the rule also fails to make in order amendments offered by the gentlewoman from California (Ms. LEE), the gentlewoman from California (Ms. WATERS), and the gentleman from Florida (Mr. FOLEY) regarding Haiti. While I am not 100 percent supportive of any of their approaches toward bringing about peace and stability in Haiti, doing nothing should not be an option. Congressional silence in improving the lives of Haitians and Haitian refugees is completely unacceptable. I am deeply disappointed that the Republican leadership has blocked the House from debating the issue today.

Realize, Mr. Speaker, I believe that the underlying bill is generally a decent bill. As a member of the Helsinki Commission and as the president of the Organization for Security and Cooperation in Europe's parliamentary assembly, I thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for the bill's commitment to the United States' role in the OSCE and the OSCE sphere, including authorizations for OSCE religious tolerance and anti-Semitism awareness programs.

The underlying legislation includes crackdowns on the trading of nuclear material on the black market, establishes the Rangel Fellowship Program to encourage minority recruitment at the State Department, reexamines our export control laws, reaffirms Congress' position that Jerusalem is the capital of Israel, and calls for a crackdown on terrorist activities in the Gaza strip and West Bank.

Despite all of these positive measures, Mr. Speaker, I am most concerned about what the bill does not do regarding the Sudan. The underlying legislation includes a sense of Congress that the United States should work with the International Criminal Court to bring to justice those accused of genocide, war crimes, or crimes against humanity. I support this provision but am deeply disappointed that nothing exists in the bill that will actually bring an end to the genocide in Sudan. When will the United States say enough is enough and do the right thing to end the heinous act of genocide in Darfur? Our inaction in Rwanda cost the lives of nearly 1 million and our absence in Darfur has permitted instability to manifest itself into murder and ethnic cleansing. I ask, at what point did we decide that the life of an African is worth less than the life of anyone else? We must place ending genocide anywhere in the world above anything else. Frankly, the ignorance in the House about this particular issue is appalling.

Mr. Speaker, when history judges this Congress and this President, we will be judged not only by what we do during these trying times but also by what we have neglected. America must act responsibly not only in helping to facilitate democracy in the world but also in combating poverty, disease, famine and hunger in the world's poorest countries. In all of these areas, despite the honest efforts of a few, we are failing. Blocking Members from offering amendments that speak to these and many other issues of critical importance to the United States' role in the world today is irresponsible. I urge my colleagues to reject this restrictive rule and take into account my concerns throughout consideration of the underlying legislation.

Mr. Speaker, I am very pleased to yield 4 minutes to the distinguished gentleman from Massachusetts (Mr. MCGOVERN) with whom I serve on the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to this rule.

Last night, the Republican leadership decided to refuse this House the right to debate U.S. policy towards Colombia. Out of 70 amendments that were submitted to the Rules Committee, only two dealt substantively with U.S. Colombia policy. I offered an amendment to match language approved by the Senate that would strengthen the accountability over U.S. funds for Colombia's demobilization of right-wing paramilitary forces. The gentlewoman from California (Ms. LEE) offered another amendment to ensure that 40 percent of U.S. aid to Colombia would be used for alternative economic development, human rights, rule of law and strengthening democratic institutions.

Well, Mr. Speaker, when it comes to strengthening democratic institutions, the Republican leadership certainly does not believe in teaching the Colombians by example. At the end of June, I stood here on the House floor during debate on military aid to Colombia and was criticized by Republicans for not talking about what kind of policy I stood for. But here we are today taking up a bill that only comes to the House floor every 2 years and is one of the only bills where an amendment on U.S. Colombia policy can actually be offered, and both the Lee and the McGovern amendments are banned from the debate.

Mr. Speaker, once again the Republican leadership has rejected any attempt to bring some kind of accountability to our policy on Colombia. Once again, the Republican leadership is serving as the chief apologist for the Colombian government. When it comes to Colombia, the Republican leadership continues to engage in a policy of see no evil, hear no evil and speak no evil. Once again, the House is being asked to look the other way, to sit down and to shut up, as Colombia moves towards carrying out what appears to be a deeply flawed plan for demobilizing the right-wing paramilitary forces, forces that are on the State Department's list of foreign terrorist organizations. The State Department estimates it will cost about $80 million to carry out the demobilization. Who do you think the Colombian government is going to ask to bankroll this process? The American taxpayer, that is who.

Well, before we spend one more single solitary U.S. tax dollar on this demobilization process, I for one want to make sure that my tax dollars are not paying for some sweetheart deal for Colombian drug lords, terrorists and killers to escape extradition to the United States or serve a couple of years under house arrest at their country estate. These are the paramilitary masterminds and commanders who have flooded our streets and our neighborhoods with cocaine and heroin. Yet on July 1, President Uribe told the Voice of America that their extradition warrants would have to be suspended. If Colombia wants to stand in the way of these drug lords facing U.S. justice, then that is Colombia's decision. They can just do it without U.S. tax dollar support. I want to make sure that my

constituents' hard-earned tax dollars are not paying for a process that will allow paramilitary money laundering and organizational structures to remain intact so that they can transform themselves into Mafia-like political, social and criminal networks.

The OAS has denounced the Colombian law on the paramilitary demobilization. Human Rights Watch and Amnesty International have denounced it. The U.N. High Commissioner For Human Rights in Colombia has raised grave concerns about it. So why, then, Mr. Speaker, is it so hard for this House to even have a debate over having some accountability if the Colombian government asks us to fund this process?

That is all I want, Mr. Speaker, is a little bit of accountability. Quite frankly, the majority on the Rules Committee and the Republican leadership should be ashamed of themselves for running away from this debate and for being complicit in a policy that will very likely end up protecting drug lords, terrorists, killers and their profits from facing any kind of genuine justice.

Oppose this rule. Demand that the House be allowed to debate the Lee and McGovern amendments on Colombia.

[From the New York Times, July 4, 2005]

COLOMBIA'S CAPITULATION

Colombia has just passed a law to demobilize paramilitary fighters that the government calls the ''Justice and Peace Law.'' It should be called the ''Impunity for Mass Murderers, Terrorists and Major Cocaine Traffickers Law.''

Colombia's right-wing paramilitary armies, one party in a 40-year civil war, have massacred thousands of people. They control 40 percent of Colombia's cocaine exports, and many paramilitary leaders are wanted for extradition to the United States. The State Department considers the paramilitaries terrorists.

The new law, which reflects the paramilitaries' considerable political power, will block the extradition of paramilitary leaders wanted for trafficking to the United States and allow them to continue their drug dealing, extortion, land theft and other criminal activities undisturbed. Even those responsible for the most heinous crimes against humanity may go free because of strict time limits for prosecutions. The few who are convicted will likely serve sentences of only 22 months.

Several members of Colombia's Congress proposed a good law that would have given reduced jail time to paramilitaries who confessed in full, paid reparations, turned over their illegal assets and provided authorities with the information necessary to take apart their criminal gangs. The government opposed the bill; it didn't pass.

The current law will bring neither justice nor peace. No confession is required to get the shortened sentences offered by the law. Paramilitary leaders are supposed to disclose their illegal assets and describe their criminal organizations. But there is no credible penalty for lying or hiding their wealth.

The Bush administration could have pushed President Alvaro Uribe to pass a good bill. Instead, Ambassador William Wood enthusiastically backed the new law, giving Washington's endorsement to Colombia's capitulation to a terrorist mafia.

IACHR ISSUES STATEMENT REGARDING THE ADOPTION OF THE ''LAW OF JUSTICE AND PEACE'' IN COLOMBIA

The Inter-American Commission on Human Rights (IACHR) has been advised of the passing by Congress of the so called ''Law of Justice and Peace'' in the Republic of Colombia. This legislation, that requires the presidential signature in order to enter into force, establishes a legal framework for the demobilization of members of illegal armed groups involved in the commission of serious crimes against the civilian population in the context of the armed conflict.

In view of the recent adoption of this bill, the IACHR makes public its general observations regarding the contents in light of its mandate to promote the observance and defense of human rights, as well as the task delegated to it by the Permanent Council of the Organization of American States (OAS) in the sense of ''ensuring that the role of the OAS be completely in accordance with the commitments of the member states regarding full compliance with human rights and international humanitarian law'' in the process of dialogue between the Colombian government and the paramilitary in Colombia.

In its reports on the general situation of human rights in the countries of the Hemisphere and on individual cases, the IACHR has consistently insisted on the states' obligation to establish adequate mechanisms to achieve truth, justice and reparation for victims of human rights violations. Establishing the truth about what happened during the conflict, searching seriously for justice through the determination of the responsibility of the perpetrators vis-a-vis the victims, and the reparation of the damage cause—far from generating obstacles for the agreements that can lead to peace building—constitute basic pillars of its strength.

Regarding the Law of Justice and Peace in Colombia, the IACHR notes that the determination of the historical truth regarding what happened during the last few decades of the conflict does not appear as an objective. Nor does the determination of who has sponsored paramilitarism or of the degree of involvement of different participants in the perpetration of crimes against the civilian population by action, omission, collaboration or acquiescence.

The adopted bill concentrates upon the mechanisms to establish individual criminal responsibility in individual cases and involves demobilized members of illegal armed groups receiving procedural benefits. However, its provisions fail to establish incentives for a full confession of the truth as to their responsibility in exchange for the generous judicial benefits received. Consequently, the established mechanism does not guarantee that the crimes perpetrated will be duly clarified, and therefore in many cases the facts may not be revealed and the perpetrators will remain unpunished. The provisions of the law might favor the concealment of other conduct that, once brought to light at a future date, could benefit from the same alternative penalties. These procedural benefits not only reach conduct directly related to the armed conflict, but also can be invoked regarding the commission of ordinary crimes such as drug trafficking.

The IACHR also observes that the institutional mechanisms created by the law to administer justice—in particular the Prosecutor's National Unit for Justice and Peace, composed of 20 prosecutors—lacks the strength necessary to undertake effectively the task of prosecuting thousands of massacres, selective executions, forced disappearances, kidnappings, tortures, forced displacement and usurpation of lands, amongst other crimes, committed by several thousand demobilized individuals during the many years that paramilitary structures have operated in Colombia. Regarding the seriousness and complexity of the crimes perpetrated, the short time limits and procedural stages provided for in the legal mechanisms to investigate and prosecute the demobilized individuals benefiting from the law also fail to offer a realistic alternative to establish individual responsibility in full measure. This circumstance will prevent the uncovering of what happened to many of the victims, thus frustrating the reparations process they are entitled to. The investigation of serious violations of human rights requires adequate time limits and the opportunity for necessary procedural activity.

In terms of the reparation of the damage caused by those responsible for the commission of heinous crimes, the law places special emphasis on the restitution of unlawfully acquired property rather than on the mechanisms that might serve the full reparation of the victims. Particularly, it does not provide for specific mechanisms to repair the damage caused to the social fabric of the indigenous peoples, the afro-descendant communities, or the displaced women, often heads of household, who rank among the groups more vulnerable to violence by the participants in the armed conflict. The law fails to provide as part of the reparation owed to the victims, measures directed to preventing the repetition of the crimes committed, such as disqualification or separation from official functions of state agents involved by action or omission.

The IACHR acknowledges that, in such a complex, painful and prolonged situation as the conflict in Colombia, the deactivation of the armed participants by means of negotiation is a priority. However, in order to secure a lasting peace, guarantees for non-repetition of crimes of international law, human rights violations and serious infractions of international humanitarian law must be in place. This requires the clarification and reparation of the consequences of violence through mechanisms which prove to be adequate to establish the truth of what has happened, administer justice and provide reparation for the victims in light of the American Convention on Human Rights and the GAS Charter. The IACHR shall continue to excercise its mandate to promote and protect human rights in Colombia vis-a-vis the demobilization process and the interpretation and application of its legal framework, both through the adoption of general and special reports and the consideration and decision of individual cases.—Washington D.C., 15 July, 2005

HUMAN RIGHTS WATCH,
July 15, 2005.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: We are writing, in response to a letter dated July 12, 2005, from Luis Alberto Moreno, Colombian Ambassador to the United States, concerning the new legal framework that is to govern the demobilization of Foreign Terrorist Organizations (FTOs) in that country.

The establishment of an effective legal framework is of great importance for the prospects for both peace and justice in Colombia. It is essential that demobilizations be carried out in a manner that accomplishes the goals of dismantling these mafia-like organizations and holding accountable those responsible for serious crimes of drug trafficking, terrorism, and grave violations of human rights.

Regrettably, the Colombian ambassador's letter mischaracterizes key elements of the new law governing demobilization. To ensure

that you are fully informed about the processes established under the law, we address below some of the most serious factual inaccuracies in the letter:

1. No confession.

The ambassador's letter states that ''combatants will come forward . . . and admit to past crimes. . . . Any crime the individual intentionally does not confess to can be investigated and tried . . . with no benefits from the law . . .'' In fact, the law discourages confessions. This is because:

The law does not require a full and truthful confession of the FTO member's own involvement in crimes, his knowledge of others' crimes, or any other information of the illegal activities of the FTO, as a condition for members to receive generous sentence reductions. The law only requires that FTO members give an unsworn statement (a ''version libre''), in which there is no obligation to tell the truth.

To receive sentence reductions, a member need only ''accept''—without confessing—whatever charges are brought against him. If it is later found that a member did not tell the whole truth, under the new law he can avoid additional penalties by simply ''accepting'' any new charges levied against him. A single reduced sentence applies to the totality of accepted charges.

Only in the rare case where a court finds that the defendant intentionally omitted his involvement in a crime (something very difficult to prove, because Colombia's Constitution presumes good faith), will there be an increase in the sentence.

2. No incentives or penalties to ensure that members turn over all illegally acquired assets, release kidnapping victims, and disclose information.

The letter states that members of the demobilizing groups must ''turn in weapons, release kidnap[ping] victims, and identify and hand over illegally-gained assets'' as a condition to receive sentence reductions. But under the new law, if FTO members fail to do these things—if they are later found to have lied to authorities, or if commanders have hidden their fortunes, they will face no penalties. Once sentence reductions are granted, they are locked in.

Another problem, not addressed in the letter, is that top commanders can receive benefits even if their group continues committing terrorist acts, drug trafficking, kidnappings and atrocities. The law draws no distinction between leaders and ''members'' of FTOs—they can each receive the same benefits by demobilizing ''individually'' (i.e., not as part of a larger group) regardless of whether the troops under their command demobilize or cease their illegal activities.

3. Time limits for investigation are drastically reduced.

The letter states that the law ''does not grant amnesty for serious crimes committed, nor does it provide a statute of limitations.'' This statement obscures the fact that the law drastically reduces the terms for investigation:

A team of 20 prosecutors has only 36 hours after receiving possibly hundreds of members' statements to bring charges against these members for any crimes in which, based on their statements or other available evidence, they may ''reasonably be inferred'' to have participated.

If the defendant does not ''accept'' the charges, then within a maximum term of 60 days prosecutors must complete their investigations and bring the cases to trial. In Colombia, investigations of criminal cases routinely last many months and even years. It is virtually unheard of for any investigations—much less investigations of complex organizations involved in money laundering, drug trafficking, and extortion—to be completed in such a short time. Because of these drastic reductions, very few FTO members will likely be charged, and even fewer convicted.

4. Sentences can be as low as 2–3 years for all terrorist acts, narcotrafficking and atrocities.

The letter states that ''if they fulfill all these conditions, they become eligible for a reduced sentence of five to eight years. . . . With no possibility of further reductions in time served.'' This is not accurate. In practice, reduced sentences could be as low as two or three years for the totality of their crimes because:

The law provides that a year and a half of the time members have spent in a concentration zone (i.e., negotiating) ''shall be computed as time served;'' and

Constitutional jurisprudence in Colombia holds that all prisoners, without exception, must be allowed to receive generally available sentence reductions of up to one third for work and study—a rule that convicted drug traffickers in Colombia have consistently exploited to their benefit.

5. Extradition can be blocked.

The letter states that ''the question of extradition is not addressed in the law.'' This statement obscures the fact that the law gives FTO members tools to shield themselves from extradition through double jeopardy:

The law allows individuals to receive sentence reductions for all the crimes they committed during their membership in the FTO, including drug trafficking.

To block extradition, members would only have to admit, during their statements, the crimes for which their extradition has been requested. This admission would trigger a prosecution in Colombia. They would then be able to simply accept the charges against them, and serve reduced sentences.

Once they have served sentences for those crimes in Colombia, they could assert double jeopardy and block their extradition to the United States. Two or three years on an agricultural colony in Colombia is much more attractive than life in prison in the United States.

6. Drug lords can benefit under the law.

The letter states that ''no drug traffickers can receive legal benefits under the law.'' In fact, the law does allow drug traffickers to receive benefits:

The law provides benefits to all persons ''linked to illegal armed groups'' so long as the group was not ''organized for the trafficking'' of narcotics. But the government does not consider paramilitaries or guerrillas to have been ''organized for'' the purpose of drug trafficking. Thus, they will receive benefits despite the fact that their top commanders include notorious drug traffickers, who have been requested for extradition to the United States on drug charges.

Moreover, the Colombian government deleted a provision in an earlier version of the law that would have barred individuals from receiving benefits if they had been involved in drug trafficking before joining the FTO. As a result, the law can provide benefits even to drug lords who joined, or even purchased, FTO units for the sole purpose of receiving those benefits.

The law states that benefits will only be provided for crimes committed during actual membership in the armed group. But in most cases, prosecutors will probably have little evidence of the date of entry in the group other than the drug lords' own self-serving statements.

Under the newly approved law, the government will give up all its leverage, including the threat of extradition, over these FTOs and their commanders, but it will demand virtually nothing in exchange. The law does not require individuals to do anything more than admit crimes they have been charged with. There is no requirement to disclose anything more about their own or their groups' illegal activities, structures, financing streams, or illegally acquired assets. Members can easily be replaced through new recruitment and promises of high pay. In the event they are convicted of serious crimes, commanders will be able to serve sentences little longer than two years, probably on ''agricultural colonies,'' not real prisons. When they reenter society, their records will be clean, and their wealth, power, and criminal networks will likely be intact.

As a result, this law will undermine U.S. interests in the fight against drugs and terror. It will impede accountability, and yield no genuine progress towards peace and the rule of law in Colombia.

Please let us know if we can provide you with additional information on the demobilization law or Colombia. We look forward to continued communication with your office, and thank you for your interest in this important matter.

Sincerely,

JOSÉ MIGUEL VIVANCO,
Executive Director, Americas Division.

AMNESTY INTERNATIONAL,
July 19, 2005.

DEAR MEMBER OF CONGRESS: In the coming days you will be debating and voting on the Foreign Relations Authorization Act of 2006 and 2007. Included in this bill is language authorizing U.S. assistance for ''demobilization and disarmament of former members of the foreign terrorist organizations . . .'' specifically Colombia's paramilitary forces known as the United Self-Defense Forces of Colombia (AUC in Spanish). The AUC is considered a ''Foreign Terrorist Organization'' by the Department of State.

While Amnesty International would welcome efforts by the government to ensure that paramilitary groups are truly dismantled, Amnesty International believes that the current process underway in Colombia neither ensures that paramilitary groups are effectively dismantled or ensures that their members are removed from the conflict. The recently passed law governing the demobilization is wholly inadequate. It threatens to guarantee the impunity of those responsible for heinous and widespread human rights atrocities (See the attached summary of paramilitary human rights atrocities for further background), not only paramilitaries, but also those who have backed the paramilitary such as wealthy landowners, and government and military officials. The demobilization law is based on the false premise that there are no links between the security forces and paramilitary forces. The law therefore threatens to ensure that paramilitary structures can remain intact and facilitate a process that could allow paramilitarism to re-emerge under a new legal guise.

The following is a review of some of the law's key provisions and an explanation of its fatal flaws that will almost certainly guarantee impunity and undermine the rule of law in Colombia.

I. Confessions of wrongdoing: The heart of the demobilization law is the requirement that potential beneficiaries voluntarily admit to crimes they committed while part of the paramilitary or guerrilla forces. Article 17 states that an individual can provide information on offences they have committed, but there is no loss of benefits if it is revealed that he or she lied in their original statements to judicial authorities unless it can be proved the combatant ''intentionally'' failed to provide such information. In legal terms it is practically impossible to prove ''bad faith.''

Fatal flaws: Full confessions are not guaranteed.

The law is structured in such a way that it will be extremely difficult for the federal prosecutors to determine whether the confessions offered are full and complete.

1. The law does not require a full judicial process whereby confessions are submitted to cross-examination or consideration is given to statements by witnesses, victims, survivors or family members familiar with the case.

2. It is expected that thousands of combatants will come forward seeking to benefit from the law, but the government of Colombia will only have 20 prosecutors devoted to investigating these cases. Worse, the prosecutors only have 60 days to verify the confessions and determine whether they are truthful or complete. It is entirely possible that paramilitary combatants (and possibly guerrillas in the future) may provide only minimal information in their statements and receive full benefits if prosecutors are unable to prove they are lying or withholding information within 60 days. In other words the 60-day time limit and the restricted number of prosecutors make it extremely unlikely that full and impartial investigations will be carried out into the responsibility of demobilizing combatants in human rights abuses or violations. It is extremely unlikely that prosecutors will uncover evidence of other crimes committed by the combatant other than those to which he or she freely admits in his or her initial statements.

3. The law is focused primarily on individuals and does not require beneficiaries to provide information about their paramilitary organization and their illegal activities. It is entirely possible that the demobilization law will leave paramilitary organizations intact, and allow them to continue functioning. The strict time limit on investigations means that it is unlikely that criminal investigations would focus on the nature and structure of the armed group to which the combatant belonged leaving it concealed.

II. Inadequacy of penalties: The law provides for maximum penalties of 5 to 8 years even for gross human rights violations.

Fatal Flaws: De facto Amnesties.

While the law does not explicitly provide for an amnesty or pardons for heinous crimes, it does provide for leniency and some of its provisions may lead to de facto amnesty for many.

1. Sentences imposed may be reduced by the amount of time (up to 18 months) the beneficiary spent waiting in the ''concentration'' zone pending the outcome of the demobilization negotiations with the government. Human rights violators and abusers could thus receive a reduced sentence of 3.5 years.

2. It is not clear that the sentences will be served in prison. Article 31 allows the government to decide where sentences will be served. It has been suggested that sentences might be served in agricultural communities (''colonias agricolas''), potentially on lands paramilitary forces illegally confiscated from indigenous, Afro-Colombian, or peasant communities. They may therefore be able to derive profit from lands and other assets they obtained through war crimes or crimes against humanity.

3. Provisions in the law allow prosecutors to close investigations into individual combatants if there are not sufficient merits to submit charges. The danger is that with only 60 days to advance criminal investigations a decision to drop all charges could be taken on only superficial evidence. This could constitute a de facto amnesty for many human rights violators or abusers. It is clear that this law is designed to bring the minimum number of people to trial and only a small minority will be held to account and then will only be subject to the extremely limited and lenient sentences.

III. Extradition will become more difficult: The law grants political status to the paramilitaries by defining their activities as ''sedition.'' Sedition is a political offense in Colombia.

Fatal Flaw: Political offenses are not extraditable crimes under Colombia's 1991 Constitution.

1. If sedition is defined as a political offense, and the activities of paramilitaries are defined as sedition, then it will become extremely difficult for paramilitary forces to be extradited.

2. Under the 1991 Colombian Constitution those responsible for crimes related to sedition may be eligible for amnesties or pardons. Again another door is opened to protect those who have promoted or helped create paramilitary groups who may escape justice by receiving pardons or amnesties on the basis that these crimes are defined as forms of sedition.

IV. Lack of participation by victims: The law makes no provision for the participation of victims and their families in any part of the judicial process, except at the stage of reparation after the sentencing of an offender.

Fatal Flaws: Those who have suffered the most from human rights violations will have almost no role in determining the penalties.

1. Victims and their families will only be eligible for reparations for offenses for which a paramilitary is sentenced. If the perpetrator's confession is incomplete or inaccurate, there will be no way for families to dispute the sentence handed down.

2. Only the perpetrator's illicitly obtained funds will be subject to reparation, not their total wealth. Identifying such illicit funds might prove difficult since money is often laundered through apparently legal enterprises. Some paramilitaries might not even have illicitly-obtained assets from which to make reparations. Failure to ensure that demobilizing combatants are subjected to a full and impartial judicial investigation and court proceedings means it will be difficult to identify all the assets the individual or the armed group (paramilitary or guerilla) appropriated through its activities including through human rights abuses. The law could thereby result in the de facto legitimization of illicitly obtained land and enable those responsible for war crimes and crimes against humanity to profit from the assets they obtained through these heinous acts.

Conclusion: Amnesty International is deeply concerned that the demobilization law passed by the Colombian Congress will not rid the country of the scourge of illegal armed activity and human rights abuses against the civilian population. In fact, it may make the situation worse by:

Providing de facto amnesties for paramilitaries and guerillas responsible for serious human rights abuses and violations;

Perpetuating impunity for human rights abusers and violators thereby undermining the rule of law in Colombia;

Failing to guarantee the effective dismantling of paramilitary structures by focusing solely on individual combatants;

Failing to expose those Colombian security forces, government officials, and private citizens who have supported and benefited from the activities of the paramilitary;

Failing to establish a full and independent judicial process to oversee the demobilization process;

Failing to respect the rights of victims of human rights violations and abuses to truth, justice and reparation.

AI has urged President Uribe to refrain from ratifying the demobilization law, and we urge the United States Congress to oppose the use of U.S. assistance to fund this demobilization process.

If you have any questions about this or any other human rights matter in Colombia, please do not hesitate to contact me via *eolson@aiusa.org*.

Sincerely,

ERIC L. OLSON,
Advocacy Director for the Americas.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the remarks that have been given so far by the gentleman from Florida as well as the gentleman from Massachusetts. Saying there were 70 amendments proposed happens to be rounding up the number, but of those that were not allowed in the process, six were withdrawn by their sponsors. The majority of the others were either duplicative or not germane. And may I remind this body that why we are talking in a structured rule is because the bulk of the issues should have been done in the hearing and in the committee level. The committee who did hear these issues did pass this bill, I remind you once again, unanimously from both sides of the body. The issues that have been addressed so far will have a chance because there is also another amendment that deals with Colombia, so the gentleman from Massachusetts will have a chance once again to give some dramatic rhetoric one more time on this particular issue.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Let me thank the gentleman very, very much for yielding me the time.

Mr. Speaker, I, too, want to commend the rule. I was somewhat disappointed, as expressed by the gentleman from Florida (Mr. HASTINGS), on the lack of a couple of amendments that we were attempting to insert in the bill dealing with Haiti. Haiti is a tragedy. There is no other way to describe it. They are kind, wonderful, hardworking people who are desperate for a solution to their ever-growing controversy. No matter whose side you believe in, no matter what you thought of past presidents or future presidents, the one thing that is abundantly clear to most of us is that Haiti is drowning in despair. The people have been ravaged not only by political unrest and upheaval, natural disasters, hurricanes and other things and what I was trying to do in the amendment was to provide a new concept much like a Peace Corps, taking Haitian citizens who are now here in the United States who are learning a free economy, learning to be teachers, police officers, pharmacists, to create a structure in the State Department, in cooperation with NGOs, to use those talents and capabilities to help bring some stability to Haiti.

□ 1215

I know we have tried and the White House both past and present have injected significant amounts of resources to try to help the island. For whatever

reason, one side pits the other, the lack of any clear-cut direction, and I believe to some degree the Haitian people lack trust in some of our motives and motivations, which is why I thought of this concept of bringing people who now had learned about the free market concepts of America to send them back to Haiti for a limited time so that they too could use that talent that they have learned here in the United States to help their brothers and sisters in Haiti try to build an economy, build an education system, build a health care dynamic, and try to create a pathway for their future.

We have seen billions, honestly, squandered in Haiti from one regime to the next. None seems to be better than the last. And at the same time, the people in Haiti are starved, some are imprisoned. An election is contemplated, and I do not know how in the world we will structure an election based on the current chaos that is evidenced in Haiti. However, many of us, the gentleman from Massachusetts (Mr. DELAHUNT), many people in the room, the gentleman from Florida (Mr. MEEK), the gentleman from Maryland (Mr. CUMMINGS), I am just naming a couple people. The gentlewoman from California (Ms. LEE) I know has had a unique and particular interest in this area. We may come from different political parties, but I think our motives are pure at least on the point of view that it is about the people of Haiti, not about whoever is running the country.

So I commend the bill and of course will support the very important endeavors of our Committee on International Relations as they work across the globe to try to bring unity of purpose to a very complicated and convoluted and dangerous world. But for this Member from Florida, my heart really does truly go out to the Haitian people. I pray that in the days ahead we come up with some significant ways in order to look at the concerns some members of the Congressional Black Caucus have relative to our intervention or activities in Haiti and try to put aside some of our animus towards recognizing that unless we get our act together the people of Haiti will still be starving, they will still be dying of disease, they will still be cleaning up after hurricane debris, and they will still be wondering what is their future to be like.

So I want to thank all who have participated in the debate. I want to thank Members, both Republicans and Democrats, who have submitted amendments yesterday that were not included in the rule. But I can assure my colleagues that we will continue to endeavor to see that our points of view are brought forward either in this vehicle or future vehicles as we move down the road.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman for yielding me this time, and I would be remiss not to compliment the gentleman from Florida (Mr. FOLEY) for his sincere and measured remarks.

But I am here today, Mr. Speaker, to speak of Uzbekistan. President Bush stated that the United States ''will persistently clarify the choice before every ruler and every nation: The moral choice between oppression, which is always wrong, and freedom, which is eternally right. America will not pretend . . . that any human being aspires to live at the mercy of bullies. We will encourage reform in other governments by making clear that success in our relations will require the decent treatment of their own people.'' Certainly noble words.

The gentleman from Texas (Mr. DOGGETT) and I offered an amendment that would have provided real meaning to those noble words, but the Committee on Rules did not make our amendment in order, thereby failing the democratic aspirations of the people of a nation in Central Asia called Uzbekistan.

One of our partners in the Coalition of the Willing is a bully. His name is Islam Karimov, and he is the thug who rules Uzbekistan. According to our own State Department, Karimov runs a regime that does not allow freedom of speech or religion, that makes a mockery of elections, that holds thousands of political prisoners where security forces customarily utilize torture. Some of their victims have literally been boiled alive, and 2 months ago his security forces massacred hundreds of civilians who were simply asking for liberty and justice. Yet we have given this thug some $350 million in aid. Our amendment would have use that leverage to push Karimov to democratize, to respect human rights, and to accept an independent investigation into that massacre. As Bill Kristol said in the Weekly Standard just recently, ''It would be unfortunate if the spring of 2005 went down in the history books as a turning point, in favor of dictators.''

The choice is simple and we have made the wrong choice today. We are standing with a thug rather than standing for democracy, and I urge defeat of the rule.

Mr. BISHOP of Utah. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH), one of the subcommittee chairmen, one who has spent a great deal of time working on this significant piece of legislation.

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

This legislation that we bring to the floor is a comprehensive bill, 332 pages long. It will probably grow significantly during the course of the day because there are a number of amendments that will be offered and I believe accepted.

As chairman of the Africa, Global Human Rights, and International Operations Subcommittee and as author of H.R. 2601, I am very proud of the way we worked in a bipartisan way on crafting this legislation. I point out to my colleagues that this legislation has been crafted over the course of several months. I chaired eight hearings at which we looked at various component parts of this bill and policies related to this bill, and the full committee met twice to consider the State Department request and the other associated requests that are contained within this legislation. I would point out to my colleagues that I know I have had amendments in the past that were not made in order over my last 25 years as a Member of Congress. It is always disappointing. But there were 10 amendments considered by our subcommittee. And then when we moved to full committee, there were 52 additional amendments considered. Today we have another 38 that will be considered as well. So this bill will be subjected to an enormous number of amendments, and I think that is good and healthy and very important.

I would point out to my colleagues that the bill passed the committee 42 to zero. People on the left and on the right, conservatives, moderates, and liberals, came together realizing that we had crafted a truly bipartisan piece of legislation for our Foreign Relations Authorization Act.

We often debate money on the floor, and having the monetary resources necessary to carry out our foreign policy tasks are indeed critical. But equally if not more important, it is how we spend the money. This authorization measure contains important new foreign policy directives and reflects a consensus on both sides of the aisle. Together we have produced a very strong piece of legislation that protects our national interests abroad, robustly funds our public diplomacy efforts, and promotes those values that we hold dear such as the protection of human rights, support for democracy, and assistance to those in crisis or in need.

H.R. 2601 fully funds the operations of the Department of State, especially its diplomatic operations abroad, and meets the President's budget request. It authorizes $22.3 billion over 2 years plus for the Department of State, international broadcasting activities, international assistance programs, and related agencies.

Again, I hope my colleagues will support the rule and the bill when it comes to the floor.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ), who is the chairman of the House Democratic Caucus, my good friend and classmate.

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

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

Mr. Speaker, I am outraged that the Committee on Rules did not make my

amendment in order. Our amendment on global climate change, which passed both the House and the Senate in a previous version, simply says that the United States must lead the world in the fight against global warming.

In this Chamber of democratic ideals, the House of Representatives is supposed to be the place where we take a stand on the issues. If one disagrees, for example, with my amendments, fine. Then stand up and vote against them.

The fact is that global warming exists and is fully acknowledged by the scientific community. The fact is that a report which President Bush himself commissioned from the National Academy of Sciences says that human activity causes global warming. The truth is that the United States should lead on climate change, not avoid it.

Let me be clear. I was not advocating for the Kyoto Protocol. Other countries took the lead when we backed out, and it entered into force earlier this year. But just because we rejected Kyoto does not absolve us from working with other countries on climate change. Actually, it means that we have to take the lead, be creative and find a solution. The G–8 statement on climate change is a start, by acknowledging that climate change is a serious challenge that human activities are contributing to. Unfortunately, the administration reportedly exerted a considerable amount of pressure to water down the G–8 statement and the document falls far short of making a call for strong and immediate action.

The truth is that the world's future depends on our actions today. Global warming could devastate our environment and our economy. President Bush's administration, in a report to the United Nations, said that global climate change could mean greater storm surges on the coasts, reduced snowpack and water supplies in the West, declining water levels in the Great Lakes, stronger hurricanes, more extreme weather events, and greater risk of both flooding and drought. If that is not an incentive for the administration to act, nothing will be.

Finally, I am also concerned that the gentleman from Massachusetts' (Mr. MCGOVERN) amendment on the demobilization process in Colombia was not made in order. The current Colombian demobilization framework, as discussed in the bill, does not provide minimal guarantees on at least three basic points. First, terrorist leaders who are under standing indictments in our country for serious crimes can escape extradition to the United States. Second, the bill does not require that these terrorists provide complete information on their networks so they could be dismantled. And, lastly, the law does not build in adequate monitoring mechanisms to ensure that those who have forsworn violence do not return to their terrorist activities.

We must address these issues before we authorize assistance to a process that could cost the U.S. taxpayer an estimated $80 million over 3 years. The Colombia and global climate change amendments should have been made in order so that Members would have had the opportunity to debate and vote on these important issues.

I urge my colleagues, therefore, to vote ''no'' on the rule.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, today we are failing the people of Darfur in the Sudan.

In July of 2004, this Congress called what is happening in Sudan a genocide. In September of 2004, President Bush said it was a genocide. There is no place else on the face of the Earth today that carries such a distinction. But both the President and the Congress have said there is genocide going on.

The words we have spoken have not stopped the government in Khartoum. Four hundred thousand people have died. Three and a half million people are at risk.

Again, everything we have done so far is words, very little action. We have supported the African Union Mission, assisting in the transport of troops and providing funds, and we have helped some of that. But it has been over a year since the African Union began their mission in Darfur, and nothing has changed. There are currently only 2,600 troops in a region the size of France with a plan for another 7,000 odd to be there later on this year. Plus the mission does not even have a mandate that includes the protection of civilians. We need troops there now. We need the American Government to step up now.

The U.S. has been generous in its contributions in support of the AU and humanitarian aid, but it is not enough. The regime that runs Sudan is genocidal, as stated by this Congress and our President.

□ 1230

We send incredibly mixed messages to both the people of Sudan and the people around the world when we say there is genocide going on, we say it is terrible, the people of Sudan are inflicting tremendous actions on their own people; yet our own government, the CIA, sends an executive jet to pick up the head of the Khartoum intelligence service who is seen by many to be the architect of the genocide in Darfur, and we fly him to Washington for secret talks. What message does that send?

We are failing the people of Darfur, who continue to die. We need to stand up. The amendments that were offered yesterday should have been allowed so that this Congress can make the decision whether to stand up or whether to sit idly by while millions more die.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. WOOLSEY), my classmate and good friend.

Ms. WOOLSEY. Mr. Speaker, I rise in strong opposition to this restrictive rule because it ignores, actually blocks, the important issues and amendments that we should be talking about here and now, including my amendment ensuring that the United States lives up to its international commitment to reduce and eventually disarm its nuclear weapons stockpiles and my amendment expressing the need for a sensible, multilateral American response to terrorism, otherwise known as SMART security. But most important of all, this bill fails to include any Democratic amendments that address the war in Iraq.

This critical issue should not be neglected by a bill of this magnitude, a bill that addresses and authorizes our Nation's international programs over the next two fiscal years.

This authorization will not discuss an amendment that I would have offered calling on the President to develop a plan for the withdrawal of U.S. military forces from Iraq and to bring that plan to the Congress. It also covers our responsibility to assist Iraq, not through our military, but through international humanitarian efforts, to rebuild their war torn economic and physical infrastructure.

Would the Republican leadership believe that we can wait two more years to debate our role in Iraq, to debate when we will bring our troops home? We need to declare for the record that we plan to leave Iraq. Unfortunately, the rule before us today prevents us from having this very important debate. That is why I urge my colleagues to vote against this unfair and restrictive rule and to support every effort to plan to bring our troops home.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as I said at the introduction of this particular rule, this bill covers a wide range of issues. As you can see from the discussion we have had so far, there are a wide range of issues that are covered in this particular bill. That is why it is also remarkable, one more time, that this particular bill came through its committee in a uniquely bipartisan way, in which there were hearings and then a markup, over 62 amendments presented, bipartisan, discussed, and once again with a bipartisan result were submitted to us.

The committee process that we have in the House is of a unique and supreme importance. Without trying to make any kind of value statement on what is done on the other side of this particular Capitol, former Senator McCarthy of Minnesota once said that the Senate has rules, but it does not

matter because no one over there follows them.

We on the House side though, have an orderly process in which to discuss issues and bring them in a timely and consistent manner, and the specifics of those are the importance that we put on the committee, and especially the hearing process in the committee. It is the committee process in which issues of specifics as well as long-range importance should be debated and discussed and allow that hearing process to go forward, so that what is brought to the floor becomes a significantly refined model, and that therefore on the floor we can narrow our process and narrow our discussion into those particular areas and into certain particular areas.

This bill is still a significant issue. It is a significant bill. It is a 2-year authorization, and within that authorization is a blueprint for the reform of the State Department. It is significant that that move forward, because we are talking about how we fully authorize and fully purport to have a well-balanced and strong core of diplomatic personnel representing us in every institution.

Within this bill are specific and important issues that fully authorize the safety and security of that personnel. Those are significant issues, and though we may differ with specifics of what is happening today, we must also look to the fact that this bill deals with long-term results, long-term goals, long-term aspirations of our State Department and our foreign policy.

Mr. Speaker, what I am trying to say is this bill has had significant debate on a wide variety of issues within the committee process, and that is the way the House tries to function, by also authorizing 38, which is a majority of the resolutions. Once again, the majority of the amendments not offered were taken away either from withdrawal or from redundancy or from germaneness issues.

But by authorizing 38 and providing a process for that discussion means that, once again, we are going to take these issues in a wide range and a wide variety and move forward with those with that type of discussion on the floor. My only hope at this stage is that as a floor, we can be as wise as the Committee on International Relations was when they came up with a bipartisan product and a 44–0 vote and presented it here for our further considerations.

Hopefully we will maintain the same kind of collegiality and standards that particular committee did, because I think it sets a standard and a goal for us to try and emulate as we go through with the floor discussion.

I am proud of the underlying bill and I am proud of the rule because it provides the fair representation for this bill as a continuation of the committee process, but does not supplant the committee process, which is what we do here on the House floor for an orderly discussion of those particular issues.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very tempted by my friend on the Committee on Rules that I serve with when he says we follow these rules, this rule says waives all points of order against consideration of the bill in item 3; five, says waives all points of order; eight, it says waives all points of order. There is a notwithstanding clause.

I want to know what part does the gentleman see as following the rules. The simple fact of the matter is we are not going to be discussing Darfur, we are not going to be discussing Colombia, we are not going to be discussing Haiti, and somewhere along the line we could have done that under the rules.

Mr. Speaker, I am pleased to yield 3½ minutes to my good friend, the distinguished the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for his leadership and for yielding to me.

Mr. Speaker, I rise in strong opposition to this restrictive rule. It prevents the House from discussing our policy toward the Andean region and Colombia in particular in a serious way. Two important amendments on these subjects were offered by Democrats in the Committee on Rules, and the Committee on Rules, in refusing to make them in order for debate, has denied Members the opportunity to address these critical issues that were raised in the amendments.

The gentlewoman from California (Ms. LEE) offered an amendment that would have required at least 40 percent of Andean Counterdrug Initiative funds to be dedicated for alternative economic and social development in rural areas, encouraging human rights and protecting democratic institutions.

I guess the majority thinks this is not a worthwhile discussion to have. Clearly they are not interested in results or wise investment of our funds in Colombia. As we know, despite billions invested in the Andean region over the last several years in a largely supply side and military drug eradication program, drug cultivation has gone up in the Andean region and the availability of cocaine in the United States has gone virtually unchecked, with prices low and products more potent than ever.

The Republican leadership must know this bill is more of the same, instead of a balanced policy that would provide some real results on the ground.

The amendment of the gentleman from Massachusetts' (Mr. MCGOVERN) amendment sought to place serious conditions on any funding that goes from the United States to the Colombian paramilitary demobilization process, just as the Senate did, so that paramilitary and drug trafficking organizations are fully dismantled and the worst criminals, murderers and terrorists face real and tough prison sentences.

By denying Members a chance to debate the McGovern amendment, the Republican leadership has made it clear they are not serious about ensuring those terrorists are brought to justice. Without the McGovern amendment, this bill is toothless. It does nothing to prevent U.S. dollars from helping to set Colombia's worst criminals free. Colombia's deceptively named ''peace and justice law'' fails to fully dismantle paramilitary organizations and threatens to let criminals off the hook, and without more stringent conditions, U.S. taxpayers should not support what amounts to an allowance for individuals implicated in drug trafficking and murder.

The McGovern amendment would replace the House's language, which authorizes funds for the demobilization of Colombia's paramilitary organizations, with the provisions adopted by the Senate Committee on Appropriations. Unlike the Senate provision, the House bill carries with it no accountability to the U.S. Congress or U.S. taxpayers for how our money is spent.

We are talking about members of paramilitary death squads that have massacred Colombian civilians and have trafficked drugs to our country. I do not oppose Colombia's efforts to negotiate with armed groups to foster peace for its people. I want peace and stability for Colombia. However, I do object to U.S. dollars being used with no strings attached in a process that may lead to known killers and narcoterrorists going free without adequate punishment.

So I suggest that our colleagues make the following calculation: Do you want U.S. taxpayer dollars to fund drug traffickers and murderers? If not, oppose the rule and demand a new one that allows debate on these important issues.

Mr. BISHOP of Utah. Mr. Speaker, I reserve my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to my good friend the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking member of the Committee on Rules.

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

Mr. Speaker, last night in the Committee on Rules I attempted to strike an amendment that was put into this bill that I believe does not belong there. I believe it was inflammatory and totally unnecessary. It implied that those Americans who are concerned about the conduct of the war and talk about withdrawal are unpatriotic. Despite 60 percent of the American people being concerned about the war, the majority refused to remove this amendment from the bill.

Mr. Speaker, all Americans support the troops in Iraq. They are our sons and they are our daughters. We appreciate their commitment, we honor

their service and we do not need another resolution to demonstrate that appreciation. What we should do is live up to our commitment to the troops.

Mr. Speaker, it is the Democrats that have fought to raise the Veterans Administration budget the $2 billion it needs this year just to take care of the wounded from Iraq. Think about that for a moment. For what we spend on the war a week, $2 billion, we could take care of our wounded veterans for a year. We care very much about that, and that is how we honor our troops.

Mr. Speaker, Democrats in this House have pushed that debate, and again unsuccessfully, that our troops are not well equipped, that we have not given them the armored vehicles and things they need to save their lives. Now this leadership is going to use rhetoric to try to further divide the Nation. They would rather do that than take care of the troops.

Unfortunately, Mr. Speaker, this rule and particularly, as I mentioned, the Ros-Lehtinen amendment is fear politics at its worst. The underlying message the Republican leadership is sending could not be clearer. It is this: If you disagree with the policies of this administration, you are un-American. If you dare to question them, you will hurt our troops in the field. If you ask the tough questions, you are helping the terrorists.

I feel compelled to advise my colleagues that this is a democracy. What we need to do is defeat the previous question and consider the Ros-Lehtinen amendment separately as a freestanding bill. The way it is written now, there is no possibility even to amend it. It is either up or down, shut up or put up.

This is not the way we do things here, and we are leaving out half the population of this country who wants us to debate the war. Once again, we are attempting to cut out the voice of the people here, and we will try on the previous question to remove the Ros-Lehtinen amendment from the bill and immediately consider it later as a freestanding bill, giving Members the opportunity to amend it.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the debate that we have heard so far. It has been very riveting rhetoric that has gone on. Sometimes I am a little bit surprised at it, as we are told we cannot debate the things we are debating.

In specific, if I could mention something about the Colombia policy, which, once again, it was said we are not going to be able to talk about, even though we have, I think the United States has a great record in what it has been doing so far down there. We are making progress. There is much to do, but we are making progress.

□ 1245

There is already a 17 percent reduction in South American purity of heroin that is coming from Colombia. Hospital overdoses from that same issue are down by one-third.

It is significant that that issue, that issue that was brought up before was debated in the Committee on International Relations. They debated demobilization of terrorists. They adopted two resolutions. The gentleman from Indiana (Mr. BURTON) presented a resolution on this same issue that was adopted that dealt with section 944 on the issue, and it was about the demobilization of Colombia, and it was passed with bipartisan support in that particular committee.

The gentleman from Massachusetts (Mr. DELAHUNT) also had an issue that dealt with Colombian tax policy. What I am trying to emphasize is, once again, we have had opportunity to discuss these issues in the committee process, which is the appropriate process. There will also be other opportunities to discuss this issue, not only here but, again, in other areas.

I appreciate what the gentlewoman from New York just said. On the issue of Iraq, we have had a defense authorization bill as well as defense appropriations for 3 days. We have had the opportunity to debate these particular issues on the floor. There will also be one other time to bring those positions up. Whether the amendment is passed, either for or against, that opportunity will still be here.

These issues are before us; but, once again, what we are trying to do with this rule is what we are trying to do with the House process, that is, to do things in an orderly fashion so that the bulk of these issues can be heard in the committee and could go forward in the committee where the true interaction takes place in a much, much more specific way by those people who become experts in this particular area.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 15 seconds to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I want to point out to the gentleman that when the Committee on International Relations marked up the provisions on the Colombia issues, this new law in Colombia had not been passed yet. This is since the markup in the committee. So we are dealing with a new law that may very well let go terrorists, killers, paramilitary leaders who have done harm not only to Colombian citizens, but to our citizens. So we need a debate on Colombia.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I will be asking members to vote ''no'' on the previous question. If the previous question is defeated, I will amend the rule to allow the House to consider the Ros-Lehtinen amendment on Iraq as a separate, freestanding bill with an open amendment process instead of just another amendment to this bill.

Mr. Speaker, all of us in this House have very strong opinions on the war in Iraq. We also have many different viewpoints on our Nation's continued role in that country. But regardless of our individual positions on this conflict, we all support the courageous men and women who put their lives on the line every day.

Any vote on Iraq significantly impacts these brave Americans and should not be taken irresponsibly, and it should not be taken for blatantly political purposes. The Ros-Lehtinen amendment, which came to light only yesterday when it was submitted to the Committee on Rules, is a good example of exploiting the current situation in Iraq purely for partisan gain. The original version of this amendment submitted to the Committee on Rules accused opponents of the President's plan, whatever that is, of supporting a ''cut-and-run'' Iraq policy that is a ''craven surrender to terrorism.'' This inflammatory language has now been removed, but it still appears that the sole intention of this amendment is to polarize Members of this House on a crucial question of national security.

Under this rule, Members can only vote up or down, take it or leave it, with no opportunity for amendment or any position except that of the amendment's author.

If we are going to discuss and vote on the U.S. presence in Iraq, it deserves a thorough and respectful debate. We owe our brave young men and women more than a divisive and meaningless sense of Congress resolution.

Members should be aware that a ''no'' vote will not prevent consideration of the Foreign Relations Authorization bill, and it will not affect any of the other amendments that are in order under this rule.

I urge Members to vote ''no'' on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BISHOP of Utah:

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution, (a) the amendments by Representative Dreier of California, Representative Crowley of New York, Representative King of Iowa, and Representative Rohrabacher of California at the desk at the time of adoption of this resolution and numbered 3A, 18A, 21A, and 37A, shall be in order in lieu of the amendments in part B of House Report 109–175 and numbered 3, 18, 21, and 37, respectively, and (b) the amendment numbered 2 in part B of House Report 109–175 shall be debatable for 20 minutes.

Mr. BISHOP of Utah. Mr. Speaker, as we continue on after the passage of this rule, I am looking forward to an hour of general debate, which will be as riveting as what we have had discussing this particular rule.

Mr. NUSSLE. Mr. Speaker, the rule we are considering today commits a small but significant act of principle over convenience: In addition to providing for the consideration of the Foreign Relations bill, it firmly establishes the precedent that this House will not consider legislation on the floor if it exceeds the levels established by the budget resolution. This choice will not make us heroes; it will not win us accolades in The Washington Post. But it does show that we will stick to our budget disciplines, and I rise to commend Chairman DREIER and the Rules Committee for this very important decision.

By way of explanation: As originally reported by the Committee on International Affairs, the bill increases mandatory spending by $103 million over 5 years. Specifically, the bill as reported would allow the State Department to automatically spend leftover funds on other purposes without further legislative action. Traditionally these transfers are subject to appropriations. But the reported bill eliminated that requirement. As a result, the bill converted discretionary spending to mandatory at a time when we are trying to restrain mandatory spending.

This increase in mandatory spending breaches the spending limit, or ''allocation,'' established for the IR Committee in the budget resolution. In technical terms, this violates section 302(f) of the Budget Act, which precludes the House from considering a bill that exceeds the 302(a) allocation of the committee that reported the bill.

Now, the Rules Committee could have let this slide: The rule could simply have waived the Budget Act restriction, and let the authorizing committee fix the problem through a floor amendment. After all, many will say it wasn't really a large amount of money to worry about—and hardly anyone would have noticed anyway.

While that step might have fixed the problem with this particular bill, it would have done it the wrong way. The principle underlying the congressional budget process is that we should not consider bills on this floor until they comply with spending limits established in the budget resolution. In other words, the burden is on the committee reporting the bill to comply with the budget before the measure reaches the floor. If compliance were left to a floor amendment or a subsequent point of order, it would cost budgetary commitment to the winds of the moment—which is no commitment at all. Chairman DREIER and the Rules Committee have shown the appropriate kind of leadership: They have upheld this important principle of fiscal discipline.

Once again, I commend Chairman DREIER and the Rules Committee for enforcing the budget resolution and upholding the integrity of the budget process. We may not win any medals for this; we won't get to brag about it to Chris Matthews on Hardball. But this is the right thing to do, and that should be all the reason we need. This is an excellent rule and merits all of our support.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

SEC. 2. Notwithstanding any provision of this resolution, amendment numbered 38 in House Report 109–175 shall not be in order.

SEC. 3. That immediately upon disposition of H.R. 2601 the Speaker shall declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of a bill proposing to add a new section 1111 as contemplated in amendment numbered 38 in House Report 109–175. the first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such further 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 with or without instructions.

SEC. 4. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

PARLIAMENTARY INQUIRY

Mr. HASTINGS of Florida. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HASTINGS of Florida. Mr. Speaker, I do need to have an explanation. I am not familiar with this process, and I do not know whether there has been an agreement reached, and I am trying to learn the answer to that.

The SPEAKER pro tempore. The gentleman from Utah has moved the previous question, both on the amendment and on the resolution.

The question is on ordering the previous question on the amendment and the resolution.

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

Mr. HASTINGS of Florida. 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the amendment and the resolution.

The vote was taken by electronic device, and there were—yeas 226, nays 196, not voting 11, as follows:

[Roll No. 383]

YEAS—226

Aderholt	Gilchrest	Northup
Akin	Gillmor	Norwood
Alexander	Gingrey	Nunes
Bachus	Gohmert	Nussle
Baker	Goode	Osborne
Barrett (SC)	Goodlatte	Otter
Bartlett (MD)	Granger	Oxley
Barton (TX)	Graves	Paul
Bass	Green (WI)	Pence
Beauprez	Gutknecht	Peterson (PA)
Biggert	Hall	Petri
Bilirakis	Harris	Pickering
Bishop (UT)	Hart	Pitts
Blackburn	Hastings (WA)	Platts
Blunt	Hayes	Poe
Boehlert	Hayworth	Pombo
Boehner	Hefley	Porter
Bonilla	Hensarling	Price (GA)
Bonner	Herger	Pryce (OH)
Bono	Hobson	Putnam
Boozman	Hoekstra	Radanovich
Boustany	Hostettler	Ramstad
Bradley (NH)	Hunter	Regula
Brady (TX)	Hyde	Rehberg
Brown-Waite, Ginny	Inglis (SC)	Reichert
Burgess	Issa	Renzi
Burton (IN)	Jenkins	Reynolds
Buyer	Jindal	Rogers (AL)
Calvert	Johnson (CT)	Rogers (KY)
Camp	Johnson (IL)	Rogers (MI)
Cannon	Johnson, Sam	Rohrabacher
Cantor	Jones (NC)	Ros-Lehtinen
Capito	Keller	Royce
Carter	Kelly	Ryan (WI)
Castle	Kennedy (MN)	Ryun (KS)
Chabot	King (IA)	Saxton
Chocola	King (NY)	Schwarz (MI)
Coble	Kingston	Sensenbrenner
Cole (OK)	Kirk	Sessions
Conaway	Kline	Shadegg
Cox	Knollenberg	Shaw
Crenshaw	Kolbe	Shays
Cubin	Kuhl (NY)	Sherwood
Culberson	LaHood	Shimkus
Cunningham	Latham	Shuster
Davis (KY)	LaTourette	Simmons
Davis, Jo Ann	Leach	Simpson
Davis, Tom	Lewis (CA)	Smith (NJ)
Deal (GA)	Lewis (KY)	Smith (TX)
DeLay	Linder	Sodrel
Dent	LoBiondo	Souder
Diaz-Balart, L.	Lucas	Stearns
Diaz-Balart, M.	Lungren, Daniel E.	Sullivan
Doolittle	Mack	Tancredo
Drake	Manzullo	Taylor (NC)
Dreier	Marchant	Terry
Duncan	Marshall	Thomas
Ehlers	McCaul (TX)	Thornberry
Emerson	McCotter	Tiahrt
English (PA)	McCrery	Tiberi
Everett	McHenry	Turner
Feeney	McHugh	Upton
Ferguson	McKeon	Walden (OR)
Fitzpatrick (PA)	McMorris	Walsh
Flake	Melancon	Wamp
Foley	Mica	Weldon (FL)
Forbes	Miller (FL)	Weldon (PA)
Fortenberry	Miller (MI)	Weller
Fossella	Miller, Gary	Westmoreland
Foxx	Moran (KS)	Whitfield
Franks (AZ)	Murphy	Wicker
Gallegly	Musgrave	Wilson (NM)
Garrett (NJ)	Myrick	Wilson (SC)
Gerlach	Neugebauer	Wolf
Gibbons	Ney	Young (AK)
		Young (FL)

NAYS—196

Abercrombie	Boyd	Costa
Ackerman	Brady (PA)	Costello
Allen	Brown (OH)	Cramer
Andrews	Brown, Corrine	Crowley
Baca	Butterfield	Cuellar
Baird	Capps	Cummings
Baldwin	Capuano	Davis (AL)
Barrow	Cardin	Davis (CA)
Bean	Cardoza	Davis (FL)
Berkley	Carnahan	Davis (IL)
Berman	Carson	Davis (TN)
Berry	Case	DeFazio
Bishop (GA)	Chandler	DeGette
Bishop (NY)	Clay	Delahunt
Blumenauer	Cleaver	DeLauro
Boren	Clyburn	Dicks
Boswell	Conyers	Dingell
Boucher	Cooper	Doggett

Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—11

Becerra
Brown (SC)
Frelinghuysen
Hinojosa
Hulshof
Istook
Jones (OH)
Payne
Pearce
Reyes
Sweeney

□ 1314

Messrs. SALAZAR, MCDERMOTT, STUPAK, TAYLOR of Mississippi and KENNEDY of Rhode Island changed their vote from ''yea'' to ''nay.''

Mr. EVERETT and Mr. MARIO DIAZ-BALART of Florida changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 228, noes 190, not voting 15, as follows:

[Roll No. 384]

AYES—228

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Osborne
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—190

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meek (FL)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—15

Becerra
Brown (SC)
Dicks
Eshoo
Frelinghuysen
Hinojosa
Istook
Jones (OH)
McIntyre
Meehan
Payne
Pearce
Reyes
Sweeney
Waters

□ 1322

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BECERRA. Mr. Speaker, on Tuesday, July 19, 2005, I was unable to cast my floor vote on rollcall Nos. 383 and 384. The votes I missed included ordering the previous question on the amendment and on agreeing to H. Res. 365, providing for consideration of H.R. 2601 to authorize appropriations for the Department of State for the fiscal years 2006 and 2007, and for other purposes.

Had I been present, I would have voted "no" on both rollcall votes 383 and 384.

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2601.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Illinois?

There was no objection.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

The SPEAKER pro tempore. Pursuant to House Resolution 365 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2601.

□ 1325

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 consideration of the bill (H.R. 2601) to authorize appropriations for the Department of State for the fiscal years 2006 and 2007, and for other purposes.

The Chair appoints the gentleman from Texas (Mr. BONILLA) to preside over the Committee of the Whole, and requests the gentleman from Idaho (Mr. SIMPSON) to assume the Chair temporarily.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

Mr. Chairman, today we will be considering H.R. 2601, the Foreign Relations Authorization Act for Fiscal Years 2006 and 2007 or as it is commonly referred to, the State Department Authorization Bill.

The bill includes several requests from the administration which are oriented toward improving the operations of the Department or the quality of life for those serving in our embassies in missions abroad. This bill authorizes funding for the State Department international organizations, international commissions, refugee programs and various related authorizations. This measure also authorizes a variety of foreign assistance programs and speaks to many current international issues to include a review of our strategic export controls.

Given the unparalleled threat to the United States and to the world from the continued proliferation of nuclear weapons, strengthening our nuclear nonproliferation efforts is an important piece of this legislation. The bill states that U.S. national interests would be advanced by a stronger International Atomic Energy Agency including and ensuring that the delay in the U.S. annual payment is corrected, along with various other recommendations.

H.R. 2601 authorizes $10.8 billion for fiscal year 2006 and is essentially within the President's fiscal year 2006 budget request for State Department and foreign aid accounts.

Public diplomacy activities are fully supported in this bill. While we support the traditional methods of reaching foreign audiences, we strongly urge State to be creative in finding the most effective program mix for any given country.

In closing, this bill reflects contributions of the administration as well as the Republican and Democratic members of the Committee on International Relations. We bring a solid bill to the House floor. I urge its adoption.

Mr. HYDE. Mr. Chairman, I have enclosed a series of letters concerning committee jurisdiction on the bill, H.R. 2601, "To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes."

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,
Washington, DC, July 13, 2005.

Hon. PETER HOEKSTRA,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2601, a bill to authorize appropriations for the Department of State for Fiscal Years 2006 and 2007, and for other purposes. The Committee on International Relations has marked up the bill and ordered it reported by a unanimous vote.

There are certain provisions within the version of the legislation ordered reported by the Committee which fall within the shared Rule X jurisdiction of your Committee. Specifically, I refer to the language concerning the amendments to Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), relating to comparability standards for the Annual Patterns of Global Terrorism Report required under Section 22 U.S.C. 2656(a).

In the interest of permitting this Committee to proceed expeditiously to the floor consideration of this bill, I request your Committee waive its right to sequential referral on this matter. I understand that such a waiver only applies to this language in this bill, and not to the underlying subject matter. I will urge the Speaker of the House of Representatives to name Members of your Committee to any conference committee which is named to consider this bill.

I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the Congressional Record during the debate on this bill.

Sincerely,

HENRY J. HYDE,
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, July 17, 2005.

Hon. HENRY HYDE,
Chairman, Committee on International Relations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In recognition of the importance of expediting the passage of H.R. 2061, authorizing appropriations for the Department of State for Fiscal Year 2006 and 2007, the Permanent Select Committee on Intelligence hereby waives further consideration of the bill. The Committee has jurisdictional interests in H.R. 2061, including intelligence and intelligence-related authorizations and provisions contained in the bill, in particular amendments relating to Section 140 of the Foreign Relations Authorization Act for Fiscal Years 1988 and 1989.

The Committee takes this action only with the understanding that this procedural route should not be construed to prejudice the House Permanent Select Committee on Intelligence's jurisdictional interest over this bill or any similar bill and will not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future. In addition, the Permanent Select Committee on Intelligence will seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the Congressional Record during the House debate on H.R. 2061. I appreciate the constructive work between our committees on this matter and thank you for your consideration.

Sincerely,

PETER HOEKSTRA,
Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,
Washington, DC, July 14, 2005.

Hon. DUNCAN HUNTER,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2601, the ''Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.'' The Committee ordered this bill reported favorably as amended on June 9, 2005. As reported, this measure contains provisions that are within the Rule X jurisdiction of the Committee on Armed Services. These provisions include:

Sections 701–703 of Title VII. Strategic Export Control and Security Assistance Act of 2005;

Section 712. Strategic Export Control Board;

Section 727. Commercial Communications Satellite Technical Data;

Section 734. Control of Items on Missile Technology Control Regime Annex;

Section 906. Report on Foreign Law Enforcement Training and Assistance;

Section 944. Assistance for Demobilization and Disarmament of Former Irregular Combatants in Colombia; and

Section 1125. Stability and Security in Iraq.

In the interest of permitting this Committee to proceed expeditiously to floor consideration of this bill, I request that the Committee on Armed Services waive its right to sequential referral on this matter. I understand that such a waiver only applies to this language in this bill, and not to the underlying subject matter. I will urge the Speaker to name Members of the Committee on Armed Services to any conference committee which is named to consider this bill.

I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the Congressional Record during the debate on this bill.

Sincerely,

HENRY J. HYDE,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 13, 2005.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, Washington, DC.

DEAR MR. CHAIRMAN: On June 9, 2005, the Committee on International Relations ordered reported H.R. 2601, the ''Foreign Relations Authorization Act, Fiscal Years 2006 and 2007''. As you know, this measure contains provisions that are within the jurisdiction of the Committee on Armed Services. These provisions include:

Sections 701–703 of Title VII—Strategic Export Control and Security Assistance Act of 2005;

Section 712. Strategic Export Control Board;

Section 727. Commercial Communications Satellite Technical Data;

Section 734. Control of Items on Missile Technology Control Regime Annex;

Section 906. Report on Foreign Law Enforcement Training and Assistance;

Section 944. Assistance for Demobilization and Disarmament of Former Irregular Combatants in Colombia; and

Section 1125. Stability and Security in Iraq.

Knowing of your interest in expediting this legislation, I will waive consideration of H.R. 2601 by the Committee on Armed Services. I do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claim over these or similar measures. In addition, in the event of a conference with the Senate on this matter, the Committee on Armed Services reserves the right to seek the appointment of conferees.

Please include this letter in your Committee's report on H.R. 2601 or introduce it into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With best wishes,

Sincerely,

DUNCAN HUNTER,
Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,
Washington, DC, July 13, 2005.

Hon. CHRISTOPHER COX,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the jurisdictional interest of the Committee on Homeland Security in sections 712, 732, and 1002 of H.R. 2601, the ''Foreign Relations Authorization Act for Fiscal Years 2006 and 2007.'' I appreciate your willingness to not seek a sequential referral in order to expedite proceedings on this legislation. I agree that, by not exercising your right to request a referral, the Committee on Homeland Security does not waive any jurisdiction it has over provisions of the bill. In addition, I agree to support your request for conferees during the House-Senate conference to consider provisions within your Committee's jurisdiction.

As you have requested, I will include a copy of your letter and this response as part of the Congressional Record during consideration of the legislation on the House Floor. Thank you for your cooperation as we work towards the enactment of H.R. 2601.

Sincerely,

HENRY J. HYDE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 5, 2005.

Hon. HENRY J. HYDE,
Chairman, Committee on International Relations, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN HYDE: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 2601, the ''Foreign Relations Authorization Act for Fiscal Years 2006 and 2007.'' The bill contains provisions that fall within the jurisdiction of the Committee on Homeland Security, including: section 712, which involves the participation of the Secretary of the Department of Homeland Security on a Strategic Export Control Board; section 732, involving a report certifying exempt weapons imports along the northern border; and section 1002, which provides for an interagency process for compilation of an annual report on patterns of global terrorism.

Recognizing your interest in bringing the legislation before the House without delay, the Committee on Homeland Security agrees not to request a sequential referral of the bill. By agreeing not to seek a sequential referral, the Committee does not waive its jurisdiction over these or any other provisions of the bill that may fall within its jurisdiction. The Committee also reserves its right to seek conferees for any provisions within its jurisdiction considered in the House-Senate conference, and asks for your support in being accorded such conferees. I ask that you please include this letter as part of the Congressional Record during consideration of this bill by the House.

Sincerely,

CHRISTOPHER COX,
Chairman.

COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES,
Washington, DC, July 14, 2005.

Hon. F. JAMES SENSENBRENNER,
Chairman, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the bill H.R. 2601, ''To authorize appropriations for the Department of State for Fiscal Years 2006 and 2007, and for other purposes''. The Committee has marked up the bill and ordered it reported by a unanimous vote.

There are certain provisions within the version of the legislation ordered reported by the Committee which fall within the Rule X jurisdiction of the Committee on the Judiciary. Specifically Title II of the bill, section 201 deals with consolidation of law enforcement powers and creates a new title 18 criminal offense.

In the interest of permitting this Committee to proceed expeditiously to the floor consideration of this bill, I request that the Committee on the Judiciary waive its right to sequential referral on this matter. I understand that such a waiver only applies to this language in this bill, and not to the underlying subject matter. I will urge the Speaker to name Members of the Committee on the Judiciary to any conference committee which is named to consider this bill.

I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the Congressional Record during the debate on this bill.

Sincerely,

HENRY J. HYDE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 14, 2005.

Hon. HENRY J. HYDE,
Chairman, House Committee on International Relations, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 2601 ''To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes.'' As you state, the language in Title II of the bill, section 201 dealing with consolidation of law enforcement powers and creating a new title 18 criminal offense falls within the sole Rule X jurisdiction of the Committee on the Judiciary.

Since you have consulted with this Committee, and in recognition of desire to proceed expeditiously to the floor, I hereby waive consideration of this legislation by the Committee. The Committee takes this action with the understanding that the Committee's jurisdiction over these and other provisions of H.R. 2601 is in no way altered or diminished. I also reserve the right to seek appointment to any House-Senate conference on this legislation, and appreciate your willingness to support such a request. I would also appreciate your including this letter in your Committee's report on this legislation and in the Congressional Record during consideration of the legislation on the House floor.

Sincerely,

F. JAMES SENSENBRENNER, Jr.
Chairman.

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

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

Mr. Chairman, I rise in strong support of H.R. 2601, the Foreign Relations Authorization Bill for Fiscal Years 2006 and 2007 as it was reported out of committee.

At the outset I want to pay tribute to the chairman of the committee, my good friend, the gentleman from Illinois (Mr. HYDE), for conducting the complex discussions and debates leading to this legislation with statesmanlike dignity.

□ 1330

Mr. Chairman, today our great Nation continues to face a grave terrorist threat. Despite our many successes at disrupting al Qaeda and other violent and brutal Islamic extremists, our determination to defeat terror remains unshakable, and we know we shall prevail in this struggle.

We saw a tragic demonstration of terror this month in London's underground and on its famed double-decker buses. While a number of Osama bin Laden's top lieutenants have been captured and killed, he remains at large, as do otherkey terrorist figures. In this security environment, Mr. Chairman, legislation on foreign policy should be bipartisan. And our legislation, passed unanimously by the Committee on International Relations by a vote of 44 to 0, is a tribute to my friend, the gentleman from Illinois (Mr. HYDE), and his effort to work in a bipartisan fashion.

Chairman HYDE has outlined many of the features of our legislation, and I will merely add a footnote. To address the dangers of terrorist attacks on our embassies, which are the platform abroad for every agency of the U.S. Government, our bill fully funds the administration's request for worldwide embassy security.

Mr. Chairman, in 2003, when an extremist involved in attacks against the British consulate in Istanbul and other British facilities was captured, he said that he had explored the U.S. consulate as a possible target but had decided to move elsewhere, and I quote, ''Because even a bird cannot fly into the U.S. embassy.'' This statement is a dramatic

demonstration that our embassy security program, begun after the East Africa bombings in 1998, is bearing fruit.

I am pleased that our bill fully funds the administration's request for the State Department and contains most of the provisions that Secretary Rice has requested and needs to help her administer the Department more effectively.

Our bill, Mr. Chairman, also launches a critical initiative to address the key issue of disrupting nuclear black markets. The Nuclear Black Market Elimination Act, which is included in our bill, authorizes sanctions against individuals and companies that provide nuclear enrichment technology to countries which do not have it or have not signed the additional IAEA, International Atomic Energy Agency, protocols relating to verification. Our initiative will help prevent nuclear weapons technology from getting into the hands of terrorists and rogue states, and clearly that is our most significant national security concern.

Our bill contains provisions of the Missile Threat Reduction Act, which I introduced in the last Congress with the support of Chairman HYDE. These provisions are designed to confront the alarming spread of offensive ballistic missiles, which can be used for launching nuclear, chemical, and biological warheads. This measure commits the United States to seeking a new international mechanism to restrict the trade in missiles and components. It strengthens U.S. sanctions against those who trade in missiles, and it provides assistance to countries that agree to destroy their missile arsenals.

Let me just say a word, Mr. Chairman, about another important initiative in our bill, the ADVANCE Democracy Act of 2005. I introduced a version of this legislation earlier this year with my good friend, the gentleman from Virginia (Mr. WOLF), my cochairman of the congressional Human Rights Caucus. We consulted extensively with democracy experts, former diplomats, and U.S. Government officials. I am delighted to report that our work stimulated much discussion about how the U.S. Government could organize better to promote democracy around the globe.

With invaluable input from Chairman HYDE, the ADVANCE Democracy Act that is included as part of this legislation will require forward-looking strategies for democracy promotion, enhanced training for our diplomats, and increased resources for those who are responsible for democracy promotion. We trust that our bill will help institutionalize the advancement of democracy throughout the U.S. Government.

Mr. Chairman, our bill also provides support for the next critical phase in Afghanistan's transition from chaos, civil war, and disorder to an increasingly prosperous and democratic state by providing assistance for that country's upcoming parliamentary elections. Continued attention from the international community on this critical next step is essential if reformers are not to be intimidated by narcotraffickers and warlords.

Given the general bipartisan nature of our legislation, Mr. Chairman, I regret that the majority has decided to offer some ill-advised partisan amendments to our bill. In particular, I am profoundly disappointed that a U.N. reform amendment, virtually identical to the bill considered and barely passed by a sharply divided House last month, is going to be offered. I see no need to debate this controversial and divisive topic yet another time. The House has already spoken.

This amendment requires withholding 50 percent of our contributions to the United Nations if any one of 46 conditions is not fully implemented. During debates earlier, I called this an automatic guillotine, and it certainly has not changed since that debate. Adding this amendment threatens to undermine bipartisan support for our legislation. I will oppose this amendment, and I ask all of my colleagues to join me in voting against it.

Mr. Chairman, we are considering this important legislation at a pivotal moment in our Nation's history. We are engaged in intense diplomacy on every continent. We are working to resolve long-festering disputes and crises in North Korea, in Iran, in Iraq, in Afghanistan, in Congo, in Colombia, and countless other places. And we are doing this in the midst of a critical conflict against the violent forces of nihilism and bloodthirsty Islamic fanaticism.

I believe that enactment of our legislation will provide important tools that can help resolve these international disputes and crises. I continue to hope that at the end of this legislative process we will all be able to support the bill.

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

Mr. HYDE. Mr. Chairman, I yield 6 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the very distinguished chairman for yielding me this time. I would echo the statements of the gentleman from California (Mr. LANTOS) in applauding Chairman HYDE for his extraordinary leadership on the Committee on International Relations. He is the best and the most effective chairman I have ever seen, and I want to thank him for his leadership.

Mr. Chairman, the Foreign Relations Authorization Act for 2006 and 2007 is a comprehensive 332-page bill. With 11 titles, it authorizes funding for the State Department, international broadcasting, education and exchange programs, peacekeeping, international organizations and much, much more. H.R. 2601 funds the all-important framework by which the United States carries out its foreign aid and foreign policy programs and authorizes U.S. contributions to the United Nations, NATO, the OSCE, and other vital international organizations.

The cost of the bill is $10.8 billion for fiscal year 2006, $10 billion for 2007, with some costs in the outyears totaling $1.9 billion, for a total multiyear price tag of $22.3 billion, and it is within budget.

As chairman of the Subcommittee on Africa, Global Human Rights and International Relations, I chaired eight hearings on issues related to the bill, and the full committee met twice for consideration of these provisions. There were 10 amendments considered during markup in our subcommittee and another 52 amendments considered during the full committee. This bipartisan bill, as the gentleman from California (Mr. LANTOS) pointed out, passed 42 to 0, and the rule today permits 39 additional amendments for consideration.

The legislation, Mr. Chairman, puts a heavy emphasis on security and authorizes $1.5 billion for security-related construction at U.S. missions, $690 million to increase security for diplomatic personnel and $930 million for border security programs.

This funding continues the work begun after the devastating terrorist bombings in the late 1990s of our two U.S. embassies in Africa. Subsequent to that, Admiral Crowe, who headed up the Accountability Review Board, reported that some 85 percent of our missions at the time were vulnerable. Since then, Congress has stepped up and provided funding to try to close that gap.

This bill continues that work and includes funding for 55 additional diplomatic security personnel positions and 55 new consular positions. Under the capital security construction program, eight new embassy compounds in Eritrea, Zimbabwe, Pakistan, Ukraine, Rwanda, Zambia, Mozambique, Bosnia, and for St. Petersburg in Russia, and four USAID annexes in Nigeria, Ghana, Nicaragua, and Georgia would be funded.

The bill also increases funding for minority recruitment, and continues the annual report on minority recruiting efforts at the Department of State. It increases the ceiling on differential pay for hardship and danger at a time when we are operating new posts in extremely dangerous locations. It supports human rights efforts at the Department through targeted funding for the Office of Democracy, Human Rights and Labor; promotes programs to fight anti-Semitism, protects religious freedom in OSCE countries; provides a permanent authorization for Radio Free Asia; and funds scholarships for outstanding individuals from the Southern Sudan region to study in the United States.

Given the unparalleled threat to the United States and to the world from the continued proliferation of nuclear weapons, strengthening our nuclear nonproliferation effort is an important and vital piece of this legislation. Title VII of the bill revises and strengthens strategic export controls and mandates

a comprehensive review of U.S. strategic exports, including arms and dual-use items. Its aim is to ensure that U.S. military superiority remains, and that terrorist states and organizations are denied the means to advance their nefarious goals.

The bill also states that U.S. national interests would be advanced by a stronger International Atomic Energy Agency, or the IAEA, including ensuring that a recurring delay in the U.S. annual payment is corrected.

Title VIII upgrades policies related to the elimination of the U.N. nuclear black market and establishes that nonproliferation is a condition of U.S. foreign aid. The bill mandates that countries must be fully cooperative with U.S. efforts to eliminate the nuclear black-market network, again as a precondition to receiving U.S. foreign aid.

One title, title VI, the ADVANCE Democracy Act of 2005, authored by the gentleman from Virginia (Mr. WOLF) and the gentleman from California (Mr. LANTOS), creates a new office at State to work with democratic movements, establishes an annual report and a list of countries, countries that are either undemocratic or democratic transition countries, and launches a more robust coordinated effort to systematically promote democracy.

Mr. Chairman, I am grateful the committee has included a number of provisions that I proposed, including services for overseas children suffering from autism; a global prevalence study on autism; steps to promote human rights and democracy in Vietnam, Belarus, and Zimbabwe; support for a strengthened rule of law in Northern Ireland, as well as assistance to maternal and child victims of Chernobyl; and the creation of a program to repair and prevent the tragic condition of obstetric fistula.

Mr. Chairman, I urge strong support for this bill.

□ 1345

Mr. LANTOS. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the chairman of the Democratic Caucus, a serious and hard-working member of the Committee on International Relations.

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

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman from California (Mr. LANTOS) for his gracious comments.

I rise to support H.R. 2601 in its present form and to comment on some of the positive elements of this bill.

Iran's nuclear program continues to threaten the world, the United States, and Israel. For nearly 2 decades, Iran has pursued a clandestine nuclear program while claiming it had to keep this program hidden from the international community because of the sanctions against it.

Let us be clear. Iran is a country with huge oil and natural gas reserves. They do not need nuclear power for energy consumption. That is why I am glad the bill includes my language that makes it clear that Russia needs to stop helping Iran develop nuclear energy plants.

This bill also includes language I offered on the religious freedom and rights of the Ecumenical Patriarch in Turkey. The Ecumenical Patriarch is the spiritual leader of 300 million Orthodox Christians throughout the world. Yet the Government of Turkey has refused to recognize the Ecumenical Patriarch's international status and its significant status and its significance to Orthodox Christians.

That is why my language states that Turkey must immediately eliminate all forms of discrimination, particularly those based on race or religion.

This bill also provides funds to make sure that the State Department looks like the rest of America. As was mentioned in the report language in the bill, Kean University in New Jersey runs a model program which is specifically designed to increase the number of minorities in the foreign service.

Finally, I believe the Hyde U.N. amendment will not solve the real problems at the United Nations. Instead, this amendment sets the United Nations up to fail by creating a series of requirements that will be almost impossible to meet and then requiring mandatory withholding of 50 percent of the U.S. dues. This bill is medicine that may kill the patient rather than cure a specific disease. I am particularly concerned that the bill keeps the United States from supporting any new peacekeeping mission until far-reaching reforms have been implemented, even in extreme cases.

That amendment could very well condemn us to lose only American lives, shed only American blood, and spend only American capital instead of having the world share this responsibility with us.

As I said in the beginning, this bill has many positive components, but we should not attach the U.N. amendment to this bill that undermines that world body and undermines our ability to participate and have others participate with us in global security and other initiatives. If we reject that, then we can be on our way to a very good State Department authorization.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

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

Mr. WOLF. Mr. Chairman, I rise to commend the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) and the members of the Committee on International Relations for their work in bringing this legislation to the floor today. I want to express my gratitude to the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) for working with us on an important issue included as a new title, ''Advanced Democracy,'' in the bill, and I thank all of them.

I want to also give commendation of thanks to the staff, the majority and minority staff. They have been very good, and I want to personally thank them.

This bipartisan, bicameral legislation reaffirms that the promotion of democracy, freedom, and fundamental rights constitutes an essential element of U.S. foreign policy. It strengthens the ability of the State Department to promote democracy with respect particularly to nondemocratic countries. Through the cooperation and work of the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), much of that legislation has been included in the State Department authorization bill.

With these provisions, we are ensuring that the democratic principles that are the foundation of America are intentionally and purposely promoted worldwide.

This legislation makes critical structural changes at the State Department that reflect our Nation's commitment to the spread of democracy.

Additionally, it increases the number of Foreign Service officers assigned to the Bureau of Democracy, Human Rights, and Labor and creates two regional democracy hubs.

The Secretary of State is also directed to prepare an annual report on democracy which will designate countries as ''nondemocratic'' or ''democratic transition countries.''

There is so much else in this bill, but before I run out of time, I want to thank the gentleman from Illinois (Mr. HYDE) again and the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), and I want to give my special thanks to the gentleman from Illinois (Mr. HYDE) not just for his work on this legislation and for his support for our Advance Democracy effort, but I want to thank him for his dedication to preserving freedom and protecting the innocent throughout his many years in public service.

Mr. Chairman, I can remember being on the floor late at night during the situation with regard to the Contras down in Nicaragua and following the leadership of the gentleman from Illinois (Mr. HYDE) on all of these issues. He has been the voice and conscience of this House for years and years. I want him to know that I personally have followed him on many of these issues. I have listened and asked, What is HENRY HYDE saying? How is HENRY HYDE voting? It has been an honor and a privilege to serve with you.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 3½ minutes to the gentleman from Oregon (Mr. BLUMENAUER), a distinguished member

of the Committee on International Relations and the conscience on environmental issues of both the committee and the Congress.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman yielding me this time, his leadership and his partnership with our chairman, the gentleman from Illinois (Mr. HYDE).

There is no more important forum for Members of this Chamber to be focusing on than what is happening in the international arena. I am pleased in these troubled times that our chairman and ranking member have provided a framework for us to deal with things that matter, from human rights to the environment. I join in expressing my appreciation for what you gentlemen have permitted us to move forward.

I like so much of what is in this bill. I like the notion that we are dealing with the welfare of the men and women who serve us in the State Department and the related agencies. Too little attention is given to their welfare, the fact that they are in the line of fire and they are producing activities that are every bit as important as what is happening with the armed services.

The money that is put in here and the attention that is given to their welfare and for a platform for them to operate is vitally important.

I appreciate the ranking member mentioning the consulate in Istanbul, which happened to be designed by people back home in Portland, who have demonstrated that we can deal with the welfare of our employees, their security, give them a good working environment, and actually save money. It is a little detail, but it is, oh, so important. At a time when we have seen international acts of terrorism triple from 2003 to 2004, we know that this is important.

I also appreciate what is in this bill to try and move the great battleship that deals with our relationship with Egypt. For years we have spent billions of dollars for work in the Middle East to try to promote a partnership with Egypt. This bill starts to move us away from the preponderance of military aid and move that same dollar amount, but to humanitarian aid. There is an effort that is going to come forward to try to eliminate that. I strongly urge it be defeated. I think that is an important message that is a part of this bill.

I appreciate things that can be found in the language of the bill that deal with disaster preparedness. Many of us from the committee were in the tsunami area and saw the devastation. If we are able to reposition the billions of dollars of assistance to help move these people out of harm's way, to help them not degrade their environment that actually makes them more vulnerable to more loss, I think this is an important step forward. I appreciate the linkage there. In fact, we are told if we had spent $40 billion in mitigation, we could have prevented $280 billion of disaster relief in the last decade, and countless lives that would have been saved.

I appreciate the notion of what this bill does in the language that talks about dealing with planning our troubled urban areas, and that helps these areas where there is an explosion of population and caldrons of unrest that the United States may be able to do a better job of helping these people as well.

In sum, I think we will have a lively and spirited debate over the course of the next day and a half. I appreciate our committee leadership in bringing us to this point. I hope we on the floor will do our job on all of these issues to make it an even better bill before we are done.

Mr. HYDE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Chairman, I rise in strong support of the provisions in this bill that address the unwillingness of Mexico to extradite violent criminals back to the United States for prosecution.

I want to be sure all of my colleagues are aware that we share our southern border with a country that willingly harbors criminals: rapists, robbers, and murderers.

Since 2001, Mexico has become a fugitive paradise where people accused of heinous crimes in the United States can escape from American justice. I would like to share one of these stories with Members today.

In 2002, Deputy David March, a 7-year veteran of the Los Angeles Sheriff's Department, was brutally shot while performing a routine traffic stop at 10:30 in the morning. The suspect, Armando Garcia, fled to Mexico to avoid prosecution. Garcia was an illegal alien who disregarded our Nation's immigration laws when coming to California from Mexico. Once in the United States, he continued his life as a criminal plaguing our streets with drugs and engaging in other criminal activities, including two attempted murders.

While he had already been deported three times, Garcia again ignored our Nation's laws and illegally entered the United States a fourth time. This time, he brutally murdered a police officer who was merely stopping him for a routine traffic violation. Garcia killed Deputy March by shooting him execution style in the side of his chest where the bulletproof vest did not cover, and in the head.

Now this monster, who has demonstrated a total disregard for the laws of our country over and over again, walks free in Mexico. Even worse, his blatant contempt for our laws is being implicitly sanctioned by the Mexican Government which is protecting him from prosecution for his heinous crimes. Mexican officials have refused to extradite Garcia because he could face the death penalty or life in prison for murdering Deputy David March.

Let us be clear, the Mexican Government is harboring a cop killer. Every day law enforcement officers nobly protect our friends, neighbors, and families from crime. They work to improve the quality of life for all of us. Sometimes they pay the ultimate sacrifice. For that, they and their families deserve our sincere appreciation and utmost respect.

For 7 years, Deputy March dedicated his life to the pursuit of justice and to the protection of our communities. We must honor the sacrifice that he and his family paid for our safety by pursuing justice for his senseless murder. I have met Deputy March's family. To see the pain and anger in their faces, knowing their son's killer is roaming free across our southern border, is heart-breaking.

We cannot sit silently while Mexico becomes a criminal black hole for murderers seeking to escape from justice. We must learn from Deputy March's murderer. If another country is unwilling to respect America's laws, its citizens will also disregard our rule of law when they cross over our borders. I commend the gentleman from Illinois (Mr. HYDE) for including a provision in this bill to urge the Mexican Government to reconsider its faulty extradition policy, and I hope my colleagues will support this and other legislative efforts to ensure that Mexico respects the laws of the United States.

Mr. LANTOS. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. SCHIFF), a valued member of the Committee on International Relations.

Mr. SCHIFF. Mr. Chairman, at the outset I want to recognize the superb work of the gentleman from Illinois (Chairman HYDE), and say that I think the gentleman is going to have to endure a number of valedictory speeches over the next year and a half. If one Member spoke for each year that the gentleman has served in this House, that would entitle us to 32 accolade speeches during the next year and a half. So be prepared. We are extremely grateful for all of your work. With our ranking member, we could not have two more talented members at the helm of the Committee on International Relations.

I also want to express a personal thanks for the willingness of the chairman and the ranking member to include several of my amendments to this bill in the markup.

Two weeks ago, terrorists struck in the heart of one of the world's great cities, London. The weapons they used, simple knapsacks filled with a few pounds of high explosive, caused a devastating loss of life and again highlighted our vulnerability to terrorism.

But what if terrorists had released a biological agent into London's underground? What if they had used a van with a stolen Russian nuclear weapon or nuclear material to cripple London's central business district?

The amendments I offered in committee addressed three critical areas in the fight to prevent terrorists from acquiring weapons of mass destruction:

security of nuclear weapons and material, expanding the Proliferation Security Initiative, and redirecting the efforts of scientists formerly employed as part of the Soviet Union's biological warfare establishment.

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While the United States has stringent controls on our nuclear weapons and weapons materials, security in other countries is less exacting.

My first amendment calls upon the President to work with the international community to improve the security of weapons and materials and to urge international support for the IAEA's proposals to strengthen the security of nuclear materials.

My second amendment urges the President to strengthen the 2-year-old Proliferation Security Initiative by seeking a treaty, UN Security Council resolution, or other agreement expressly authorizing interdiction of illicit WMD technology and materials. While I believe that existing international law justifies the Proliferation Security Initiative, there are states that are reluctant to participate in the program without the expressed sanction.

The third amendment requests a report by the Secretary of State on the feasibility, potential contributions, and desirability of employing former Soviet biological weapons scientists in developing biomedical countermeasures. Diverting the expertise of weapons scientists in the former Soviet Union is crucial to preventing the proliferation of WMD.

And, again, I am grateful to the chairman and ranking member for the inclusion of these amendments and all their efforts to curb the spread of weapons of mass destruction.

Mr. LANTOS. Madam Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. LEE), a distinguished member of the Committee on International Relations.

Ms. LEE. Madam Chairman, let me first thank our ranking member for yielding me this time, and I also thank him and the gentleman from Illinois (Chairman HYDE) for their continuing bipartisan efforts reflected not only in this bill but in many of the bills which we work on in the Committee on International Relations.

With regard to this bill, together, and I want to thank them for their efforts on this, we were able to incorporate the provisions which I offered on minority recruiting, hiring, and contracting at the State Department and also helping to support the development of predictive models on famine in sub-Saharan Africa into the text of this bill. So I want to thank the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. HYDE) for that.

While this bill represents a very diligent effort, a bipartisan effort, I am deeply concerned that the Committee on Rules made in order many ideologically driven amendments. The Republican leadership continues to stifle any debate on the most pressing issues of the day, especially the quagmire in Iraq. Silencing critics of the administration policies in Iraq is really an abuse of power and really is very devoid of the democratic values that many are trying to spread throughout the world.

I offered four critical amendments to this bill, one asking the administration to just present to Congress a plan for withdrawal of troops from Iraq; another one stating that the United States should have a policy stating that we should have no permanent military bases in Iraq. Those amendments, of course, were not ruled in order, again stifling debate. I offered also an amendment that would allow for 40 percent of the funds used for the Colombian Andean Counterdrug Initiative to be used for alternative economic development. Drugs are ravishing communities here in America, and this would provide a way out of that in terms of ensuring that farmers had other types of crops to grow and had this alternative economic development. That amendment was defeated.

I offered an amendment also requiring that only a democratically elected government of Haiti should be eligible for U.S. taxpayer funds. That is not controversial or it should not be controversial. That should be a bipartisan effort. Instead, Madam Chairman, unfortunately, we will consider the dangerous divisive amendments like the ones, with all due respect, offered by the Chair of our committee who wants to withhold funds from the United Nations and also the one by the gentlewoman from Florida (Ms. ROS-LEHTINEN), which, once again, on Iraq, we have no way to offer an amendment which disagrees with the position of that amendment.

I do not think anyone questions the effort in terms of the chairman with regard to UN reform. We all believe there is need of UN reform. But I think it is very dangerous, as many have said, to withhold dues toward this end in terms of this provision of this bill.

Mr. LANTOS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CARDIN), who has done extraordinary work on the Helsinki Commission.

Mr. CARDIN. Madam Chairman, I thank the gentleman from California (Mr. LANTOS) for yielding me this time.

I want to congratulate the gentleman from Illinois (Mr. HYDE) for his many years of service to this institution, again bringing forward a well-balanced bill. I want to thank him and the gentleman from California (Mr. LANTOS) for the Foreign Relations Authorization Act for fiscal years 2006 and 2007.

Madam Chairman, I want to bring up two provisions that are in this authorization bill that relate to the work of our Helsinki Commission. I note that the gentleman from New Jersey (Mr. SMITH) is on the floor, our chairman. I work with him as the ranking Democrat, and over the last several years we have raised priorities for the Organization for Security and Cooperation in Europe through our Helsinki Commission, and I am very pleased that this authorization bill carries out those priorities.

First let me point out that the bill authorizes $225,000 annually for the Organization for Security and Cooperation in Europe's Office of Democratic Institutions and Human Rights and $125,000 annually for general religious freedom programs that are administered by the OSCE Office of Democratic Institutions and Human Rights.

This carries out a commitment that our commission brought forward in fighting anti-Semitism and developing international meetings to deal with strategies to combat anti-Semitism. This authorization will help us accomplish those goals. These are important initiatives.

I must point out that, although we have made progress, there is a lot more that needs to be done, and I am confident that by this authorization we will have the tools, at least in our country, to see to the implementation of these commitments. H.R. 2601 regrets the lack of implementation by many of the OSCE participating states and their commitments to track and report on anti-Semitic crimes and hate crimes. In the last Congress I was pleased to join with the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), Helsinki Commission chairman, in working to enact the Global Anti-Semitism Review Act of 2004. So I want to commend the chairman and the ranking member for authorizing resources in this bill to deal with that.

The second point I would just mention very briefly is the fact of expressing concern about restitution of property taken during the Nazi era in Poland. I appreciate that also being included in this legislation.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise to address H.R. 2601, the Foreign Relations Authorization Act for Fiscal Years 2006 and 2007. This legislation is far reaching and will have a broad impact on the direction of our foreign policy. I hope that this Authorization Act will serve as an instrument for international cooperation, instead of the Administration's current policy of antagonizing the international community.

This Authorization Act funds the Department of State at virtually the same level as the Administration's request, representing a substantial increase from FY2005. Minor cuts to the request were made to substantially increase funds for refugee protection and to increase funding for the Asia Foundation. This bill funds international broadcasting, international exchanges, U.S. dues for international organizations, U.N. peacekeeping, and the National Endowment for Democracy at the FY2006 request level.

To be specific, this bill authorizes $10.8 billion in 2006 and $10 billion in 2007 for the Department of State, international broadcasting activities, international assistance programs,

and related agencies. The bill includes the following authorization levels: $3.77 billion for FY06 and $3.89 billion for FY07 for Diplomatic and Consular programs; $1.52 billion for FY06 and $1.55 billion for FY07 Embassy Security, Construction and Maintenance, and $689 million in FY06 and $710 million in FY07 for worldwide security upgrades; $1.3 billion in FY06 and FY07 for contributions to international organizations; $955 million in FY06 and $985 million in FY07 for migration and refugee assistance; $661 million in FY06 for international broadcasting activities.

I am heartened that this bill contains a number of Democratic initiatives that were either included by Chairman HYDE or were added by amendment in Committee. This bill funds virtually all of the President's requests for the State Department, including funding for embassy security and expanding the U.S. diplomatic corps. The bill includes provisions to strangle nuclear black markets; to provide an institutional framework for the promotion of democracy; and to provide the State Department with tools to confront the alarming spread of ballistic missiles.

In addition, this legislation includes provisions related to creating a more formal structure for the promotion of democracy at the Department of State. It also requires a report on Administration strategy and efforts to advance democracy around the world, and it increases funding for the State Department's Human Rights and Democracy Fund, which currently faces a 20 percent decrease in the FY2006 budget request. It is my sincere hope that these provisions will actually take our talk of promoting democracy through peaceful means and make it a reality.

I appreciate the fact that this Authorization includes a sense of Congress that the United States should render assistance to the efforts of the International Criminal Court to bring to justice persons accused of genocide, war crimes, or crimes against humanity in Darfur, Sudan. However, this nation must do more to stop the genocide in Darfur. The genocidal regime in Sudan has left 2.5 million people displaced and at least 380,000 people dead in the Darfur. Due to increasing violence, 15,000 innocent civilians continue to die each month. Tragically, many of the women and young girls have been raped. In addition, water and food supplies have been completely destroyed making it impossible for many Sudanese to survive. Furthermore, under the U.S. Refugee Admission Program for FY05, up to 20,000 refugees from parts of Africa may be allowed to enter the U.S. As of May 31, 2005 there have been 10,326 persons allowed in the U.S. from Africa and only 1,190 of them have been Sudanese refugees. Truly, we have not gone as far as we can to aid these suffering people and end the genocide in Darfur. We can not allow the war in Iraq to divert us from this humanitarian crisis. As the world's most powerful nation we have an obligation to ensure that we do not turn a blind eye to those who are truly suffering.

The war in Iraq continues unabated and yet this Administration finds the need to hide the true cost of this war from the American people. I wrote a letter to President Bush on Memorial Day along with my Congressional colleague to ask him to allow the public to once again view the flag draped coffins of our soldiers who have paid the ultimate sacrifice to their nation. I find it sad that this President has changed a long standing precedent of showing the flag draped coffins when they return to be buried here in the United States. This ceremony is a true sign of honor, which should be shared with the American people, both young and old as a reminder of the bravery of our Armed Forces. I truly hope that President Bush will change his policy and allow Americans to once again pay proper tribute to our fallen soldiers who we hold dear in our hearts.

I am disappointed that this Authorization Act does not address the deteriorating situation in Haiti. I am also extremely disturbed by the role our own Administration has played in suppressing the voice of the people of Haiti. The Bush Administration has given tacit approval to the current Haitian government in their efforts to impose their regime. It is time for our Administration to play an active role in restoring real representative government in Haiti. We can not continue to turn a blind eye to the needs and desires of the Haitian people. The Haitian people were already suffering after the illegal overthrow of President Aristide and the subsequent unrest. Today they are faced with a new challenge of trying to hold their nation together in the face of an illegitimate and collapsing government. The United States must play the lead role in rebuilding the institutions and capabilities of the nation of Haiti.

I am pleased that this Authorization contains support for famine relief in Ethiopia up to $4,000,000 for fiscal year 2006. Ethiopia is another nation in which we must support democracy and give the people reason to hope. Recently, the first official results from Ethiopia's disputed May elections show the ruling party and the opposition won roughly the same number of seats. The National Election Board said it was investigating allegations of fraud in up to 200 seats. The United States must support free and fair elections regardless of who may eventually win. I hope that all cases of election fraud will be properly investigated and that the final results will reflect the will of the Ethiopian people.

It was an honor today to welcome such a distinguished guest as Prime Minister Singh to the United States Capitol. I am pleased to have signed a letter to Speaker HASTERT requesting that the Prime Minister be able to address a joint session of Congress. I must say that the international development that I feel most positively about is the continued peace talks between Pakistan and India. I was heartened to see the effort made by Prime Minister Singh and President Musharraf in April, when they managed to turn a small visit to India to watch a cricket match into a three-day summit that yielded a series of agreements.Together these two nations agreed to set up a joint business council to improve trade and open more meeting points and travel routes for divided families along the Line of Control, which divides the region of Kashmir between India and Pakistan. Both Prime Minister Singh and President Musharraf declared that the peace process is now ''irreversible.'' In addition, they agreed that they would continue talks on Kashmir in ''a sincere and purposeful and forward-looking manner for a final settlement.'' It's due to this that I introduced H. Res. 272, the India-Pakistan Peace Resolution which recognizes the historic steps India and Pakistan have taken toward achieving bilateral peace. I am proud to say that this resolution passed through the International Relations Committee by unanimous consent. I have long advocated for the idea that both these great nations have much to offer and the promise of regional stability can only be in the interest of the United States.

I do have concerns about China and especially its bid to purchase Unocal. I am satisfied that the House of Representatives recently voted to not approve any sale of Unocal to China based on national security grounds. In addition, the Chinese yuan continues to be undervalued in relation to the U.S. dollar.The yuan has been pegged to the dollar at an exchange rate of about 8.28 yuan for 14 years, a rate which gives China an unfair edge in the export market. At its current level, China's goods are very inexpensive relative to American products, which ultimately threaten U.S. jobs. I am not asking to close our relationship with China, but only to have some reasonableness in our dealings with them.

This Foreign Relations Authorization Act addresses a number of international issues. However, I feel it does not go far enough on many vital international issues such as the genocide in Darfur and the deteriorating situation in Haiti. I hope that this Congress and this Administration will sincerely work to address these pressing international issues. Truly, those conflicts, which we ignore, will only be to the detriment of our Nation later.

Mr. CROWLEY. Madam Chairman, I rise today in strong support of the Foreign Relations Authorization Act.

Chairman HYDE along with Ranking Member LANTOS crafted a bipartisan bill that was strongly supported by the House International Relations Committee.

I would also like to give my sincerest thanks to all the staff of the committee who have worked so hard to make sure that all the members of this committee had an opportunity to way in on the bill to make improvements that were important to us.

The committee has worked with me and my staff to make sure that language was included, which expresses the Sense of Congress that the President of the United States and the Secretary of State should engage in an open dialogue with the Government of Poland to achieve a final and complete settlement for individuals and groups who had their private property seized by the Nazis during World War II or by the Communist Polish government after the war.

This clause simply calls on the government of Poland to develop a final and complete settlement for private property that was seized or confiscated by the Nazis during WW II or by the Communist government of Poland after the war.

The President of Poland Alexsander Kwanieski met with congressional leaders from the United States Helsinki Commission and said that he intended to draft a new law intended to provide compensation that would not discriminate based on residency or citizenship of an individual and it would be ready to take effect by the beginning of 2003.

This clause calls on the President of the United States and the Secretary of State to engage in an open dialogue with the government of Poland and work with them to ensure that restitution legislation is implemented.

We are now in June of 2005 and limited action has been taken to resolve this situation.

These reparations need to be made immediately if they are to be of any benefit to many of the Holocaust survivors.

Another initiative that was included was regarding language to create a report on what the United States is doing to assist our friend and ally Israel in their efforts to establish diplomatic relations.

As I'm sure many of my colleagues in this committee are aware that a number of nations have not established full diplomatic relations with the State of Israel. Israel currently maintains diplomatic relations with 160 countries. Thirty-three countries do not have any diplomatic relations with Israel at all and one country has only limited relations.

The violence that has consumed Israel, Gaza and the West Bank has only exacerbated this problem.

In order for Israel to be a full member of the world community, it must establish diplomatic relations. The Israeli Embassy tells me that Israel is actively seeking to establish and upgrade their relations with several countries. This has proven difficult with many of the Islamic nations.

I believe the U.S. should be doing everything possible to help Israel establish these relations and that is why I have authored this language.

Another issue I worked on was the inclusion of a sense of Congress on the need for an additional Consular Post in southern India. With Bangalore and Hyderabad becoming booming high technology centers the need for the United States to have a close center to these areas is imperative.

I have also worked to include an authorization of funding to two well deserving groups, Project Children and Cooperation Ireland.

Many of my colleagues will be familiar with this because you have taken summer interns from this program.

These two organizations have a long history of successfully developing people-to-people exchanges that encourage reconciliation and conflict resolution in Northern Ireland.

For over a decade, there has been a sustained bipartisan national policy to support ongoing efforts to end the civil conflict in the north of Ireland. This policy has included the direct involvement of both President Clinton and President Bush.

While the latest efforts to restore power sharing have fallen short and the political process is at a standstill, I believe that the United States must remain engaged in Northern Ireland at all levels to encourage peace and reconciliation.

With the assistance of the committee, I was able to include report language supporting the Asian University for Women.

The goal of this university is to prepare these women for positions of political, financial, cultural and social leadership across the globe.

By convening a new class of 500 women each year in a supportive, non-sectarian, intellectually rich and rigorous academic environment, the University eventually will generate a network of women professionals who will drive the development and enrichment of their countries and the region.

War is not the only way to fight terrorism, the education of women is one way of stopping the breeding of hate in the children around the world.

Finally, on the issue of Iraq, I was able to include by a bipartisan vote language calling on the President to put forth a plan for success in Iraq.

This clause requests a plan from this Administration on how we will be providing for a stable and secure Iraqi government, military and police force that will allow the United States presence to be diminished.

By accomplishing these tasks, the United States would be taking a realistic and viable approach to longer term success in Iraq.

I would like to thank the Chairman and Ranking members as well as their staffs for crafting a bill we should all be proud to support.

Mr. MANZULLO. Madam Chairman, last week, I rose in opposition to bringing up the East Asia Security Act of 2005 (H.R. 3100) on the suspension calendar because it contained some provisions that created unintended consequences for our exports to China as well as some of our largest export markets in Canada and Europe.

I strongly support the efforts to strengthen our arms embargoes and make them more multilateral, particularly against China. Strengthening the weakest link—Europe—in the arms embargo against China will serve the cause of peace and freedom in the Pacific Rim region. At the same time, we must act diligently in pursuing this noble goal so we do not weaken our overall global competitiveness and give more reasons to foreign customers to avoid American-made products.

I am pleased to report that many of my initial concerns have been addressed in a subsequent modification of H.R. 3100 that will now be offered as the Hyde/Lantos/Hunter/Manzullo amendment to the Foreign Relations Reauthorization Act, Fiscal Years 2006 and 2007 (H.R. 2601). In addition, another similar section that was already incorporated into H.R. 2601—dealing with the comprehensive nature of U.S. arms embargoes (Section 733)—will also be amended as part of the manager's amendment to address certain unintended consequences of this section.

Some were concerned H.R. 3100 could have terminated U.S. defense cooperative projects with our allies whose policies permit arms transfers to China, regardless of whether such transfers actually occur. At a minimum, H.R. 3100 would have required an export license for every transaction and a notification to Congress regardless of dollar value, adding a costly new regulatory burden on U.S. companies specializing in the defense trade. It no doubt would have persuaded some of our closest allies to withdraw from cooperating with us. The bill as originally drafted threatened to disrupt numerous ongoing U.S. defense projects in Israel, Canada, Australia, and among member nations of the North Atlantic Treaty Organization, NATO. The compromise contained in this amendment permits the Secretary of State, with the concurrence of the Secretary of Defense, to waive the export license requirement.

H.R. 3100 also would have imposed a new export licensing requirement for ''dual use'' products (primarily commercial goods that may have a military application that currently do not require an export license) if the item is intended for military end use by the PRC.

Some were concerned that because the language was not specific enough to just target military institutions inside China, such as the People's Liberation Army, PLA, and that there are still many state-owned enterprises in China, including all of their airline companies which can be taken over by their military in case of national emergency, this could have been an incentive for China to purchase non-U.S. products. The compromise contained in this amendment eliminates this new licensing regime and replaces it with a reporting requirement to the Commerce Department by the U.S. exporter 15 days after an item is exported. Commerce would then provide a report to Congress every quarter on the information provided by affected exporters.

In addition, H.R. 3100 originally contained a list of five possible foreign sanctions the President could apply to any foreign person, including foreign governments, who violated the terms of the bill. Included in this list was a prohibition on the approval of ''dual use'' export licenses. If imposed, the only way around this sanction was to obtain a written presidential waiver to Congress. In 2004, Commerce approved $547 million in ''dual use'' exports to China. The compromise strikes the language that would prohibit Commerce from continuing to approve ''dual use'' exports licenses.

Finally, I had several concerns about Section 733 of H.R. 2601, which aims to make U.S. arms embargoes more comprehensive. Again, this is a noble goal but must be achieved in a prudent manner. The section as originally written would have required U.S. exporters to obtain a ''dual use'' export license from the State and Defense Departments to sell to any entity or person even remotely connected with a foreign military that is subject to a U.S. arms embargo. Thus, for the first time, Section 733 would have transferred the licensing of these types of commercial ''dual use'' products from Commerce to the State and Defense Departments.

Also, Section 733 as originally drafted did not recognize the commercial ties the PLA has in enterprises throughout China. For example, the PLA is technically the prime contractor for the 2008 Olympics in Beijing. Even many U.S. multinational corporations have joint ventures with Chinese partners in which the PLA has some stake. Thus, the provision would have imposed a new huge licensing burden on U.S. exporters selling to China. The Hyde manager's amendment institutes this new licensing procedure only for products that a U.S. exporter knows will be used for military, not commercial, purposes by any entity or person associated with a foreign military subject to a U.S. arms embargo. I trust that as the Executive Branch implements this provision, they will look to Section 1237 of the National Defense Authorization Act of FY 1999 for a clear definition of a Chinese military end user.

The compromise also retains Commerce as the lead agency to decide on commercial ''dual use'' export licenses. This compromise will allow our federal export control agencies to focus on what is truly important and will also not impose an undue regulatory burden particularly upon our small business exporters.

Madam Chairman, I urge my colleagues to support the Hyde/Hunter/Lantos/Manzullo amendment and also the Hyde manager's bloc amendment to H.R. 2601.

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

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

The Acting CHAIRMAN (Mrs. CAPITO). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in

the bill, modified by the amendment printed in part A of House Report 109–175, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute, as modified, is as follows:

H.R. 2601

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Relations Authorization Act, Fiscal Years 2006 and 2007''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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Sec. 105. Centers and foundations.
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Sec. 201. Consolidation of law enforcement powers; new criminal offense.
Sec. 202. International litigation fund.
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Sec. 208. Removal of contracting prohibition.
Sec. 209. Translation of reports of the Department of State.
Sec. 210. Entries within passports.
Sec. 211. United States actions with respect to Jerusalem as the capital of Israel.
Sec. 212. Availability of unclassified telecommunications facilities.
Sec. 213. Reporting formats.
Sec. 214. Extension of requirement for scholarships for Tibetans and Burmese.
Sec. 215. American Institute in Taiwan facilities enhancement.
Sec. 216. Activities related to Cuba.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

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Sec. 302. Official residence expenses.
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Sec. 306. Fellowship of Hope Program.
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Sec. 308. Promoting assignments to international organizations.
Sec. 309. Suspension of Foreign Service members without pay.
Sec. 310. Death gratuity.
Sec. 311. Clarification of Foreign Service Grievance Board procedures.
Sec. 312. Repeal of recertification requirement for members of the Senior Foreign Service.
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Sec. 315. Statement of Congress regarding career development program for Senior Foreign Service.
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Sec. 317. Office of the Culture of Lawfulness.
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Sec. 403. Reform of the International Atomic Energy Agency.
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TITLE V—INTERNATIONAL BROADCASTING

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Sec. 502. Middle East Broadcasting Networks.
Sec. 503. Improving signal delivery to Cuba.
Sec. 504. Establishing permanent authority for Radio Free Asia.
Sec. 505. Personal services contracting program.
Sec. 506. Commonwealth of the Northern Mariana Islands education benefits.

TITLE VI—ADVANCE DEMOCRACY ACT OF 2005

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Sec. 602. Findings.
Sec. 603. Statement of policy.
Sec. 604. Definitions.

Subtitle A—Department of State Activities

Sec. 611. Promotion of democracy in foreign countries.
Sec. 612. Reports.
Sec. 613. Strategies to enhance the promotion of democracy in foreign countries.
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Sec. 617. Programs by United States missions in foreign countries and activities of chiefs of mission.
Sec. 618. Training for Foreign Service officers.
Sec. 619. Performance pay; promotions; Foreign Service awards.
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Subtitle B—Alliances With Other Democratic Countries

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Sec. 632. Sense of Congress regarding the establishment of a Democracy Caucus.
Sec. 633. Annual diplomatic missions on multilateral issues.
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Subtitle C—Funding for Promotion of Democracy

Sec. 641. Policy.
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Sec. 734. Control of items on Missile Technology Control Regime Annex.
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Sec. 822. Campaign by United States Government officials.
Sec. 823. Coordination.
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Subtitle C—Incentives for Proliferation Interdiction Cooperation

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Sec. 1008. Services for children with autism at overseas missions.
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Sec. 1019. Provision of consular and visa services in Pristina, Kosova.
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Sec. 1106. United States policy regarding World Bank Group loans to Iran.
Sec. 1107. Statement of policy regarding support for SECI Regional Center for Combating Trans-Border Crime.
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SEC. 3. DEFINITIONS.

In this Act:

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

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

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

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

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

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Diplomatic and Consular Programs'', $3,769,118,000 for fiscal year 2006 and $3,896,611,500 for fiscal year 2007.

(B) WORLDWIDE SECURITY UPGRADES.—In addition to amounts authorized to be appropriated under subparagraph (A), $689,523,000 for fiscal year 2006 and $710,208,690 for fiscal year 2007 are authorized to be appropriated for worldwide security upgrades.

(C) PUBLIC DIPLOMACY.—Of the amounts authorized to be appropriated under subparagraph (A), $333,863,000 for fiscal year 2006 and $343,699,000 for fiscal year 2007 are authorized to be appropriated for public diplomacy.

(D) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated under subparagraph (A), $20,000,000 for fiscal year 2006 and $20,000,000 for fiscal year 2007 are authorized to be appropriated for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.

(E) ANTI-SEMITISM.—Of the amounts authorized to be appropriated under subparagraph (A), $225,000 for fiscal year 2006 and $225,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) regarding anti-Semitism and intolerance and for the OSCE/ODIHR Law Enforcement Officers Hate Crimes Training Program.

(F) RELIGIOUS FREEDOM.—

(i) IN GENERAL.—Of the amounts authorized to be appropriated under subparagraph (A), $205,000 for fiscal year 2006 and $205,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund activities of the Organization for Security and Cooperation in

Europe relating to freedom of religion and belief.

(ii) OSCE PROJECTS, ACTIVITIES, AND MISSIONS.—

(I) PROJECTS AND ACTIVITIES.—Of the amounts authorized to be appropriated under subparagraph (A), $125,000 for fiscal year 2006 and $125,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund for secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) regarding religious freedom and for the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief.

(II) MISSIONS.—Of the amounts authorized to be appropriated under subparagraph (A), $80,000 for fiscal year 2006 and $80,000 for fiscal year 2007 are authorized to be appropriated for OSCE Missions in Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan for activities to address issues relating to religious freedom and belief and to fund the hiring of new staff who are dedicated to religious freedom and belief.

(G) CHARLES B. RANGEL INTERNATIONAL AFFAIRS PROGRAM.—Of the amounts authorized to be appropriated under subparagraph (A), $1,500,000 for fiscal year 2006 and $1,500,000 for fiscal year 2007 are authorized to be appropriated for the Charles B. Rangel International Affairs Program at Howard University.

(H) MINORITY RECRUITMENT.—Of the amounts authorized to be appropriated under subparagraph (A), $3,000,000 for fiscal year 2006 and $3,000,000 for fiscal year 2007 are authorized to be appropriated for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(2) CAPITAL INVESTMENT FUND.—For ''Capital Investment Fund'', $131,000,000 for fiscal year 2006 and $131,000,000 for fiscal year 2007.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For ''Embassy Security, Construction and Maintenance'', $1,526,000,000 for fiscal year 2006 and $1,550,000,000 for fiscal year 2007.

(4) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Educational and Cultural Exchange Programs'', $428,900,000 for fiscal year 2006 and $438,500,000 for fiscal year 2007.

(B) SUMMER INSTITUTES FOR KOREAN STUDENT LEADERS.—Of the amounts authorized to be appropriated under subparagraph (A), $750,000 for fiscal year 2006 and $750,000 for fiscal year 2007 are authorized to be appropriated for summer academic study programs in the United States (focusing on United States political systems, government institutions, society, and democratic culture) for college and university students from the Republic of Korea, to be known as the ''United States Summer Institutes for Korean Student Leaders''.

(C) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for scholarships for students from southern Sudan for secondary or postsecondary education in the United States, to be known as ''Sudanese Scholarships''.

(D) SCHOLARSHIPS FOR INDIGENOUS PEOPLES OF MEXICO AND CENTRAL AND SOUTH AMERICA.—Of the amounts authorized to be appropriated under subparagraph (A), $250,000 for fiscal year 2006 and $250,000 for fiscal year 2007 are authorized to be appropriated for scholarships for secondary and postsecondary education in the United States for students from Mexico and the countries of Central and South America who are descended from the indigenous peoples of Mexico or such countries.

(E) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be appropriated under subparagraph (A), $650,000 for fiscal year 2006 and $650,000 for fiscal year 2007 are authorized to be appropriated for South Pacific Exchanges.

(F) TIBETAN SCHOLARSHIP PROGRAM.—Of the amounts authorized to be appropriated under subparagraph (A), $750,000 for fiscal year 2006 and $800,000 for fiscal year 2007 are authorized to be appropriated to carry out the Tibetan scholarship program established under section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note).

(G) NGAWANG CHOEPEL EXCHANGE PROGRAMS.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for the ''Ngawang Choepel Exchange Programs'' (formerly known as ''programs of educational and cultural exchange between the United States and the people of Tibet'') under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note).

(H) HIV/AIDS INITIATIVE.—Of the amounts authorized to be appropriated under subparagraph (A), $1,000,000 for fiscal year 2006 and $1,000,000 for fiscal year 2007 are authorized to be appropriated for HIV/AIDS research and mitigation strategies.

(I) PROJECT CHILDREN AND COOPERATION WITH IRELAND.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for people-to-people activities (with a focus on young people) to support the Northern Ireland peace process involving Catholic and Protestant participants from the Republic of Ireland, the United Kingdom, and the United States, to be known as ''Project Children''.

(5) REPRESENTATION ALLOWANCES.—For ''Representation Allowances'', $8,281,000 for fiscal year 2006 and $8,281,000 for fiscal year 2007.

(6) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For ''Protection of Foreign Missions and Officials'', $9,390,000 for fiscal year 2006 and $9,390,000 for fiscal year 2007.

(7) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For ''Emergencies in the Diplomatic and Consular Service'', $12,143,000 for fiscal year 2006 and $12,143,000 for fiscal year 2007.

(8) REPATRIATION LOANS.—For ''Repatriation Loans'', $1,319,000 for fiscal year 2006 and $1,319,000 for fiscal year 2007.

(9) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For ''Payment to the American Institute in Taiwan'', $19,751,000 for fiscal year 2006 and $20,146,020 for fiscal year 2007.

(10) OFFICE OF THE INSPECTOR GENERAL.—For ''Office of the Inspector General'', $29,983,000 for fiscal year 2006, and $29,983,000 for fiscal year 2007.

SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There are authorized to be appropriated for ''Contributions to International Organizations'', $1,296,500,000 for fiscal year 2006 and $1,322,430,000 for fiscal year 2007, 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.

(b) CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.—There are authorized to be appropriated for ''Contributions for International Peacekeeping Activities'', $1,035,500,000 for fiscal year 2006 and such sums as may be necessary for fiscal year 2007, for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

(c) FOREIGN CURRENCY EXCHANGE RATES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2006 and 2007 to offset adverse fluctuations in foreign currency exchange rates.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall remain 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. 103. 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'', $28,200,000 for fiscal year 2006 and $28,200,000 for fiscal year 2007; and

(B) for ''Construction'', $6,100,000 for fiscal year 2006 and $6,100,000 for fiscal year 2007.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For ''International Boundary Commission, United States and Canada'', $1,429,000 for fiscal year 2006 and $1,429,000 for fiscal year 2007.

(3) INTERNATIONAL JOINT COMMISSION.—For ''International Joint Commission'', $6,320,000 for fiscal year 2006 and $6,320,000 for fiscal year 2007.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For ''International Fisheries Commissions'', $25,123,000 for fiscal year 2006 and $25,123,000 for fiscal year 2007.

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

(a) IN GENERAL.—There are authorized to be appropriated for the Department of State for ''Migration and Refugee Assistance'' for authorized activities, $955,000,000 for fiscal year 2006 and $983,650,000 for fiscal year 2007.

(b) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated $40,000,000 for fiscal year 2006 and $40,000,000 for fiscal year 2007 for resettlement of refugees in Israel.

(c) PILOT PROGRAM FOR LONG-TERM REFUGEE POPULATIONS.—

(1) PILOT PROGRAM.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated $2,500,000 for fiscal year 2006 and $2,500,000 for fiscal year 2007 for the establishment and implementation of a two-year pilot program to improve conditions for long-term refugee populations that are currently assisted in camps or other segregated settlements.

(2) REQUIREMENTS.—In carrying out the pilot program under paragraph (1), the Secretary of State shall—

(A) seek to protect and ensure basic rights granted to refugees under the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees;

(B) seek innovative modules or methods to assist long-term refugee populations both within and outside traditional camp settings, as appropriate, that support refugees living or working in local communities, such as integration of refugees into local schools and services, resource conservation and livelihood projects designed to diminish conflict between refugee hosting communities and refugees, and engagement of civil society components of refugee hosting communities in a policy dialogue with the United Nations High Commissioner for Refugees (UNHCR)

and international and nongovernmental refugee assistance organizations to enhance options to assist refugees and promote the rights to which refugees may be entitled under the 1951 Convention and 1967 Protocol;

(C) provide a United States voluntary contribution to UNHCR to conduct the pilot program in cooperation with nongovernmental organizations with expertise in the protection of refugee rights, one or more major operational humanitarian assistance agencies, and in consultation with host countries, the United States, and other donor countries; and

(D) urge UNHCR to select not less than three host countries in which to conduct the pilot program.

(3) REPORT.—Not later than one year after the date on which the first pilot program is established pursuant to paragraph (2), the Secretary shall submit to the appropriate congressional committees a report on the implementation of this subsection, the development of innovative models to protect and assist refugees, and recommendations for ensuring refugee rights are respected in countries of temporary asylum.

SEC. 105. CENTERS AND FOUNDATIONS.

(a) ASIA FOUNDATION.—There are authorized to be appropriated for ''The Asia Foundation'' for authorized activities, $18,000,000 for fiscal year 2006 and $18,000,000 for fiscal year 2007.

(b) NATIONAL ENDOWMENT FOR DEMOCRACY.—There are authorized to be appropriated for the ''National Endowment for Democracy'' for authorized activities, $80,000,000 for fiscal year 2006 and $80,000,000 for fiscal year 2007.

(c) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—There are authorized to be appropriated for the ''Center for Cultural and Technical Interchange Between East and West'' for authorized activities, $13,024,000 for fiscal year 2006 and $13,024,000 for fiscal year 2007.

SEC. 106. UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES.

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

(1) INTERNATIONAL BROADCASTING OPERATIONS.—For ''International Broadcasting Operations'', $603,394,000 for fiscal year 2006 and $621,495,820 for fiscal year 2007. Of the amounts authorized to be appropriated under under this paragraph, $5,000,000 is authorized to be appropriated for fiscal year 2006 and $5,000,000 is authorized to be appropriated for fiscal year 2007 for increased broadcasting to Belarus.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For ''Broadcasting Capital Improvements'', $10,893,000 for fiscal year 2006 and $10,893,000 for fiscal year 2007.

(3) BROADCASTING TO CUBA.—For ''Broadcasting to Cuba'', $37,656,000 for fiscal year 2006 and $29,931,000 for fiscal year 2007, to remain available until expended, for necessary expenses to enable the Broadcasting Board of Governors to carry out broadcasting to Cuba, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and the purchase, lease, and installation of necessary equipment, including aircraft, for radio and television transmission and reception.

(4) RADIO FREE ASIA.—In addition to such amounts as are otherwise authorized to be appropriated for the Broadcasting Board of Governors, there are authorized to be appropriated $9,100,000 for fiscal years 2006 and 2007 to overcome the jamming of Radio Free Asia by Vietnam.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

SEC. 201. CONSOLIDATION OF LAW ENFORCEMENT POWERS; NEW CRIMINAL OFFENSE.

(a) IN GENERAL.—Chapter 203 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 3064. Powers of special agents in the Department of State and the Foreign Service

''Whoever knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged in the performance of the protective functions authorized by section 37 of the State Department Basic Authorities Act of 1956 or by section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 shall be fined under this title or imprisoned not more than one year, or both.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 203 of title 18, United States Code, is amended by adding at the end the following new item:

''3064. Powers of special agents in the Department of State and the Foreign Service.''.

SEC. 202. INTERNATIONAL LITIGATION FUND.

Section 38(d)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(d)(3)) is amended—

(1) by inserting ''as a result of a decision of an international tribunal,'' after ''received by the Department of State''; and

(2) by inserting a comma after ''United States Government''.

SEC. 203. RETENTION OF MEDICAL REIMBURSEMENTS.

Section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4084) is amended by adding at the end the following new subsection:

''(g) Reimbursements paid to the Department of State for funding the costs of medical care abroad for employees and eligible family members shall be credited to the currently available applicable appropriation account. Notwithstanding any other provision of law, such reimbursements shall be available for obligation and expenditure during the fiscal year in which they are received or for such longer period of time as may be provided in law.''.

SEC. 205. AUTHORITY TO ADMINISTRATIVELY AMEND SURCHARGES.

Beginning in fiscal year 2006 and thereafter, the Secretary of State is authorized to amend administratively the amounts of the surcharges related to consular services in support of enhanced border security (provided for in title IV of division B of the Consolidated Appropriations Act, 2005 (Public Law 108–447)) that are in addition to the passport and immigrant visa fees in effect on January 1, 2004.

SEC. 206. ACCOUNTABILITY REVIEW BOARDS.

Section 301(a) of the Diplomatic Security Act (22 U.S.C. 4831(a)) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following new paragraph:

''(3) FACILITIES IN AFGHANISTAN AND IRAQ.—

''(A) LIMITED EXEMPTIONS FROM REQUIREMENT TO CONVENE BOARD.—The Secretary of State is not required to convene a Board in the case of an incident that—

''(i) involves serious injury, loss of life, or significant destruction of property at, or related to, a United States Government mission in Afghanistan or Iraq; and

''(ii) occurs during the period beginning on July 1, 2004, and ending on September 30, 2009.

''(B) REPORTING REQUIREMENTS.—In the case of an incident described in subparagraph (A), the Secretary shall—

''(i) promptly notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the incident;

''(ii) conduct an inquiry of the incident; and

''(iii) upon completion of the inquiry required by clause (ii), submit to each such Committee a report on the findings and recommendations related to such inquiry and the actions taken with respect to such recommendations.''.

SEC. 207. DESIGNATION OF COLIN L. POWELL RESIDENTIAL PLAZA.

(a) DESIGNATION.—The Federal building in Kingston, Jamaica, formerly known as the Crowne Plaza and currently a staff housing facility for the Embassy of the United States in Jamaica, shall be known and designated as the ''Colin L. Powell Residential Plaza''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the ''Colin L. Powell Residential Plaza''.

SEC. 208. REMOVAL OF CONTRACTING PROHIBITION.

Section 406(c) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99–399) (relating to the ineligibility of persons doing business with Libya to be awarded a contract) is repealed.

SEC. 209. TRANSLATION OF REPORTS OF THE DEPARTMENT OF STATE.

(a) TRANSLATION.—Not later than 30 days after the date of issuance of each of the reports listed in subsection (c), the appropriate United States mission in a foreign country shall translate into the official languages of such country the respective country report from each of such reports.

(b) POSTING ON WEBSITE.—Not later than five days after each of the translations required under subsection (a) are completed, the appropriate United States mission shall post each of such translations on the website of the United States Embassy (or other appropriate United States mission) for such country.

(c) REPORTS.—The reports referred to in subsection (a) are the following:

(1) The Country Reports on Human Rights Practices, including the Trafficking in Persons Report, required under sections 116 and 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n and 2304).

(2) The Annual Report on International Religious Freedom, required under section 102b of the International Religious Freedom Act of 1998 (22 U.S.C. 6412).

SEC. 210. ENTRIES WITHIN PASSPORTS.

(a) FINDINGS.—Congress finds the following:

(1) The power of the executive branch to issue passports or other travel documents to United States citizens is derived solely from law.

(2) The Secretary of State has caused entries to be made in passports of United States citizens who were born in Jerusalem, Israel, that are inconsistent with the usual practice of entering the name of a country and not a city as a place of birth.

(b) SENSE OF CONGRESS.—It is the sense of Congress that United States citizens who have passports should not be required to carry passports which inaccurately or inconsistently represent their personal details.

(c) AUTHORITY.—This section is passed in exercise of the power of Congress, pursuant to Article 1, Section 8 of the Constitution of the United States ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.''.

(d) REQUIREMENT THAT ACCURATE ENTRIES BE MADE ON REQUEST OF CITIZEN.—The first section of ''An Act to regulate the issue and validity of passports, and for other purposes'', approved July 3, 1926, (22 U.S.C. 211a; 44 Stat. 887), is amended by inserting after the first sentence the following new sentence: ''For purposes of the issuance of a passport to a United States

citizen born in the city of Jerusalem, the Secretary shall, upon the request of the citizen or the citizen's legal guardian, record the place of birth as Israel.''.

SEC. 211. UNITED STATES ACTIONS WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.—None of the funds authorized to be appropriated by this Act may be expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(b) LIMITATION ON USE OF FUNDS FOR PUBLICATIONS.—None of the funds authorized to be appropriated by this Act may be available for the publication of any official United States Government document that lists countries and their capital cities unless such publication identifies Jerusalem as the capital of the State of Israel.

SEC. 212. AVAILABILITY OF UNCLASSIFIED TELECOMMUNICATIONS FACILITIES.

The Secretary of State shall make available to the appropriate congressional committees the use of unclassified telecommunications facilities of the Department of State that are located in an embassy, consulate, or other facility of the United States in a foreign country to allow such committees to receive testimony or other communication from an individual in any such country.

SEC. 213. REPORTING FORMATS.

(a) IN GENERAL.—The Secretary of State shall, with respect to a report that the Secretary is required to submit to the appropriate congressional committees, submit each such report on suitable media in machine-readable format, including in plain text and in hypertext mark-up language (commonly referred to as ''HTML''), in addition to submission in written format.

(b) EFFECTIVE DATE.—The requirement specified under subsection (a) shall apply beginning with the first report that the Secretary is required to submit to the appropriate congressional committees after the date of the enactment of this Act.

SEC. 214. EXTENSION OF REQUIREMENT FOR SCHOLARSHIPS FOR TIBETANS AND BURMESE.

Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note) is amended by striking ''for the fiscal year 2003'' and inserting ''for each of fiscal years 2006 and 2007''.

SEC. 215. AMERICAN INSTITUTE IN TAIWAN FACILITIES ENHANCEMENT.

Section 3(a) of the American Institute in Taiwan Facilities Enhancement Act (Public Law 106–212) is amended by striking ''the sum of $75,000,000'' and inserting ''such sums as may be necessary''.

SEC. 216. ACTIVITIES RELATED TO CUBA.

(a) ACTIVITIES.—Of the funds made available for fiscal year 2006 for the Bureau of Educational and Cultural Affairs of the Department of State, $5,000,000 shall be used for activities related to Cuba under—

(1) the J. William Fulbright Educational Exchange Program;

(2) the Hubert Humphrey Fellowship Program;

(3) the International Visitors Program;

(4) the Benjamin A. Gilman International Scholarship Program;

(5) the EducationUSA Program; and

(6) professional, cultural, and youth programs operated by the Office of Citizen Exchanges of the Bureau.

(b) PRIORITY.—The Secretary of State shall give priority to human rights dissidents, pro-democracy activists, and independent civil society members for participation in the activities described in subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall notify the appropriate congressional committees on efforts to identify eligible participants for activities described in subsection (a). Not later than 15 days prior to a final determination of eligible participants for activities described in subsection (a), the Secretary shall notify the appropriate congressional committees of such determination and provide a list that contains the names of such eligible participants.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

SEC. 301. EDUCATION ALLOWANCES.

Section 5924(4) of title 5, United States Code, is amended—

(1) in the first sentence of subparagraph (A), by inserting ''United States'' after ''nearest'';

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

''(B) The travel expenses of dependents of an employee to and from a secondary or post-secondary educational institution, not to exceed one annual trip each way for each dependent, except that an allowance payment under subparagraph (A) may not be made for a dependent during the 12 months following the arrival of the dependent at the selected educational institution under authority contained in this subparagraph.''; and

(3) by adding at the end the following new subparagraph:

''(D) Allowances provided pursuant to subparagraphs (A) and (B) may include, at the election of the employee, payment or reimbursement of the costs incurred to store baggage for the employee's dependent at or in the vicinity of the dependent's school during the dependent's annual trip between the school and the employee's duty station, except that such payment or reimbursement may not exceed the cost that the Government would incur to transport the baggage with the dependent in connection with the annual trip, and such payment or reimbursement shall be in lieu of transportation of the baggage.''.

SEC. 302. OFFICIAL RESIDENCE EXPENSES.

Section 5913 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(c) Funds made available under subsection (b) may be provided in advance to persons eligible to receive reimbursements.''.

SEC. 303. INCREASED LIMITS APPLICABLE TO POST DIFFERENTIALS AND DANGER PAY ALLOWANCES.

(a) REPEAL OF LIMITED-SCOPE EFFECTIVE DATE FOR PREVIOUS INCREASE.—Subsection (c) of section 591 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 (division D of Public Law 108–199) is repealed.

(b) POST DIFFERENTIALS.—Section 5925(a) of title 5, United States Code, is amended in the third sentence by striking ''25 percent of the rate of basic pay or, in the case of an employee of the United States Agency for International Development,''.

(c) DANGER PAY ALLOWANCES.—Section 5928 of title 5, United States Code, is amended by striking ''25 percent of the basic pay of the employee or 35 percent of the basic pay of the employee in the case of an employee of the United States Agency for International Development'' both places that it appears and inserting ''35 percent of the basic pay of the employee''.

(d) CRITERIA.—The Secretary of State shall inform the appropriate congressional committees of the criteria to be used in determinations of appropriate adjustments in post differentials under section 5925(a) of title 5, United States Code, as amended by subsection (b), and danger pay allowances under section 5928 of title 5, United States Code, as amended by subsection (c).

(e) STUDY AND REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of State shall conduct a study assessing the effect of the increases in post differentials and danger pay allowances made by the amendments in subsections (b) and (c), respectively, in filling ''hard-to-fill'' positions and shall submit a report of such study to the appropriate congressional committees.

SEC. 304. HOME LEAVE.

Chapter 9 of title I of the Foreign Service Act of 1980 (relating to travel, leave, and other benefits) is amended—

(1) in section 901(6) (22 U.S.C. 4081(6)), by striking ''unbroken by home leave'' both places that it appears; and

(2) in section 903(a) (22 U.S.C. 4083), by striking ''18 months'' and inserting ''12 months''.

SEC. 305. OVERSEAS EQUALIZATION AND COMPARABILITY PAY ADJUSTMENT.

(a) OVERSEAS COMPARABILITY PAY ADJUSTMENT.—

(1) IN GENERAL.—Chapter 4 of the Foreign Service Act of 1980 (22 U.S.C. 3961 et seq.) (relating to compensation) is amended by adding at the end the following new section:

''SEC. 415. OVERSEAS COMPARABILITY PAY ADJUSTMENT.

''(a) IN GENERAL.—In accordance with subsection (c), a member of the Service who is designated class 1 or below and who does not have as an official duty station a location in the continental United States or in a non-foreign area shall receive locality-based comparability payments under section 5304 of title 5, United States Code, that would be paid to such member if such member's official duty station would have been Washington, D.C.

''(b) TREATMENT AS BASIC PAY.—The locality-based comparability payment described in subsection (a) shall—

''(1) be considered to be part of the basic pay of a member in accordance with section 5304 of title 5, United States Code, for the same purposes for which comparability payments are considered to be part of basic pay under such section; and

''(2) be subject to any applicable pay limitations.

''(c) PHASE-IN.—The comparability pay adjustment described under this section shall be paid to a member described in subsection (a) in three phases, as follows:

''(1) In fiscal year 2006, 33.33 percent of the amount of such adjustment to which such member is entitled.

''(2) In fiscal year 2007, 66.66 percent of the amount of such adjustment to which such member is entitled.

''(3) In fiscal year 2008 and subsequent fiscal years, 100.00 percent of the amount of such adjustment to which such member is entitled.''.

(2) CONFORMING AMENDMENT.—The table of sections in section 2 of such Act is amended by inserting after the item relating to section 414 the following new item:

''Sec. 415. Overseas comparability pay adjustment.''.

(b) CONFORMING AMENDMENTS RELATING TO THE RETIREMENT AND DISABILITY SYSTEM OF THE FOREIGN SERVICE.—

(1) CONTRIBUTIONS TO THE FUND.—Section 805(a) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)) is amended—

(A) in paragraph (1)—

(i) in the first sentence, by striking ''7.25 percent'' and inserting ''7.00 percent''; and

(ii) in the second sentence, by striking ''The contribution by the employing agency'' through ''and shall be made'' and inserting ''An equal amount shall be contributed by the employing agency'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking '', plus an amount equal to .25 percent of basic pay''; and

(ii) in subparagraph (B), in the first sentence, by striking '', plus an amount equal to .25 percent of basic pay''; and

(C) in paragraph (3), by striking '', plus .25 percent''.

(2) COMPUTATION OF ANNUITIES.—Section 806(a)(9) of such Act (22 U.S.C. 4046(a)(9)) is amended—

(A) by striking ''is outside'' and inserting ''was outside''; and

(B) by inserting after ''continental United States'' the following: ''for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415'';

(3) ENTITLEMENT TO ANNUITY.—Section 855(a)(3) of such Act (22 U.S.C. 4071d(a)(3)) is amended—

(A) by striking ''is outside'' and inserting ''was outside''; and

(B) by inserting after ''continental United States'' the following: ''for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415''.

(4) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—Section 856(a)(2) of such Act (22 U.S.C. 4071e(a)(2)) is amended to read as follows:

''(2) The applicable percentage under this subsection shall be as follows:

"Percentage	Time Period
7.5	Before January 1, 1999.
7.75	January 1, 1999, to December 31, 1999.
7.9	January 1, 2000, to December 31, 2000.
7.55	January 11, 2003, to September 30, 2004.
7.5	After September 30, 2004.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply beginning on the first day of the first full pay period beginning after such date.

SEC. 306. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

"SEC. 506. FELLOWSHIP OF HOPE PROGRAM.

''(a) ESTABLISHMENT.—The Secretary is authorized to establish a program to be known as the 'Fellowship of Hope Program'. Under the Program, the Secretary may assign a member of the Service, for not more than one year, to a position with any designated country or designated entity that permits an employee of such country or entity to be assigned to a position with the Department.

''(b) SALARY AND BENEFITS.—The salary and benefits of a member of the Service shall be paid as described in subsection (b) of section 503 during a period in which such member is participating in the Fellowship of Hope Program. The salary and benefits of an employee of a designated country or designated entity participating in the Program shall be paid by such country or entity during the period in which such employee is participating in the Program.

''(c) DEFINITIONS.—In this section:

''(1) The term 'designated country' means a member country of—

''(A) the North Atlantic Treaty Organization; or

''(B) the European Union.

''(2) The term 'designated entity' means—

''(A) the North Atlantic Treaty Organization; or

''(B) the European Union.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) authorize the appointment as an officer or employee of the United States of—

''(A) an individual whose allegiance is to any country, government, or foreign or international entity other than to the United States; or

''(B) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5, United States Code, and any other provision of law concerning eligibility for appointment as, and continuation of employment as, an officer or employee of the United States; or

''(2) authorize the Secretary to assign a member of the Service to a position with any foreign country whose law, or to any foreign or international entity whose rules, require such member to give allegiance or loyalty to such country or entity while assigned to such position.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such Act is amended—

(1) in section 503 (22 U.S.C. 3983)—

(A) in the section heading, by striking ''AND'' and inserting ''FOREIGN GOVERNMENTS, OR''; and

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting ''foreign government,'' after ''organization,''; and

(ii) in paragraph (1), by inserting '', or with a foreign government under section 506'' before the semicolon; and

(2) in section 2, in the table of contents—

(A) by striking the item relating to section 503 and inserting the following new item:

''Sec. 503. Assignments to agencies, international organizations, foreign governments, or other bodies.'';

and

(B) by inserting after the item relating to section 505 the following new item:

''Sec. 506. Fellowship of Hope Program.''.

SEC. 307. REGULATIONS REGARDING RETIREMENT CREDIT FOR GOVERNMENT SERVICE PERFORMED ABROAD.

Section 321(f) of the Foreign Relations Authorization Act, Fiscal Year 2003 (5 U.S.C. 8411 note; Public Law 107–228) is amended by inserting '', not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,'' after ''regulations''.

SEC. 308. PROMOTING ASSIGNMENTS TO INTERNATIONAL ORGANIZATIONS.

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

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect and apply beginning on January 1, 2010.

SEC. 309. SUSPENSION OF FOREIGN SERVICE MEMBERS WITHOUT PAY.

(a) SUSPENSION.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended by adding at the end the following new subsection:

''(c)(1) The Secretary may suspend a member of the Service without pay when there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed and there is a connection between the conduct and the efficiency of the Foreign Service.

''(2) Any member of the Service for whom a suspension is proposed shall be entitled to—

''(A) written notice stating the specific reasons for the proposed suspension;

''(B) a reasonable time to respond orally and in writing to the proposed suspension;

''(C) representation by an attorney or other representative; and

''(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

''(3) Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11 of this title.

''(4) In this subsection:

''(A) The term 'reasonable time' means—

''(i) with respect to a member of the Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

''(ii) with respect to a member of the Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

''(B) The terms 'suspend' and 'suspension' mean the placing of a member of the Service in a temporary status without duties and pay.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) AMENDMENT OF SECTION HEADING.—Such section, as amended by subsection (a), is further amended in the section heading by inserting ''; SUSPENSION'' before the period at the end.

(2) CLERICAL AMENDMENT.—Section 2 of such Act is amended, in the table of contents, by striking the item relating to section 610 and inserting the following new item:

''Sec. 610. Separation for cause; suspension.''.

SEC. 310. DEATH GRATUITY.

Section 413(a) of the Foreign Service Act of 1980 (22 U.S.C. 3973(a)) is amended in the first sentence by inserting before the period at the end the following: ''or $100,000, whichever is greater''.

SEC. 311. CLARIFICATION OF FOREIGN SERVICE GRIEVANCE BOARD PROCEDURES.

Section 1106(8) of the Foreign Service Act of 1980 (22 U.S.C. 4136(8)) is amended in the first sentence—

(1) by inserting ''the involuntary separation of the grievant (other than an involuntary separation for cause under section 610(a)),'' after ''considering''; and

(2) by striking ''the grievant or'' and inserting ''the grievant, or''.

SEC. 312. REPEAL OF RECERTIFICATION REQUIREMENT FOR MEMBERS OF THE SENIOR FOREIGN SERVICE.

Section 305(d) of the Foreign Service Act of 1980 (22 U.S.C. 3945(d)) is hereby repealed.

SEC. 313. TECHNICAL AMENDMENTS TO TITLE 5, UNITED STATES CODE, PROVISIONS ON RECRUITMENT, RELOCATION, AND RETENTION BONUSES.

Title 5, United States Code, is amended—

(1) in section 5753(a)(2)(A), by inserting before the semicolon at the end the following: '', but does not include members of the Foreign Service other than chiefs of mission and ambassadors-at-large''; and

(2) in section 5754(a)(2)(A), by inserting before the semicolon at the end the following: '', but does not include members of the Foreign Service other than chiefs of mission and ambassadors-at-large''.

SEC. 314. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949) is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsections (b) or (c)'';

(2) in subsection (b)—

(A) by amending paragraph (3) to read as follows:

''(3) as a career candidate, if—

''(A) continued service is determined appropriate to remedy a matter that would be cognizable as a grievance under chapter 11; or

''(B) the career candidate is called to military active duty pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353; codified in chapter 43 of title 38, United States Code) and the limited appointment expires in the course of such military active duty;'';

(B) in paragraph (4), by striking ''and'' at the end;

(C) in paragraph (5), by striking the period at the end and inserting ''; and'' ; and

(D) by adding at the end the following new paragraph:

''(6) in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appointment—

''(A) for a period of time not to exceed 12 months, provided such period of time does not

permit additional review by the boards under section 306; or

''(B) for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section.''; and

(3) by adding at the end the following new subsection:

''(c) Noncareer specialist employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment provided there is at least a one year break in service before such new appointment. This requirement may be waived by the Director General in cases of special need.''.

SEC. 315. STATEMENT OF CONGRESS REGARDING CAREER DEVELOPMENT PROGRAM FOR SENIOR FOREIGN SERVICE.

Congress declares that the recent changes proposed by the Department of State to the career development program for members of the Senior Foreign Service will help promote well-rounded and effective members of the Senior Foreign Service, and should be implemented as planned in the coming years. Congress fully supports the proposed changes that require that in order to be eligible for promotion into the Senior Foreign Service, a member of the Foreign Service must demonstrate over the course of the career of such member the following:

(1) Operational effectiveness, including a breadth of experience in several regions and over several functions.

(2) Leadership and management effectiveness.

(3) Sustained professional language proficiency.

(4) Responsiveness to Service needs.

SEC. 316. SENSE OF CONGRESS REGARDING ADDITIONAL UNITED STATES CONSULAR POSTS.

It is the sense of Congress that to help advance United States economic, political, and public diplomacy interests, the Secretary of State should make best efforts to establish United States consulates or other appropriate United States diplomatic presence in Pusan, South Korea, Hat Yai, Thailand, and an additional location in India in an under-served region.

SEC. 317. OFFICE OF THE CULTURE OF LAWFULNESS.

(a) ESTABLISHMENT.—There is established in the Bureau for International Law Enforcement and Narcotics of the Department of State an Office of the Culture of Lawfulness.

(b) DIRECTOR AND STAFF.—The Office shall be headed by a Director and staffed by not less than two professional staff.

(c) DUTIES.—The Director of the Office shall coordinate and increase the effectiveness of existing culture of lawfulness programs in the Department that can directly support foreign efforts to develop a culture of lawfulness, including—

(1) seeking coordination between various programs and activities to support international narcotics and other law enforcement, public diplomacy, foreign assistance, and democracy efforts by the personnel of the Department in Washington, D.C., and in United States embassies in foreign countries;

(2) developing new initiatives to foster a culture of lawfulness through international organizations;

(3) ensuring that culture of lawfulness education is included in the curricula of all law enforcement and public security academies and training programs that receive assistance from the United States, and in democracy, civic education, and rule of law assistance programs conducted with foreign governments and nongovernmental organizations.

(d) REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by inserting after paragraph (7) the following new paragraph:

''(8) In addition, the efforts of the United States to foster the culture of lawfulness in countries around the world.''.

SEC. 318. REVIEW OF HUMAN RESOURCES POLICIES OF THE DEPARTMENT OF STATE.

(a) BOTTOM-UP REVIEW OF ELEMENTS OF THE DEPARTMENT OF STATE.—The Secretary of State shall conduct ongoing, thorough reviews of the organizational structure and human resource policies of all elements of the Department of State to determine those organizational structures that are most effectively organized and whether personnel with the appropriate skill sets are being hired, trained, and utilized to meet national security challenges, including those posed by international terrorist threats.

(b) EMPHASIS ON DIVERSITY.—The review conducted under subsection (a) shall include an emphasis on improving the ethnic, racial, cultural, and gender diversity of personnel of the Department of State.

(c) BIENNIAL REPORT.—The Secretary shall submit to the appropriate congressional committees a biennial report on the reviews conducted under this section and efforts to improve diversity of the personnel of the Department of State.

TITLE IV—INTERNATIONAL ORGANIZATIONS

SEC. 401. REDI CENTER.

The Secretary of State is authorized to provide for the participation by the United States in the Regional Emerging Disease Intervention (''REDI'') Center in Singapore.

SEC. 402. EXTENSION OF AUTHORIZATION OF APPROPRIATION FOR THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) IN GENERAL.—Subsection (a) of section 207 of the International Religious Freedom Act of 1998 (22 U.S.C. 6435) is amended by striking ''$3,000,000 for the fiscal year 2003'' and inserting ''$3,300,000 for each of fiscal years 2006 through 2011''.

(b) TECHNICAL AMENDMENT.—Subsection (b) of such section is amended by striking ''subparagraph'' and inserting ''subsection''.

SEC. 403. REFORM OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) FINDINGS WITH RESPECT TO THE INTERNATIONAL ATOMIC ENERGY AGENCY.—Congress finds the following:

(1) Efforts to prevent the further spread of nuclear weapons capabilities would be enhanced by universal membership in the International Atomic Energy Agency (IAEA).

(2) The enhanced authorities provided by the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA are indispensable to the ability of the IAEA to conduct inspections of nuclear facilities to a high degree of confidence.

(3) The national security interests of the United States would be enhanced by the universal ratification and implementation of the Additional Protocol.

(4) The national security interests of the United States would be enhanced by the rapid implementation by all Member States of the United Nations of United Nations Security Council Resolution 1540, which prohibits all Member States from providing any form of support to non-state actors that attempt to manufacture, acquire, possess, develop, transport, transfer, or use nuclear, chemical, or biological weapons and their means of delivery, and requiring all Member States to adopt and enforce appropriate and effective domestic laws criminalizing such acts.

(5) The national security interests of the United States require that the IAEA possess sufficient authorities and resources to comprehensively and efficiently carry out its responsibilities for inspections and safeguards of nuclear facilities.

(6) Regularly assessed contributions of Member States to the regular budget of the IAEA are due in the first quarter of each calendar year.

(7) Currently, the United States does not pay its regularly assessed contribution to the regular budget of the IAEA until the last quarter of each calendar year.

(8) This delayed payment results in recurring shortages of funds for the IAEA, thus compromising its ability to conduct safeguards inspections and nuclear security activities.

(b) FINDINGS WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—Congress finds the following:

(1) The Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the ''Nuclear Nonproliferation Treaty'' or the ''NPT'') is the foundation for international cooperation to prevent the further spread of nuclear weapons capabilities.

(2) The NPT was conceived, written, and ratified by State Parties as a treaty for the specific purpose of preventing the proliferation of nuclear weapons and nuclear explosive devices, as stated in the Preamble and first three Articles of the NPT.

(3) The overriding priority of the NPT is preventing the proliferation of nuclear weapons and nuclear explosive devices.

(4) Article IV of the NPT conditions the ''inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination'' on conformity with Articles I and II, which obligate signatories ''not to manufacture of otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices'';

(5) Because the processes used for the enrichment of uranium and the reprocessing of plutonium for peaceful purposes are virtually identical to those needed for military purposes and thereby inherently pose an enhanced risk of proliferation, even under strict international inspections, Article IV of the NPT cannot be interpreted to recognize the inalienable right by every country to enrich uranium or reprocess plutonium.

(6) Because the factors needed for the development of nuclear energy for peaceful purposes are virtually identical to those required for the development of nuclear weapons and devices, Article X cannot be interpreted to allow a signatory country to develop a nuclear weapons program based on materials, facilities, and equipment it has acquired through its Article IV cooperation.

(c) STATEMENT OF CONGRESS.—Congress declares that—

(1) all provisions of the NPT must be interpreted within the context of preventing the proliferation of nuclear weapons and nuclear explosive devices;

(2) Article IV of the NPT, interpreted in conformity with the NPT's purpose, spirit, and freely undertaken obligations by State Parties, does not guarantee every country that is a State Party an inalienable right to enrich uranium or reprocess plutonium; and

(3) if a State Party chooses to exercise its Article X right of withdrawal from the NPT, such State Party must surrender all of the materials, facilities, and equipment it has acquired through its Article IV cooperation, and no State Party will be recognized as having legally exercised its Article X right of withdrawal from the NPT until it has surrendered all such materials, facilities, and equipment.

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

(1) the Director General of the IAEA should strengthen efforts to secure universal ratification and implementation of the Additional Protocol; and

(2) the IAEA possesses statutory authority, including under Articles II, III, VIII, IX, XI, and XII of the IAEA Statute, to undertake nuclear security activities.

(e) PROMOTION OF ADDITIONAL PROTOCOL AND UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540.—

(1) UNIVERSAL RATIFICATION AND IMPLEMENTATION; FULL COMPLIANCE.—The President shall

take such steps as the President determines necessary to encourage—

(A) rapid universal ratification and implementation by Member States of the IAEA of the Additional Protocol to the Safeguards Agreements between the IAEA and Member States; and

(B) full compliance by all foreign countries with United Nations Security Council Resolution 1540, which calls for the adoption and enforcement by all foreign countries of ''appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them''.

(2) SUSPENSION OF UNITED STATES NON-HUMANITARIAN FOREIGN ASSISTANCE.—The President is authorized to suspend United States non-humanitarian foreign assistance to any country that—

(A) has not signed and ratified the Additional Protocol; and

(B) has not fully complied with United Nations Security Council Resolution 1540.

(3) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until September 31, 2010, the Secretary of State shall submit to the appropriate congressional committees a report on United States efforts to promote full compliance by all countries with United Nations Security Council Resolution 1540, with particular attention to the following:

(i) United States efforts in appropriate international organizations or fora to elaborate and implement international standards for such full compliance.

(ii) Steps taken by the United States to assist other countries to meet their obligations under United Nations Security Council Resolution 1540.

(B) SUBMISSION.—The report required under this paragraph may be submitted together with the report on ''Patterns of Global of Terrorism''.

(f) PAYMENT AT BEGINNING OF CALENDAR YEAR.—The Secretary of State shall take expeditious action to ensure that the United States regularly assessed contribution to the IAEA is made at the beginning of each calendar year.

(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated to the Secretary of State under this Act, there are authorized to be appropriated to the Secretary such sums as may be necessary to permit the Secretary to ensure that the United States regularly assessed contribution of its annual dues to the IAEA is provided to the IAEA at the beginning of each calendar year to compensate for the current delayed payment described under subsection (b).

SEC. 404. PROPERTY DISPOSITION.

Section 633(e) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (division B of Public Law 108–199; 22 U.S.C. 2078(e)) is amended—

(1) by striking ''The United States, through the Department of State, shall retain ownership of the Palazzo Corpi building in Istanbul, Turkey, and the'' and inserting ''The''; and

(2) by striking ''at such location'' and inserting ''at an appropriate location''.

TITLE V—INTERNATIONAL BROADCASTING

SEC. 501. SHORT TITLE.

This title may be cited as the ''International Broadcasting Authorization Act, Fiscal Years 2006 and 2007''.

SEC. 502. MIDDLE EAST BROADCASTING NETWORKS.

(a) MIDDLE EAST BROADCASTING NETWORKS.—The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended by inserting after section 309 (22 U.S.C. 6208) the following new section:

''SEC. 309A. MIDDLE EAST BROADCASTING NETWORKS.

''(a) AUTHORITY.—Grants authorized under section 305 shall be available to make annual grants to the Middle East Broadcasting Networks for the purpose of carrying out radio and television broadcasting to the Middle East region.

''(b) FUNCTION.—Middle East Broadcasting Networks shall provide radio and television programming consistent with the broadcasting standards and broadcasting principles set forth in section 303.

''(c) GRANT AGREEMENT.—Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

''(1) The Board may not make any grant to the non-profit corporation, Middle East Broadcasting Networks, unless its certificate of incorporation provides that—

''(A) The Board of Directors of Middle East Broadcasting Networks shall consist of the members of the Broadcasting Board of Governors established under section 304 and of no other members.

''(B) Such Board of Directors shall make all major policy determinations governing the operation of Middle East Broadcasting Networks, and shall appoint and fix the compensation of such managerial officers and employees of Middle East Broadcasting Networks as it considers necessary to carry out the purposes of the grant provided under this title, except that no officer or employee may be paid basic compensation at a rate in excess of the rate for level II of the Executive Schedule as provided under section 5313 of title 5, United States Code.

''(2) Any grant agreement under this section shall require that any contract entered into by Middle East Broadcasting Networks shall specify that all obligations are assumed by Middle East Broadcasting Networks and not by the United States Government.

''(3) Any grant agreement shall require that any lease agreement entered into by Middle East Broadcasting Networks shall be, to the maximum extent possible, assignable to the United States Government.

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

''(5) Duplication of language services and technical operations between the Middle East Broadcasting Networks (including Radio Sawa), RFE/RL, and the International Broadcasting Bureau will be reduced to the extent appropriate, as determined by the Board.

''(d) NOT A FEDERAL AGENCY OR INSTRUMENTALITY.—Nothing in this title may be construed to make—

''(1) the Middle East Broadcasting Networks a Federal agency or instrumentality; or

''(2) the officers or employees of the Middle East Broadcasting Networks officers or employees of the United States Government.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such Act is further amended—

(1) in section 304(g) (22 U.S.C. 6203(g)), by inserting '', the Middle East Broadcasting Networks,'' after ''Incorporated'';

(2) in section 305 (22 U.S.C. 6204)—

(A) in subsection (a)—

(i) in paragraph (5), by striking ''308 and 309'' and inserting ''308, 309, and 309A''; and

(ii) in paragraph (6), by striking ''308 and 309'' and inserting ''308, 309, and 309A''; and

(B) in subsection (c), by striking ''308 and 309'' and inserting ''308, 309, and 309A''; and

(3) in section 307 (22 U.S.C. 6206)—

(A) in subsection (a), by striking ''308 and 309'' and inserting ''308, 309, and 309A''; and

(B) in subsection (c), in the second sentence, by inserting ''the Middle East Broadcasting Networks,'' after ''Asia,''.

(c) TECHNICAL AND CONFORMING AMENDMENT TO TITLE 5.—Section 8332(b)(11) of title 5, United States Code, is amended by inserting ''the Middle East Broadcasting Networks;'' after ''Radio Free Asia;''.

SEC. 503. IMPROVING SIGNAL DELIVERY TO CUBA.

Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a; Public Law 98–111) is amended—

(1) by striking subsection (b);

(2) by striking subsection (c) and inserting the following new subsection:

''(c) To effect radio broadcasting to Cuba, the Board is authorized to utilize the United States International Broadcasting facilities located in Marathon, Florida, and the 1180 AM frequency used at those facilities. In addition to the above facilities, the Board may simultaneously utilize other governmental and nongovernmental broadcasting transmission facilities and other frequencies, including the Amplitude Modulation (AM) band, the Frequency Modulation (FM) band, and the Shortwave (SW) band. The Board may lease time on commercial or noncommercial educational AM band, FM band, and SW band radio broadcasting stations to carry a portion of the service programs or to rebroadcast service programs.'';

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting the following new subsection:

''(e) Any service program of United States Government radio broadcasts to Cuba authorized by this section shall be designated 'Radio Marti program'.'';

(5) by striking subsection (f); and

(6) by redesignating subsections (c) and (e) (as amended by this section) as subsections (b) and (c), respectively.

SEC. 504. ESTABLISHING PERMANENT AUTHORITY FOR RADIO FREE ASIA.

Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) in subsection (c)(2), by striking '', and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 2009''; and

(2) by striking subsection (f).

SEC. 505. PERSONAL SERVICES CONTRACTING PROGRAM.

Section 504 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended—

*(1) in the section heading, by striking ''**PILOT**'';*

(2) in subsection (a)—

(A) by striking ''pilot'';

(B) by striking ''(in this section referred to as the 'program')''; and

(C) by striking ''producers, and writers'' and inserting ''and other broadcasting specialists'';

(3) in subsection (b)(4), by striking ''60'' and inserting ''100''; and

(4) by striking subsection (c).

SEC. 506. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS EDUCATION BENEFITS.

Section 305(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended by inserting after paragraph (18) the following new paragraph:

''(19)(A) To provide for the payment of primary and secondary school expenses for dependents of personnel stationed in the Commonwealth of the Northern Mariana Islands (CNMI) at a cost not to exceed expenses authorized by the Department of Defense for such schooling for dependents of members of the Armed Forces stationed in the Commonwealth, if the Board determines that schools available in the Commonwealth are unable to provide adequately for the education of the dependents of such personnel.

''(B) To provide transportation for dependents of such personnel between their places of residence and those schools for which expenses are

provided under subparagraph (A), if the Board determines that such schools are not accessible by public means of transportation.''.

TITLE VI—ADVANCE DEMOCRACY ACT OF 2005

SEC. 601. SHORT TITLE.

This title may be cited as the ''Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005'' or the ''ADVANCE Democracy Act of 2005''.

SEC. 602. FINDINGS.

Congress finds the following:

(1) All human beings are created equal and possess certain rights and freedoms, including the fundamental right to participate in the political life and government of their respective countries. These inalienable rights are recognized in the Declaration of Independence of the United States and in the Universal Declaration of Human Rights of the United Nations.

(2) The continued lack of democracy, freedom, and fundamental human rights in some countries is inconsistent with the universal values on which the United States is based and such continued lack of democracy, freedom, and fundamental human rights also poses a national security threat to the United States, its interests, and its friends, as it is in such countries that radicalism, extremism, and terrorism can flourish.

(3) There is also a correlation between nondemocratic rule and other threats to international peace and security, including threats from war, genocide, famine, poverty, drug trafficking, corruption, refugee flows, human trafficking, religious persecution, environmental degradation, and discrimination against women.

(4) The transition to democracy must be led from within nondemocratic countries, including by nongovernmental organizations, movements, and individuals, and by nationals of such countries who live abroad. Nevertheless, democratic countries have a number of instruments available for supporting democratic reformers who are committed to promoting effective, nonviolent change in nondemocratic countries.

(5) United States efforts to promote democracy and protect human rights in countries where they are lacking can be strengthened to improve assistance for such reformers. United States ambassadors and diplomats can play a critical role in such efforts to promote democracy by publicly demonstrating support for democratic principles and supporting democratic reformers. Training and incentives are needed to assist United States officials in strengthening the techniques and skills required to promote democracy.

(6) A full evaluation of United States funds expended for the support of democracy is also necessary to ensure an efficient and effective use of the resources that are dedicated to these efforts.

(7) The promotion of democracy requires a broad-based effort with collaboration between all democratic countries, including through the Community of Democracies.

(8) The promotion of such universal democracy constitutes a long-term challenge that does not always lead to an immediate transition to full democracy, but through a dedicated and integrated approach can achieve universal democracy.

SEC. 603. STATEMENT OF POLICY.

It shall be the policy of the United States—

(1) to promote freedom and democracy in foreign countries as a fundamental component of United States foreign policy;

(2) to affirm fundamental freedoms and human rights in foreign countries and to condemn offenses against those freedoms and rights as a fundamental component of United States foreign policy;

(3) to use all instruments of United States influence to support, promote, and strengthen democratic principles, practices, and values in foreign countries, including the right to free, fair, and open elections, secret balloting, and universal suffrage;

(4) to protect and promote fundamental freedoms and rights, including the freedoms of association, of expression, of the press, and of religion, and the right to own private property;

(5) to protect and promote respect for and adherence to the rule of law in foreign countries;

(6) to provide appropriate support to organizations, individuals, and movements located in nondemocratic countries that aspire to live in freedom and establish full democracy in such countries;

(7) to provide, political, economic, and other support to foreign countries that are willingly undertaking a transition to democracy;

(8) to commit United States foreign policy to the challenge of achieving universal democracy; and

(9) to strengthen alliances and relationships with other democratic countries in order to better promote and defend shared values and ideals.

SEC. 604. DEFINITIONS.

In this title:

(1) ANNUAL REPORT ON DEMOCRACY.—The term ''Annual Report on Democracy'' means the Annual Report on Democracy required under section 612(a).

(2) COMMUNITY OF DEMOCRACIES AND COMMUNITY.—The terms ''Community of Democracies'' and ''Community'' mean the association of democratic countries committed to the global promotion of democratic principles, practices, and values, which held its First Ministerial Conference in Warsaw, Poland, in June 2000.

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means any nongovernmental organization, international organization, multilateral institution, private foundation, corporation, partnership, association, or other entity, organization, or group engaged in (or with plans to engage in) the promotion of democracy and fundamental rights and freedoms in foreign countries categorized as ''democratic transition countries'' or as ''nondemocratic'' in the most recent Annual Report on Democracy.

(4) ELIGIBLE INDIVIDUAL.—The term ''eligible individual'' means any individual engaged in, or who intends to engage in, the promotion of democracy and fundamental rights and freedoms in foreign countries categorized as ''democratic transition countries'' or as ''nondemocratic'' in the most recent Annual Report on Democracy.

(5) REGIONAL DEMOCRACY HUB AND HUB.—The terms ''Regional Democracy Hub'' and ''Hub'' mean the Regional Democracy Hubs established under section 611(c)(2).

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

(7) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of State for Democracy and Global Affairs established under section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)), as amended by section 611(a)(2) of this Act.

Subtitle A—Department of State Activities

SEC. 611. PROMOTION OF DEMOCRACY IN FOREIGN COUNTRIES.

(a) CODIFICATION OF UNDER SECRETARY OF STATE FOR DEMOCRACY AND GLOBAL AFFAIRS.—Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)) is amended—

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

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

''(4) UNDER SECRETARY OF STATE FOR DEMOCRACY AND GLOBAL AFFAIRS.—There shall be in the Department of State, among the Under Secretaries authorized by paragraph (1), an Under Secretary of State for Democracy and Global Affairs, who shall have primary responsibility to assist the Secretary and the Deputy Secretary in the formulation and implementation of United States policies and activities relating to the transition to and development of democracy in nondemocratic countries and to coordinate United States policy on global issues, including issues related to human rights, women's rights, freedom of religion, labor standards and relations, the preservation of the global environment, the status and protection of the oceans, scientific cooperation, narcotics control, law enforcement, population issues, refugees, migration, war crimes, and trafficking in persons. The Secretary may assign such other responsibilities to the Under Secretary for Democracy and Global Affairs as the Secretary determines appropriate or necessary. In particular, the Under Secretary shall have the following responsibilities:

''(A) Coordinating with the Under Secretary for Public Diplomacy and Public Affairs and officers and employees from the regional bureaus of the Department of State to promote the transition to democracy in nondemocratic countries and strengthen development of democracy in countries that are in transition to democracy.

''(B) Advising the Secretary regarding any recommendation requested by any official of any other agency that relates to the human rights situation in a foreign country or the effects on human rights or democracy in a foreign country of an agency program of such official.''.

(b) ADDITIONAL DUTIES FOR ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Section 1(c)(2)(A) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(2)) is amended by inserting after the first sentence the following new sentence: ''The Assistant Secretary of State for Democracy, Human Rights, and Labor shall also be responsible for matters relating to the transition to and development of democracy in nondemocratic countries, including promoting and strengthening the development of democracy in foreign countries that are in the early stages of a transition to democracy and evaluating the effectiveness of United States programs that promote democracy.''.

(c) DEPARTMENT OF STATE AND UNITED STATES MISSIONS ABROAD.—

(1) OFFICE RELATED TO DEMOCRATIC MOVEMENTS AND TRANSITIONS.—

(A) ESTABLISHMENT.—There shall be within the Bureau of Democracy, Human Rights, and Labor of the Department of State an office that shall be responsible for working with democratic movements and facilitating the transition of nondemocratic countries and democratic transition countries to full democracy.

(B) PURPOSE.—In addition to any other responsibilities conferred on the office, the office shall promote transitions to full democracy in countries that have been categorized as nondemocratic or as democratic transition countries in the most recent Annual Report on Democracy required under section 612(a).

(C) RESPONSIBILITIES.—The Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor described in paragraph (4) and employees of the office shall—

(i) develop relations with, consult with, and provide assistance to nongovernmental organizations, individuals, and movements that are committed to the peaceful promotion of democracy, democratic principles, practices, and values, and fundamental rights and freedoms in countries described in subparagraph (B), including fostering relationships with the United States Government and the governments of other democratic countries;

(ii) assist officers and employees of regional bureaus to develop strategies and programs to promote peaceful change in such countries;

(iii) foster dialogue, to the extent practicable, between the leaders of such nongovernmental organizations, individuals, and movements and the officials of such countries;

(iv) create narratives and histories required under section 616 for the Internet site for global democracy and human rights and assist in the preparation of the report required under section 612; and

(v) facilitate, in coordination with public affairs officers and offices of the Department of State responsible for public diplomacy programs in such countries, debates and discussions, including among young people in other countries, regarding the values and benefits of democracy and human rights at academic institutions in such countries.

(2) REGIONAL DEMOCRACY HUBS AT UNITED STATES MISSIONS ABROAD.—

(A) PILOT PROGRAM.—

(i) IN GENERAL.—The Secretary shall establish at least one Regional Democracy Hub at one United States mission in two of the following geographic regions:

(I) The Western Hemisphere.

(II) Europe.

(III) South Asia.

(IV) The Near East.

(V) East Asia and the Pacific.

(VI) Africa.

(ii) DIRECTOR.—Each Regional Democracy Hub shall be headed by a Director. The Director and the associated staff shall be selected by the Secretary of State in consultation with the Assistant Secretary of State for Democracy, Human Rights, and Labor.

(B) RESPONSIBILITIES.—Each Regional Democracy Hub shall support the appropriate United States ambassador and United States employees assigned to United States missions in each such geographic region to carry out the responsibilities described in this Act, including assisting Ambassadors and other United States officials in each nondemocratic country or democratic transition country in the geographic region to design and implement strategies for a transition to democracy in such county, including regional strategies as appropriate.

(C) ACCREDITATION.—As appropriate, the Department should seek accreditation for the Director to all nondemocratic countries in each geographic region for which each Hub is responsible.

(D) TERMINATION.—The Secretary may terminate each Hub established under this paragraph five years after each is established.

(E) CONTINUING RESPONSIBILITIES.—Nothing in this paragraph shall be construed as removing any responsibility under this or any other Act of any chief of mission or other employees of United States diplomatic missions, including the development and implementation of strategies to promote democracy.

(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the responsibilities described in subparagraph (B), including hiring additional staff to carry out such responsibilities.

(3) RESPONSIBILITIES OF THE BUREAU OF INTELLIGENCE AND RESEARCH.—The Assistant Secretary of State for Intelligence and Research should coordinate with the Department of the Treasury, the Department of Justice, the Central Intelligence Agency, other appropriate intelligence agencies, and, as appropriate, with foreign governments to—

(A) monitor and document financial assets inside and outside the United States held by leaders of countries determined to be nondemocratic countries or democratic transition countries in the Annual Report on Democracy under section 612(a);

(B) identify close associates of such leaders; and

(C) monitor and document financial assets inside and outside the United States held by such close associates.

(4) COORDINATION.—

(A) DEPUTY ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—There should be in the Department of State a Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor. Any such Deputy Assistant Secretary shall be in addition to the current number of Deputy Assistant Secretaries. In addition to considering qualified non-career candidates, the Secretary of State should seek to recruit senior members of the Senior Foreign Service to serve in such position.

(B) RESPONSIBILITIES.—In addition to the responsibilities described in paragraph (1)(C) and such other responsibilities as the Secretary or Assistant Secretary of State for Democracy, Human Rights, and Labor may from time to time designate, the Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor should—

(i) coordinate the work of the office described in paragraph (1) with the work of other offices and bureaus at the Department of State and other United States Government agencies that provide grants and other assistance to nongovernmental organizations, individuals, and movements; and

(ii) forge connections between the United States and nongovernmental organizations, individuals, and movements committed to the promotion of democracy and democratic principles, practices, and values and seek to embrace the work of such organizations, individuals, and movements.

(5) RECRUITMENT.—The Secretary shall seek to ensure that, not later than December 31, 2012, not less than 50 percent of the nonadministrative employees serving in the Bureau of Democracy, Human Rights, and Labor are members of the Foreign Service.

SEC. 612. REPORTS.

(a) ANNUAL REPORT ON DEMOCRACY.—

(1) PREPARATION AND DEADLINE FOR SUBMISSION.—The Secretary of State shall prepare an Annual Report on Democracy. The Under Secretary of State for Democracy and Global Affairs, with the assistance of the Assistant Secretary of State for Democracy, Human Rights, and Labor, shall have the principal responsibility of assisting the Secretary in the preparation of the Annual Report. The Under Secretary and Assistant Secretary shall consult with the regional bureaus of the Department of State in the preparation of the Annual Report. Not later than July 1 of each year, the Secretary shall submit to the appropriate congressional committees the Annual Report on Democracy.

(2) CONTENTS.—The Annual Report on Democracy shall contain the following:

(A) EXECUTIVE SUMMARY.—An Executive Summary with a table listing every foreign country that the Secretary determines to be ''nondemocratic'', and a list of countries the Secretary determines to be ''democratic transition countries'' because they are at the early stages of their transition to democracy. The Executive Summary shall contain a short narrative highlighting the status of democracy in each such country.

(i) DETERMINATION OF CATEGORIZATION.—With respect to a country listed in the Executive Summary, the Secretary shall determine which of the categorizations specified under subparagraph (A) is appropriate by reference to the principles enshrined in the United Nations Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the United Nations Commission on Human Rights Resolution 1499/57 (entitled ''Promotion of the Right to Democracy''), the assessments used to determine eligibility for financial assistance disbursed from the Millennium Challenge Account, the assessments of nongovernmental organizations of eligibility to participate in the meetings of the Community of Democracies, and the standards established and adopted by the Community of Democracies. In addition, the categorization of a country should be informed by the general consensus regarding the status of civil and political rights in such country by major nongovernmental organizations that conduct assessments of such conditions in such countries.

(ii) DETERMINATION OF NONDEMOCRATIC CATEGORIZATION.—

(I) IN GENERAL.—The Secretary shall categorize a country as nondemocratic if such country fails to satisfy any of the following requirements:

(aa) All citizens of such county have the right to, and are not restricted in practice from, fully and freely participating in the political life of such country regardless of gender, race, language, religion, or beliefs.

(bb) The national legislative body of such country and, if directly elected, the head of government of such country, are chosen by free, fair, open, and periodic elections, by universal and equal suffrage, and by secret ballot.

(cc) More than one political party in such country has candidates who seek elected office at the national level and such parties are not restricted in their political activities or their process for selecting such candidates, except for reasonable administrative requirements commonly applied in countries categorized as fully democratic.

(dd) All citizens in such country have a right to, and are not restricted in practice from, fully exercising the freedoms of thought, conscience, belief, peaceful assembly and association, speech, opinion, and expression, and such country has a free, independent, and pluralistic media.

(ee) The current government of such country did not come to power in a manner contrary to the rule of law.

(ff) Such country possesses an independent judiciary and the government of such country generally respects the rule of law.

(II) ADDITIONAL CONSIDERATIONS.—Notwithstanding the satisfaction by a country of the requirements specified under subclause (I), the Secretary may categorize a country as nondemocratic if the Secretary determines that such is appropriate after consideration of the principles specified under clause (i) with respect to such country.

(B) STATUS OF DEMOCRACY.—A description of each country on the list described in subparagraph (A), including—

(i) an evaluation of trends over the preceding 12 months towards improvement or deterioration in the commitment to and protection of democratic principles, practices, values, institutions, and processes in each such country;

(ii) an evaluation of the political rights and freedoms enjoyed by individuals in each such country and an evaluation of the factors that prevent each such country from being categorized as fully democratic; and

(iii) for each country previously categorized as nondemocratic in the Executive Summary from the preceding 12 months, an evaluation of any progress made over the previous calendar year towards achieving a categorization of democratic transition country.

(C) STRATEGY FOR NONDEMOCRATIC COUNTRIES.—An in-depth examination of each country categorized as nondemocratic in the Executive Summary, including—

(i) a strategy developed following consultations with nongovernmental organizations, individuals, and movements that promote democratic principles, practices, and values in each such country to promote and achieve transition to full democracy in each such country;

(ii) a summary of any actions taken by the President with respect to any such country, the effects of any such actions, and if no such actions have been taken, a statement explaining why not;

(iii) a summary of any actions taken by the chief of mission and officials of the United States in each such country with which the United States maintains diplomatic and consular posts with respect to promoting such a transition within such country and any activities of the embassy or consulate in such country to support individuals and organizations in such country that actively advocate for such a transition;

(iv) a summary of efforts taken by officials of the United States to speak directly to the people

in each such country, and in particular, a description of any visits taken by the chief of mission and other officials of the United States in each such country to the colleges and universities and other institutions in each such country where young people congregate and learn;

(v) a summary of any communications between United States Government officials, including the chief of mission in each such country, and the leader and other high government officials of each such country concerning respect for liberty, democracy, and political, social, and economic freedoms; and

(vi) a description and evaluation of the efforts undertaken by other democratic countries belonging to the Community of Democracies to advance democracy in each such county, including through relevant bodies of the United Nations, regional organizations and bilateral policies and foreign assistance and the extent to which the United States coordinated United States actions and policies with such efforts.

(3) CLASSIFIED ADDENDUM.—If the Secretary determines that it is in the national security interests of the United States, is necessary for the safety of individuals identified in the Annual Report on Democracy, or is necessary to further the purposes of this Act, any information required by paragraph (2), including policies adopted or actions taken by the United States, may be summarized in the Annual Report on Democracy or in the Executive Summary and submitted to the appropriate congressional committees in more detail in a classified addendum.

(b) ONE-TIME REPORT ON TRAINING AND GUIDELINES FOR FOREIGN SERVICE OFFICERS AND CHIEFS OF MISSION.—The Secretary of State, in consultation with the Under Secretary of State for Democracy and Global Affairs, shall submit to the appropriate congressional committees a one-time report containing a description of the training provided under section 619 for Foreign Service officers, including chiefs of mission serving or preparing to serve in countries categorized as democratic transition countries or nondemocratic in the Annual Report on Democracy required under subsection (a), or chiefs of mission in fully democratic countries whose job performance could benefit from such training, with respect to methods to promote and achieve transition to full democracy in each such country, including nonviolent action. The Secretary shall submit the report together with the first Annual Report on Democracy required under such subsection.

SEC. 613. STRATEGIES TO ENHANCE THE PROMOTION OF DEMOCRACY IN FOREIGN COUNTRIES.

(a) WORKING GROUP ON NONDEMOCRATIC COUNTRIES.—Beginning in the year after the second Annual Report on Democracy required under section 612(a) is submitted and not less than once each year thereafter, the Under Secretary of State for Democracy and Global Affairs should convene a working group under subsection (c) focused on each country categorized as nondemocratic in the most recent such report in order to—

(1) review progress on the action plan with respect to each such country to promote and achieve the transition to full democracy in such country; and

(2) receive recommendations regarding further action that should be taken with respect to such plan.

(b) WORKING GROUP ON DEMOCRATIC TRANSITION COUNTRIES.—Beginning in the year after the second Annual Report on Democracy required under section 612(a) is submitted and not less than once each year thereafter, the Under Secretary of State for Democracy and Global Affairs should also convene a working group under subsection (c) focused on the progress towards a fully democratic form of governance in each country categorized as a democratic transition country in the most recent Annual Report that was categorized as nondemocratic in any previous Annual Report.

(c) MEMBERS OF WORKING GROUPS.—The working groups referred to in subsections (a) and (b) should include officers and employees of the Department of State and appropriate representatives from other relevant government agencies, including the United States Agency for International Development, the Department of the Treasury, and the Department of Defense.

(d) CONSULTATIONS WITH CHIEFS OF MISSIONS.—The chief of mission for each country categorized as nondemocratic or a democratic transition country in the most recent Annual Report on Democracy shall meet with the Under Secretary of State for Democracy and Global Affairs at least once each year to discuss the transition to full democracy in such country, including any actions the chief of mission has taken to implement the action plan for such country included in such report.

SEC. 614. ACTIVITIES BY THE UNITED STATES TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN FOREIGN COUNTRIES.

(a) FREEDOM INVESTMENT ACT OF 2002.—The Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107–228) is amended—

(1) in section 663(a), (relating to human rights activities at the Department of State)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) by redesignating paragraph (2) as paragraph (4);

(C) by inserting after paragraph (1) the following new paragraphs:

''(2) a United States mission abroad in a country that has been categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005) should have at least one political officer who shall have primary responsibility for monitoring and promoting democracy and human rights in such country;

''(3) the level of seniority of any such political officer should be in direct relationship to the severity of the problems associated with the establishment of full democracy and respect for human rights in such country; and''; and

(D) in paragraph (4), as so redesignated, by striking ''monitoring human rights developments'' and all that follows through ''recommendation'' and inserting the following: ''monitoring and promoting democracy and human rights, including a political officer described in paragraphs (2) and (3), in a foreign country should be made after consultation with and upon the recommendation''; and

(2) in section 665(c) (relating to reports on actions taken by the United States to encourage respect for human rights), by striking the second sentence and adding at the end the following new sentences: ''If the Secretary elects to submit such information as a separate report, such report may be submitted as part of the Annual Report on Democracy required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005. If the Secretary makes such an election, such report shall be organized so as to contain a separate section for each country to which such information applies, together with a short narrative describing the extrajudicial killing, torture, or other serious violations of human rights that are indicated to have occurred in each such country.''.

(b) FOREIGN ASSISTANCE ACT OF 1961.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116(d) (22 U.S.C. 2151n(d)), by striking paragraph (10) and inserting the following new paragraph:

''(10) for each country with respect to which the report indicates that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, a strategy, including a specific list of priorities and an action plan, to end such practices in the country, and any actions taken in the previous year to end such practices in the country; and''; and

(2) in section 502B(b) (22 U.S.C. 2304(b)), by striking the sixth sentence and inserting the following new sentence: ''Such report shall also include, for each country with respect to which the report indicates that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, a strategy, including a specific list of priorities and an action plan, to end such practices in the country, and any actions taken in the previous year to end such practices in the country.''.

SEC. 615. DEMOCRACY PROMOTION AND HUMAN RIGHTS ADVISORY BOARD.

(a) ESTABLISHMENT.—There is established a Democracy Promotion and Human Rights Advisory Board.

(b) PURPOSE AND DUTIES.—The Board shall advise and provide recommendations to the Secretary of State, the Under Secretary of State for Democracy and Global Affairs, the Assistant Secretary of State for Democracy, Human Rights, and Labor, and the Assistant Administrator for the Bureau of Democracy, Conflict and Humanitarian Assistance of the United States Agency for International Development concerning United States policies regarding the promotion of democracy and the establishment of universal democracy, including the following:

(1) Reviewing and making recommendations regarding the overall United States strategy for promoting democracy and human rights in partly democratic and nondemocratic countries, including methods for incorporating the promotion of democracy and human rights into United States diplomacy, the use of international organizations to further United States democracy promotion goals, and ways in which the United States can work with other countries and the Community of Democracies to further such purposes.

(2) Recommendations regarding specific strategies to promote democracy in countries categorized as nondemocratic or as democratic transition countries in the most recent Annual Report on Democracy under section 612(a) and methods for consulting and coordinating with individuals (including expatriates) and nongovernmental organizations that promote democratic principles, practices, and values.

(3) Recommendations regarding the use of—

(A) programs related to the promotion of democracy and human rights administered by the United States Agency for International Development; and

(B) the Human Rights and Democracy Fund, established under section 664 of the Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107–228).

(4) Recommendations regarding regulations to be promulgated concerning—

(A) the standards of performance to be met by members of the Foreign Service, including chiefs of mission, under section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)); and

(B) the development of programs to promote democracy in foreign countries under section 614, relating to programs undertaken by United States missions in foreign countries and the activities of chiefs of mission.

(c) STUDY ON DEMOCRACY ASSISTANCE.—

(1) IN GENERAL.—Not later than 18 months after the appointment of five members of the Board, the Board shall submit to the President, appropriate congressional committees, and the Secretary a study on United States democracy assistance.

(2) CONTENTS.—The study shall include—

(A) a comprehensive review and an overall evaluation of the efficiency and effectiveness of United States appropriations for the promotion of democracy, including—

(i) information regarding the amount of money dedicated to such purpose each fiscal year;

(ii) an identification of the international organizations, nongovernmental organizations, multilateral institutions, individuals, private groups

(including corporations and other businesses), and government agencies and departments receiving such funds for such purpose;

(iii) information regarding the efficiency and effectiveness of the use of such funds to promote a transition to democracy in nondemocratic countries with a special emphasis on activities related to the promotion of democracy under subsection (b)(3)(B), relating to the Human Rights and Democracy Fund; and

(iv) information regarding the efficiency and effectiveness of the use of such funds to promote and sustain democracy in countries that are already fully democratic or democratic transition countries;

(B) a review of—

(i) whether United States international broadcasts influence citizens of countries categorized as nondemocratic in the most recent Annual Report on Democracy and the impact of increasing such broadcasts to such countries relative to the cost of such increases, including information relating to an assessment of programming on the means of nonviolent protest and democratic change; and

(ii) the potential contribution that supporting private media sources that are not controlled or owned by the United States to reaching citizens of such countries, the situations where such support may be appropriate, and the mechanisms that should be used to provide such support;

(C) policy recommendations to the President and appropriate congressional committees regarding ways to improve United States programs for the promotion of democracy, including coordination of such programs; and

(D) recommendations for reform of United States Government agencies involved in the promotion of democracy.

(d) MEMBERSHIP.—

(1) APPOINTMENT.—The Board shall be composed of nine members, who shall be citizens of the United States and who shall not be officers or employees of the United States. The Secretary shall appoint all such members. Not more than five members may be affiliated with the same political party.

(2) SELECTION.—Members of the Board shall be selected from among distinguished individuals noted for their knowledge and experience in fields relevant to the issues to be considered by the Board, including issues related to the promotion of democracy, international relations, management and organization of foreign assistance or comparable programs, methods and means of nonviolent protest, academic study and debate of democracy, human rights, and international law.

(3) TIME FOR APPOINTMENT.—The appointment of members to the Board under paragraph (1) shall be made not later than 120 days after the date of the enactment of this Act.

(4) TERM OF SERVICE AND SUNSET.—Each member shall be appointed to the Board for a term that shall expire on the date that is one year after the date of the submission of the study under subsection (c).

(5) SUNSET.—The Board shall terminate on the date that is one year after the date of the submission of the study under such subsection unless the Secretary determines that it is in the interest of the Department to extend the Board for a period of an additional five years.

(6) SECURITY CLEARANCES.—The Secretary shall ensure that all members of the Board, and appropriate experts and consultants under paragraph (7)(E), obtain relevant security clearances in an expeditious manner.

(7) OPERATION.—

(A) CHAIR.—The Secretary shall appoint one member of the Board to chair the Board. The Board shall meet at the call of the Chair.

(B) TRAVEL EXPENSES.—Members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board.

(C) OFFICE SPACE AND ADMINISTRATIVE ASSISTANCE.—Upon the request of the chairperson of the Board, the Secretary shall provide reasonable and appropriate office space, supplies, and administrative assistance.

(D) APPLICABILITY OF CERTAIN OTHER LAWS.—Nothing in this section shall be construed to cause the Board to be considered an agency or establishment of the United States, or to cause members of the Board to be considered officers or employees of the United States. Executive branch agencies may conduct programs and activities and provide services in support of the activities duties of the Board, notwithstanding any other provision of law. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(E) EXPERTS AND CONSULTANTS.—The Board may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Board such sums as may be necessary for each of fiscal years 2006, 2007, and 2008.

SEC. 616. ESTABLISHMENT AND MAINTENANCE OF INTERNET SITE FOR GLOBAL DEMOCRACY AND HUMAN RIGHTS.

(a) ESTABLISHMENT.—In order to facilitate access by individuals and nongovernmental organizations in foreign countries to documents, streaming video and audio, and other media regarding democratic principles, practices, and values, and the promotion and strengthening of democracy, the Secretary of State, in cooperation with the Under Secretary of State for Democracy and Global Affairs, the Under Secretary for Public Diplomacy and Public Affairs, and the Assistant Secretary of State for Democracy, Human Rights, and Labor, shall establish and maintain an Internet site for global democracy and human rights.

(b) CONTENTS.—The Internet site for global democracy established under subsection (a) shall include the following information:

(1) The Executive Summary prepared under section 612(a)(2)(A), but only to the extent that information contained therein is not classified.

(2) Narratives and histories of significant democratic movements in foreign countries, particularly regarding successful nonviolent campaigns to oust dictatorships.

(3) Narratives relating to the importance of the establishment of and respect for fundamental freedoms.

(4) Major human rights reports by the United States Government or any other documents, references, or links to external Internet sites the Secretary or Under Secretary determines appropriate, including reference to or links to training materials regarding successful movements in the past, including translations of such materials, as appropriate.

SEC. 617. PROGRAMS BY UNITED STATES MISSIONS IN FOREIGN COUNTRIES AND ACTIVITIES OF CHIEFS OF MISSION.

(a) DEVELOPMENT OF PROGRAMS TO PROMOTE DEMOCRACY IN FOREIGN COUNTRIES.—Each chief of mission in each foreign country categorized as nondemocratic in the most recent Annual Report on Democracy, with the assistance of the director of the relevant Regional Hub, shall—

(1) develop, as part of annual program planning, a strategy to promote democracy in each such foreign country and to provide visible and material support to individuals and nongovernmental organizations in each such country that are committed to democratic principles, practices, and values, such as—

(A) consulting and coordinating with such individuals and organizations regarding the promotion of democracy;

(B) visiting local landmarks and other local sites associated with nonviolent protest in support of democracy and freedom from oppression;

(C) holding periodic public meetings with such individuals and organizations to discuss democracy and political, social, and economic freedoms;

(D) issuing public condemnation of severe violations of internationally recognized human rights (as such term is described in section 116(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a)), violations of religious freedom, including particularly severe violations of religious freedom (as such terms are defined in paragraphs (11) and (13) of section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)), political repression, and government-tolerated or -condoned trafficking in persons; and

(E) providing technical, financial, and such other support to such individuals and organizations;

(2) hold ongoing discussions with the leaders of each such nondemocratic country regarding a transition to full democracy and the development of political, social, and economic freedoms and respect for human rights, including freedom of religion or belief, in such country; and

(3) conduct meetings with civil society, interviews with media that can directly reach citizens of each such country, and discussions with students and young people of each such country regarding a transition to democracy and the development of political, social, and economic freedoms in each such country.

(b) PUBLIC OUTREACH IN FOREIGN COUNTRIES.—Each chief of mission or principal officer should spend time at universities and other institutions of higher learning to—

(1) debate and discuss values and policies that promote democracy; and

(2) communicate, promote, and defend such United States values and policies.

(c) ACCESS TO UNITED STATES MISSIONS.—The Secretary is encouraged to allow access to a United States diplomatic or consular mission in each foreign country categorized as a democratic transition country or as nondemocratic in the most recent Annual Report on Democracy by individuals and representatives of nongovernmental organizations in each such country who are committed to democratic principles, practices, and values in each such country.

SEC. 618. TRAINING FOR FOREIGN SERVICE OFFICERS.

(a) TRAINING IN DEMOCRACY AND THE PROMOTION OF DEMOCRACY AND HUMAN RIGHTS.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding at the end the following new subsection:

''(c) TRAINING ON GLOBAL DEMOCRACY PROMOTION.—

''(1) IN GENERAL.—In addition to the training required under subsections (a) and (b), the Secretary of State, in cooperation with other relevant officials, including the Under Secretary of State for Democracy and Global Affairs, and the Director of the National Foreign Affairs Training Center of the Foreign Service Institute of the Department of State, shall establish as part of the training provided after December 31, 2006, for members of the Service, including all chiefs of mission and deputy chiefs of mission, instruction in how to strengthen and promote democracy through peaceful means in consultation with individuals and nongovernmental organizations that support democratic principles, practices, and values. In particular, such instruction shall be mandatory for members of the Service having reporting or other responsibilities relating to internal political developments and human rights, including religious freedom, in nondemocratic countries or democratic transition countries as categorized in the most recent Annual Report on Democracy as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005, including for chiefs of mission and deputy chiefs of mission, and shall be completed before the time that such member or chief of mission assumes a post (or, if such is not practical, within the first year of assuming such post).

''(2) CONTENTS OF TRAINING.—The training required under paragraph (1) shall include instruction, a training manual, and other materials regarding the following:

''(A) International documents and United States policy regarding electoral democracy and respect for human rights.

''(B) United States policy regarding the promotion and strengthening of democracy around the world, with particular emphasis on the transition to democracy in nondemocratic countries.

''(C) For any member, chief of mission, or deputy chief of mission who is to be assigned to a foreign country that is categorized as nondemocratic in the Annual Report on Democracy, instruction regarding ways to promote democracy in such country and providing technical, financial, and other support to individuals (including expatriated citizens) and nongovernmental organizations in such country that support democratic principles, practices, and values.

''(D) The protection of internationally recognized human rights (including the protection of religious freedom) and standards related to such rights, provisions of United States law related to such rights, diplomatic tools to promote respect for such rights, the protection of individuals who have fled their countries due to violations of such rights (including the role of United States embassies in providing access to the United States Refugee Admissions Program) and the relationship between respect for such rights and democratic development and national security. The Director of the National Foreign Affairs Training Center of the Foreign Service Institute of the Department of State shall consult with nongovernmental organizations involved in the protection and promotion of such rights and the United States Commission on International Religious Freedom (established under section 201(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431(a)) in developing the training required by this subparagraph.''.

(b) OTHER TRAINING.—The Secretary of State shall ensure that the training described in subsection (a) is provided to members of the civil service who are assigned in the United States or abroad who have reporting or other responsibilities relating to internal political developments and human rights in countries that are categorized as democratic transition countries or nondemocratic in the Annual Report on Democracy required under section 612(a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to develop appropriate programs and materials to accomplish the training required under subsection (c) of section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028), as added by subsection (a).

(d) CLERICAL AMENDMENTS.—Section 708 of the Foreign Service Act of 1980, as amended by subsection (a), is further amended—

(1) in subsection (a) by striking ''(a) The'' and inserting ''(a) TRAINING ON HUMAN RIGHTS.—The''; and

(2) in subsection (b) by striking ''(b) The'' and inserting ''(b) TRAINING ON REFUGEE LAW AND RELIGIOUS PERSECUTION.—The''.

SEC. 619. PERFORMANCE PAY; PROMOTIONS; FOREIGN SERVICE AWARDS.

(a) PERFORMANCE PAY.—Section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)) is amended by inserting after the second sentence the following new sentence: ''Meritorious or distinguished service in the promotion of democracy in foreign countries, including contact with and support of individuals and nongovernmental organizations that promote democracy in a foreign country categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), shall also serve as a basis for granting awards under this section.''.

(b) PROMOTIONS.—Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003(b)) is amended by adding at the end the following new sentence: ''Precepts for selection boards shall also, where applicable, include an evaluation of whether members of the Service and members of the Senior Foreign Service have met the standards of performance established by the Secretary pursuant to section 619(c) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005, or have served in a position in which the primary responsibility is to monitor or promote democracy or human rights.''.

(c) REGULATIONS AND EVALUATIONS CONCERNING STANDARDS OF PERFORMANCE AND PROGRAMS TO PROMOTE DEMOCRACY.—With respect to members of the Foreign Service, including all chiefs of mission, who are assigned to foreign countries categorized as nondemocratic in the most recent Annual Report on Democracy, the Secretary shall prescribe regulations concerning the standards of performance to be met under sections 405(d) and 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d) and 4003(b)), as amended by subsections (a) and (b), respectively, and the development of programs to promote democracy in foreign countries under section 617. The requirements of sections 617 and 618(a) shall serve as one of the bases for performance criteria in evaluating chiefs of mission and those officers at posts so designated by the chief of mission.

(d) FOREIGN SERVICE AWARDS.—Section 614 of the Foreign Service Act of 1980 (22 U.S.C. 4013) is amended by adding at the end the following new sentence: ''Distinguished or meritorious service in the promotion of democracy in foreign countries, including contact with and support of individuals and nongovernmental organizations that promote democracy in a foreign country categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), shall also serve as a basis for granting awards under this section.''.

SEC. 620. APPOINTMENTS.

(a) APPOINTMENTS BY THE PRESIDENT.—Section 302 of the Foreign Service Act of 1980 (22 U.S.C. 3942) is amended by adding at the end the following new subsection:

''(c) If an individual (with respect to subsection (a)) or a member of the Service (with respect to subsection (b)) is appointed by the President to be a chief of mission in a country at the time such country is categorized as nondemocratic in an Annual Report on Democracy (required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), and if such individual or such member has previously served as chief of mission in a country that was so categorized, the President shall transmit to the Committee on Foreign Relations of the Senate a written report summarizing the actions that such individual or member took during the period of such prior service to promote democracy and human rights in such country, including actions in furtherance of the strategy contained in such report.''.

(b) CHIEFS OF MISSION.—Section 304(a)(1) of such Act (22 U.S.C. 3944(a)(1)) is amended by adding at the end the following new sentence: ''If the country in which the individual is to serve is categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), the individual should possess clearly demonstrated competence in and commitment to the promotion of democracy in such country, including competence in promoting democratic principles, practices, and values through regular interaction with individuals, including students and young people within such country, who support and advocate such principles, practices, and values.''.

Subtitle B—Alliances With Other Democratic Countries

SEC. 631. ALLIANCES WITH OTHER DEMOCRATIC COUNTRIES.

(a) FINDING.—Congress finds that it is in the national interest of the United States, including for humanitarian, economic, social, political, and security reasons, to forge alliances with democratic countries to work together to promote and protect—

(1) shared democratic principles, practices, and values; and

(2) political, social, and economic freedoms around the world.

(b) PURPOSES.—The purposes of this subtitle are to encourage new ways of forging alliances with democratic countries in order to—

(1) promote and protect democratic principles, practices, and values, including the right to free, fair, and open elections, secret balloting, and universal suffrage;

(2) promote and protect fundamental shared political, social, and economic freedoms, including the freedoms of association, of expression, of the press, of religion, and to own private property;

(3) promote and protect respect for the rule of law;

(4) develop, adopt, and pursue strategies to advance common interests in international organizations and multilateral institutions to which members of the alliance of democratic countries belong; and

(5) provide political, economic, and other necessary support to countries that are undergoing a transition to democracy.

(c) SENSE OF CONGRESS REGARDING PARTICIPATION.—It is the sense of Congress that any foreign country that is categorized as nondemocratic in the most recent Annual Report on Democracy under section 612(a) should not participate in any alliance of democratic countries aimed at working together to promote democracy.

SEC. 632. SENSE OF CONGRESS REGARDING THE ESTABLISHMENT OF A DEMOCRACY CAUCUS.

(a) FINDINGS.—Congress finds that with the passage of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), Congress—

(1) encouraged the establishment of a Democracy Caucus within the United Nations, the United Nations Human Rights Commission, the United Nations Conference on Disarmament, and at other broad-based international organizations; and

(2) required increased training in multilateral diplomacy for members of the Foreign Service and appropriate members of the Civil Service to support such an establishment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the creation of a Democracy Caucus in each international organization and multilateral institution of which the United States is a member will not only improve the internal governance of such organizations but will also strengthen the implementation of commitments by such organizations and institutions regarding democracy and human rights.

SEC. 633. ANNUAL DIPLOMATIC MISSIONS ON MULTILATERAL ISSUES.

The Secretary of State, acting through the principal officers responsible for advising the Secretary on international organizations, should ensure that a high level delegation from the United States is sent on an annual basis to consult with key foreign governments in every region to promote United States policies, including issues related to democracy and human rights, at key international fora, including the United Nations General Assembly, the United Nations Human Rights Commission or other multilateral human rights body, the Organization for Security and Cooperation in Europe, and the United Nations Education, Science, and Cultural Organization.

SEC. 634. STRENGTHENING THE COMMUNITY OF DEMOCRACIES.

(a) FORMAL MECHANISMS FOR THE COMMUNITY OF DEMOCRACIES.—It is the sense of Congress that the Community of Democracies should develop a more formal mechanism for carrying out work between ministerial meetings, including hiring appropriate staff to carry out such work, and should, as appropriate, establish a headquarters.

(b) DETAIL OF PERSONNEL.—The Secretary is authorized to detail on a nonreimbursable basis any employee of the Department of State to any country that is a member of the Convening Group of the Community of Democracies.

(c) REGIONAL GROUP IN THE COMMUNITY OF DEMOCRACIES.—It is the sense of Congress that regional groups within the Community of Democracies should be established and strengthened in order to facilitate coordination of common positions and action on multilateral strategies to promote and consolidate democracy.

(d) INTERNATIONAL CENTER FOR DEMOCRATIC TRANSITION.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the United States should, along with contributions from private individuals, support the initiative of the Government of Hungary and the governments of other European countries to establish a International Center for Democratic Transition to support transitions to full democracy.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for a grant to the International Center for Democratic Transition $1,000,000 for each of fiscal years 2006, 2007, and 2008. Amounts appropriated under this paragraph shall remain available until expended.

(3) USE OF FUNDS.—Any grant made in fiscal year 2006 by the Secretary to the International Center for Democratic Transition under paragraph (2) may be used for the establishment and operation of the Center and for programs and activities of the Center. Any grant or voluntary contribution made in any subsequent fiscal year by the Secretary to the Center under such paragraph may be used for programs and activities of the Center.

Subtitle C—Funding for Promotion of Democracy

SEC. 641. POLICY.

It shall be the policy of the United States to provide financial assistance to eligible entities and eligible individuals in order to assist such entities and individuals in the promotion of democracy in countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 612(a).

SEC. 642. HUMAN RIGHTS AND DEMOCRACY FUND.

(a) PURPOSES OF THE HUMAN RIGHTS AND DEMOCRACY FUND.—In addition to uses currently approved for the Human Rights and Democracy Fund, the Secretary of State, acting through the Assistant Secretary of State for Democracy, Human Rights, and Labor shall use amounts appropriated to the Human Rights and Democracy Fund under subsection (e) to provide assistance to eligible entities and eligible individuals to promote democracy in foreign countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 612(a). The promotion of democracy in such countries for which such assistance may be provided may include the following activities:

(1) The publication and distribution of books and the creation and distribution of other media relating to information about current events in such country and educational programming designed to provide information regarding democracy, the rule of law, free, fair and open elections, free market economics, fundamental human rights (including the rights of freedom of speech and of religion and the rights to be free from slavery and bondage), and successful democratic movements in history, including educational programs for leaders and members of democratic movements to convey information to such individuals regarding the means of nonviolent force and the methods of nonviolent action.

(2) The translation into languages spoken in such countries of relevant programming and existing books, videos, and other publications relating to the subjects specified in paragraph (1).

(3) The promotion of political pluralism and the rule of law within such countries, including the promotion of nongovernmental organizations and movements that promote democratic principles, practices, and values.

(4) The creation of programs for student groups to work with citizens of such countries who are committed to democratic reforms and to the promotion of a transition to democracy.

(5) The creation of training programs for citizens of such countries concerning international legal obligations to support democracy and human rights, including religious freedom.

(6) Support for nongovernmental organizations which have experience with the Community of Democracies to assist the Community of Democracies and its Convening Group.

(b) FREEDOM INVESTMENT ACT OF 2002.—Section 664(b) of the Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107–228; relating to the purposes of the Human Rights and Democracy Fund) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) by redesignating paragraph (5) as paragraph (6);

(3) by inserting after paragraph (4) the following new paragraph:

''(5) to support the study of democracy abroad, including support for debates and discussions at academic institutions, regarding the values and benefits of democracy; and''; and

(4) in paragraph (6), as redesignated by paragraph (2) of this subsection, by striking ''(4)'' and inserting ''(5)''.

(c) ADMINISTRATIVE AUTHORITIES.—Assistance provided through the Human Rights and Democracy Fund may be provided to eligible entities and eligible individuals in foreign countries notwithstanding any provision of law that prohibits assistance to a foreign country or to a government of a foreign country.

(d) ANNUAL REPORT ON THE STATUS OF THE HUMAN RIGHTS AND DEMOCRACY FUND.—Not later than 60 days after the conclusion of each fiscal year, the Assistant Secretary of State for Democracy, Human Rights, and Labor shall submit to the appropriate congressional committees an annual report on the status of the Human Rights and Democracy Fund. Each such annual report shall contain the following information:

(1) An identification of each eligible entity and eligible individual who received assistance during the previous fiscal year under subsection (b) and a summary of the activities of each such recipient.

(2) An account of projects funded and outside contributions received during the previous fiscal year.

(3) A balance sheet of income and outlays current as of the conclusion of the fiscal year to which such report is relevant.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Of the funds available for each of fiscal years 2006 and 2007, there are authorized to be appropriated to the Human Rights and Democracy Fund to carry out the purposes of this section $50,000,000 for fiscal year 2006 and $60,000,000 for fiscal year 2007. Amounts appropriated under this section shall remain available until expended.

(2) ADMINISTRATIVE EXPENSES.—Not more than five percent of amounts appropriated to the Human Rights and Democracy Fund for each fiscal year may be applied toward administrative expenses associated with carrying out this section.

(3) CONTRIBUTIONS.—The Secretary may accept contributions to the Human Rights and Democracy Fund from the governments of other democratic countries, private foundations, private citizens, and other nongovernmental sources.

Subtitle D—Presidential Actions

SEC. 651. INVESTIGATION OF VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW.

(a) IN GENERAL.—The President, with the assistance of the Secretary of State, the Under Secretary of State for Democracy and Global Affairs, and the Ambassador-at-Large for War Crimes Issues, shall collect information regarding incidents that may constitute crimes against humanity, genocide, slavery, or other violations of international humanitarian law by leaders or other government officials of foreign countries categorized as nondemocratic or as democratic transition countries in the most recent Annual Report on Democracy under section 612(a).

(b) ACCOUNTABILITY.—The President shall consider what actions can be taken to ensure that such leaders or other government officials of foreign countries who are identified in accordance with subsection (a) as responsible for crimes against humanity, genocide, slavery, or other violations of international humanitarian law are brought to account for such crimes in an appropriately constituted tribunal.

SEC. 652. PRESIDENTIAL COMMUNICATIONS.

(a) FINDING.—Congress finds that direct communications from the President to citizens of countries that are categorized as nondemocratic in the most recent Annual Report on Democracy would be extremely beneficial to demonstrate that the United States supports such citizens and the efforts and actions of such citizens to promote and achieve transition to democracy in such countries.

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

(1) from time to time as the President shall determine appropriate, the President should broadcast a message to the citizens of countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 612(a) expressing the support of the United States for such citizens, discussing democratic principles, practices, and values, and political, social, and economic freedoms, and condemning violations of internationally recognized human rights (as such term is described in section 116(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a))), violations of religious freedom, including particularly severe violations of religious freedom (as such terms are defined in paragraphs (11) and (13) of section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)), political repression, and government-tolerated or condoned trafficking in persons that occur in such country; and

(2) the President should encourage leaders of other democratic countries to make similar broadcasts.

TITLE VII—STRATEGIC EXPORT CONTROL AND SECURITY ASSISTANCE ACT OF 2005

Subtitle A—General Provisions

SEC. 701. SHORT TITLE.

This title may be cited as the ''Strategic Export Control and Security Assistance Act of 2005''.

SEC. 702. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

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

(2) DEFENSE ARTICLES AND DEFENSE SERVICES.—The term ''defense articles and defense services'' has the meaning given the term in section 47(7) of the Arms Export Control Act (22 U.S.C. 2794 note).

(3) DUAL USE.—The term ''dual use'' means, with respect to goods or technology, those goods or technology that are specifically designed or developed for civil purposes but which also may be used or deployed in a military or proliferation mode. Such term does not include purely commercial items.

(4) EXPORT.—The term ''export'' has the meaning given that term in section 120.17 of the International Traffic in Arms Regulations, and includes re-exports, transfers, and re-transfers by any means.

(5) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' means those regulations contained in sections 730 through 774 of title 15, Code of Federal Regulations (or successor regulations).

(6) FOREIGN GOVERNMENT.—The term ''foreign government'' has the meaning given the term in section 38(g)(9)(B) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(B)).

(7) FOREIGN PERSON.—The term ''foreign person'' has the meaning given the term in section 38(g)(9)(C) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(C)).

(8) GOOD.—The term ''good'' has the meaning given the term in section 16(3) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(3)).

(9) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means those regulations contained in sections 120 through 130 of title 22, Code of Federal Regulations (or successor regulations).

(10) ITEM.—The term ''item'' means any good or technology, defense article or defense service subject to the export jurisdiction of the United States under law or regulation.

(11) LICENSE.—The term ''license'' means an official written document of the United States Government issued pursuant to the Export Administration Regulations or the International Traffic in Arms Regulations, as the case may be, authorizing a specific export.

(12) MISSILE TECHNOLOGY CONTROL REGIME; MTCR.—The term ''Missile Technology Control Regime'' or ''MTCR'' has the meaning given the term in section 11B(c)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(2)).

(13) MISSILE TECHNOLOGY CONTROL REGIME ANNEX; MTCR ANNEX.—The term ''Missile Technology Control Regime Annex'' or ''MTCR Annex'' has the meaning given the term in section 11B(c)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(4)).

(14) PERSON.—The term ''person'' has the meaning given the term in section 38(g)(9)(E) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(E)).

(15) STRATEGIC EXPORT CONTROL.—The term ''strategic export control'' means the control of items subject to the export jurisdiction of the United States pursuant to the International Traffic in Arms Regulations or the Export Administration Regulations.

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

(17) UNITED STATES MUNITIONS LIST.—The term ''United States Munitions List'' means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

SEC. 703. DECLARATION OF POLICY.

Congress declares that, at a time of evolving threats and changing relationships with other countries, United States strategic export controls are in urgent need of a comprehensive review in order to assure such controls are achieving their intended purposes of protecting the national security interests of the United States in the Global War on Terrorism and of promoting the foreign policy purposes of the United States, in particular by assuring that—

(1) export license procedures are properly designed to prioritize readily which exports may be approved quickly for United States friends and allies and which require greater scrutiny in order to safeguard national interests;

(2) technology related to the military superiority of the United States Armed Forces is safeguarded during and after export to a high level of confidence; and

(3) overlapping and duplicative functions among the responsible departments and agencies of the Government of the United States are consolidated and integrated wherever appropriate in order to enhance efficiency, information sharing, and the consistent execution of United States policy.

Subtitle B—Revising and Strengthening Strategic Export Control Policies

SEC. 711. AMENDMENTS TO THE STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.

(a) UNDER SECRETARY FOR ARMS CONTROL AND INTERNATIONAL SECURITY.—Section 1(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(2)) is amended—

(1) in the first sentence, by striking ''There'' and inserting the following:

''(A) IN GENERAL.—There''; and

(2) by adding at the end the following new subparagraph:

''(B) DUTIES.—The Under Secretary for Arms Control and International Security shall be responsible for—

''(i) coordinating and executing a United States strategy for strengthening multilateral export controls;

''(ii) coordinating the activities of all bureaus and offices of the Department of State that have responsibility for export control policy, licensing, or assistance; and

''(iii) serving as the chairperson of the Strategic Export Control Board established under section 712 of the Strategic Export Control and Security Assistance Act of 2005.''.

(b) DEPUTY UNDER SECRETARY FOR STRATEGIC EXPORT CONTROL .—Section 1(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(2)), as amended by subsection (a), is further amended by adding at the end the following new subparagraph:

''(C) DEPUTY UNDER SECRETARY FOR STRATEGIC EXPORT CONTROL.—There shall be in the Department of State a Deputy Under Secretary for Strategic Export Control who shall have primary responsibility to assist the Under Secretary for Arms Control and International Security in carrying out the responsibility of the Under Secretary described in subparagraph (B)(iii).''.

(c) DEFENSE TRADE CONTROLS REGISTRATION FEES.—Section 45 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(4) functions of the Strategic Export Control Board established under section 712 of the Strategic Export Control and Security Assistance Act of 2005.''.

SEC. 712. STRATEGIC EXPORT CONTROL BOARD.

(a) ESTABLISHMENT.—There is established a Strategic Export Control Board (in this section referred to as the ''Board''). The Board shall consist of representatives from the Department of Commerce, the Department of Defense, the Department of Homeland Security, the Department of Justice, the National Security Council, the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)), and other appropriate departments and agencies of the Government of the United States, and the Under Secretary for Arms Control and International Security of the Department of State. The Under Secretary for Arms Control and International Security shall serve as the chairperson of the Board.

(b) FUNCTIONS.—The Board shall—

(1) conduct a comprehensive review of United States strategic export controls in the context of the Global War on Terrorism in order to strengthen controls by regulation, where appropriate, and to formulate legislative proposals for any new authorities that are needed for counter-terrorism purposes;

(2) develop a strategy for ensuring a high level of confidence in the export control of any items important to the current and future military superiority of the United States Armed Forces, including in particular the security of sensitive software through the use of tamper-resistant security software and other emerging technologies;

(3) design standards and best practices for information assurance and protection for the robust information technology systems, such as virtual private networks, already utilized by United States defense firms in the conduct of their export control regulated activities with foreign partners, which can also gain the support of United States friends and allies;

(4) formulate, with the assistance of the United States defense industry and the support of United States friends and allies, an automated international delivery confirmation system for commercial shipments of lethal and other high risk items in order to afford improved protection against attempts to disrupt international supply chains or to divert sensitive items to gray arms markets;

(5) prepare recommendations for the President and Congress, as appropriate, with respect to—

(A) the consolidation of overlapping or duplicative functions among the responsible departments and agencies of the Government of the United States in such areas as enforcement, end use monitoring, export licensing, watch lists, and related areas;

(B) the cost-savings associated with integration of export licensing staffs and the promulgation of integrated export control regulations; and

(C) the resultant rationalization of budgetary resources to be authorized among the responsible departments and agencies of the United States Government;

(6) establish the necessary departmental and inter-agency controls that will ensure legitimate exports by United States business organizations can be readily identified and generally approved within 10 days, but no later than 30 days in more complex cases, except in unusual circumstances, such as those requiring congressional notification or foreign government assurances;

(7) review and revise, where appropriate, plans for modernizing information technology systems of the relevant departments and agencies of the Government of the United States involved in export licensing, export enforcement, and screening of involved private parties to ensure efficient, reliable, and secure intra-governmental networks, at the earliest practicable date among the relevant departments and agencies and United States exporters; and

(8) develop a strategy for strengthening the multilateral control regimes or developing new regimes, as appropriate, to augment or supplement existing international arrangements.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than one year, two years, and three years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains—

(1) an independent assessment of progress made by the Board in carrying out its functions under paragraphs (1) through (8) of subsection (b);

(2) the budgetary impact of each of the recommendations prepared under subsection (b)(5) and any additional recommendations prepared by the Comptroller General and the budgetary impact of such recommendations; and

(3) a certification as to whether the Comptroller General had access to sufficient information to enable the Comptroller General to make informed judgments on the matters covered by the report.

SEC. 713. AUTHORIZATION FOR ADDITIONAL LICENSE AND COMPLIANCE OFFICERS.

(a) FUNDING.—Of the amounts authorized to be appropriated under section 101 of this Act, up to $13,000,000 shall be available for each of the fiscal years 2006 and 2007 for salaries and expenses related to the assignment of additional full time license and compliance officers in the Directorate of Defense Trade Controls of the Department of State.

(b) NOTIFICATION.—None of the funds authorized under subsection (a) may be made available until 15 days after the date on which the Secretary of State submits a written report to the congressional committees specified in section 634A(a) of the Foreign Assistance Act of 1961 (22 U.S.C.2394–1(a)) in accordance with the procedures applicable to reprogramming notifications under such section, which sets forth the plans and timetable of the Department of State for measurable improvements in the quality and timeliness of the service it provides in support of United States Armed Forces abroad and routine exports by United States business organizations, as well as for the elaboration of enhanced compliance measures appropriate to the heightened security environment for arms exports during the Global War on Terrorism.

Subtitle C—Procedures Relating to Export Licenses

SEC. 721. TRANSPARENCY OF JURISDICTIONAL DETERMINATIONS.

(a) DECLARATION OF POLICY.—Congress declares that the complete confidentiality surrounding several thousand commodity classification determinations made each year by the Department of Commerce pursuant to the Export Administration Regulations and several hundred commodity jurisdiction determinations made each year by the Department of State pursuant to the International Traffic in Arms Regulations is not necessary to protect legitimate proprietary interests of persons or their prices and customers, is not in the best interests of the security and foreign policy interests of the United States, is inconsistent with the need to ensure a level playing field for United States exporters, and detracts from United States efforts to promote greater transparency and responsibility by other countries in their export control systems.

(b) PUBLICATION REQUIREMENT.—The Secretary of Commerce and the Secretary of State shall—

(1) upon making a commodity classification determination or a commodity jurisdiction classification, as the case may be, referred to in subsection (a) in response to a request by a private person, publish in the Federal Register, not later than 30 days after the date of the determination—

(A) a description of the item, including performance levels or other technical characteristics where appropriate,

(B) an explanation of whether the item is controlled under the International Traffic in Arms Regulations or the Export Administration Regulations, and

(C) the United States Munitions List designation or export control classification number under which the item has been designated or classified, as the case may be,

except that the name of the name of the person, the person's business organization, customers, or prices are not required to be published; and

(2) maintain on their respective Internet websites an archive, that is accessible to the general public and other departments and agencies of the United States, of the determinations published in the Federal Register under paragraph (1).

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Commerce shall submit to the appropriate congressional committees a joint report that contains a description of the plans to implement the requirements of this section.

(d) REQUIREMENT.—Notwithstanding any other provision of law, beginning 180 days after the date of the enactment of this Act, the Secretary of Commerce may make a commodity classification determination referred to in subsection (a), and the Secretary of State may make a commodity jurisdiction determination referred to in subsection (a), in response to a request by a private person only in in accordance with the requirements of subsection (b).

SEC. 722. CERTIFICATIONS RELATING TO EXPORT OF CERTAIN DEFENSE ARTICLES AND DEFENSE SERVICES.

(a) REPORTS ON COMMERCIAL AND GOVERNMENTAL MILITARY EXPORTS; CONGRESSIONAL ACTION.—Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended—

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

(2) in paragraph (2)—

(A) in subparagraph (A), by adding ''and'' at the end;

(B) by striking subparagraph (B); and

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

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

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of State should revise its procedures in order to improve the timeliness and quality of service it is providing to United States exporters concerning matters requiring notification to Congress under sections 3 and 36 of the Arms Export Control Act (22 U.S.C. 2753 and 2776) by—

(1) expediting its internal and interagency processes such that consultations with the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate commence not later than 30 days following receipt of a proposal requiring notification;

(2) providing informal notice to such Committees within 10 days of receipt of such a proposal, such that questions by the Committees may be addressed wherever feasible in conjunction with the Department's processing; and

(3) making each interval in the processing of the proposal transparent to United States exporters through the Internet website of the Department.

SEC. 723. PRIORITY FOR UNITED STATES MILITARY OPERATIONS.

The Secretary of State may not accord higher priority in the adjudication of munitions export licenses to any measure included within the ''Defense Trade Security Initiative'' announced by the Department of State in May 2000 over the processing of licenses in support of Operation Enduring Freedom, Operation Iraqi Freedom, or any other military operation involving the United States Armed Forces.

SEC. 724. LICENSE OFFICER STAFFING AND WORKLOAD.

Section 36(a) Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(1) in paragraph (11), by striking ''and'' at the end;

(2) in paragraph (12), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(13) a report on the number of civilian and military officers assigned to munitions export licensing at the Department of State and their average weekly workload for both open and closed cases.''.

SEC. 725. DATABASE OF UNITED STATES MILITARY ASSISTANCE.

Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended by striking subsection (c) and inserting the following new subsection:

''(c) AVAILABILITY OF REPORT INFORMATION ON THE INTERNET.—

''(1) REQUIREMENT FOR DATABASE.—The Secretary of State, in consultation with the Secretary of Defense, shall make available to the public the unclassified portion of each such report in the form of a database that is available via the Internet and that may be searched by various criteria.

''(2) SCHEDULE FOR UPDATING.—Not later than April 1 of each year, the Secretary of State shall make available in the database the information contained in the annual report for the fiscal year ending the previous September 30.''.

SEC. 726. TRAINING AND LIAISON FOR SMALL BUSINESSES.

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

(b) SMALL BUSINESS LIAISON.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall designate, within the Office of Defense Trade Controls of the Department of State, a coordinator for small business affairs. The coordinator shall serve as a liaison for small businesses in the United States aerospace and defense industrial sector with respect to licensing and registration requirements in order to facilitate the compliance and other forms of participation by such small businesses in the United States munitions control system, including by providing training, technical assistance, and through other efforts as may be appropriate.

SEC. 727. COMMERCIAL COMMUNICATIONS SATELLITE TECHNICAL DATA.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall amend the International Traffic in Arms Regulations to provide for the export without a license of communications satellite technical data, at a level established by the Secretary of Defense, in instances in which—

(1) the exporter is a person registered under section 38(b) of the Arms Export Control Act (22 U.S.C. 2778(b));

(2) the purpose of the export is to market a sale of a United States manufactured communications satellite solely for commercial or civil end use;

(3) no party to the transaction is proscribed under section 126.1 of the Regulations or otherwise restricted from receiving United States defense articles; and

(4) each end user or recipient has agreed in writing not to reexport or retransfer the United States furnished technical data to any other person without the prior written consent of the United States Government.

SEC. 728. REPORTING REQUIREMENT FOR UNLICENSED EXPORTS.

Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is amended—

(1) in paragraph (2), by striking ''or'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(4) were exported without a license under section 38 of the Arms Export Control Act (22 U.S.C. 2778) pursuant to an exemption established under the International Traffic in Arms Regulations, other than defense articles exported in furtherance of a letter of offer and acceptance under the Foreign Military Sales program or a technical assistance or manufacturing

license agreement, including the specific exemption provision in the regulation under which the export was made.''.

Subtitle D—Terrorist-Related Provisions and Enforcement Matters

SEC. 731. SENSITIVE TECHNOLOGY TRANSFERS TO FOREIGN PERSONS LOCATED WITHIN THE UNITED STATES.

(a) WEAPONS TRANSFERS.—Pursuant to regulations issued under section 38(g)(6) of the Arms Export Control (22 U.S.C. 2778(g)(6)), the President shall require a license for the transfer of any defense articles and defense services, other than a firearm for personal use, specified in a report required under subsection (c) to a foreign person located within the United States (other than to a foreign government, unless such government is proscribed under section 126.1 of the International Traffic in Arms Regulations or otherwise restricted from receiving defense articles and defense services).

(b) DUAL USE TRANSFERS.—Notwithstanding any other provision of law, the President may require a license under the Export Administration Regulations for the transfer of any dual use goods and technology, other than a firearm for personal use, specified in a report required under subsection (c) to a foreign person located within the United States.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Attorney General and the Secretary of Homeland Security, shall submit to the appropriate congressional committees a report that specifies those items which warrant scrutiny and enforcement by the Government of the United States through license procedures prior to a transfer to a foreign person located within the United States in order to deter efforts on the part of such person to acquire such items for terrorist or other unlawful purposes

SEC. 732. CERTIFICATION CONCERNING EXEMPT WEAPONS TRANSFERS ALONG THE NORTHERN BORDER OF THE UNITED STATES.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of Homeland Security, shall submit to the appropriate congressional committees a written report certifying that—

(1) provisions of the International Traffic in Arms Regulations permitting unlicensed temporary imports into the United States from Canada by any person of any unclassified defense article on the United States Munitions List do not present a risk to the national security of the United States; and

(2) personnel of the Bureau of Customs and Border Protection of the Department of Homeland Security located along the northern border of the United States have adequate written guidance from the Department of State which permits them to effectively enforce provisions of the International Traffic in Arms Regulations permitting unlicensed exports to Canada of certain items on the United States Munitions List.

SEC. 733. COMPREHENSIVE NATURE OF UNITED STATES ARMS EMBARGOES.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that—

(A) governments to which the Government of the United States prohibits by law or policy the transfer of implements of war, including material, components, parts, and other defense articles and defense services (as defined in paragraphs (3) and (4) of section 47 of the Arms Export Control Act (22 U.S.C. 2794(3) and (4)), respectively) continue to seek to evade these embargoes through increasingly sophisticated illegal acquisitions via the ''international gray arms market'' and by seeking to exploit weaknesses in the export control system of the United States and its friends and allies; and

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

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

(b) SCOPE OF EMBARGOES.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

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

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

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

SEC. 734. CONTROL OF ITEMS ON MISSILE TECHNOLOGY CONTROL REGIME ANNEX.

(a) SENSE OF CONGRESS.—It is the sense of Congress that all proposals to export or transfer to foreign persons by other means, whether in the United States or abroad, and any other activities subject to regulation under section 38, 39, or 40 of the Arms Export Control Act (22 U.S.C. 2778, 2779, or 2780), relating to items on the Missile Technology Control Regime Annex, should be accorded stringent control and scrutiny consistent with the purposes of section 71 of the Arms Export Control Act (22 U.S.C. 2797).

(b) CONTROL OF ITEMS ON MTCR ANNEX.—The Secretary of State, in coordination with the Secretary of Commerce, the Attorney General, and the Secretary of Defense, shall ensure that all items on the MTCR Annex are subject to stringent control by the Government of the United States pursuant to the International Traffic in Arms Regulations and the Export Administration Regulations.

(c) CERTIFICATION.—Not later than March 1 of each year, the Secretary of State, in coordination with the Secretary of Commerce, the Attorney General and the Secretary of Defense, shall submit to the appropriate congressional committees a report that contains—

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

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

SEC. 735. UNLAWFUL USE OF UNITED STATES DEFENSE ARTICLES.

(a) INELIGIBILITY FOR TERRORIST RELATED TRANSACTIONS.—Section 3(c)(1) of the Arms Export Control Act (22 U.S.C. 2753(c)(1)) is amended—

(1) in each of subparagraphs (A) and (B), by striking ''or any predecessor Act,'' and inserting ''any predecessor Act, or licensed or approved under section 38 of this Act, to carry out a transaction with a country, the government of which the Secretary of State has determined is a state sponsor of international terrorism for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), or otherwise uses such defense articles or defense services''; and

(2) by adding at the end the following:

''(C) In this section, the term 'transaction' means the taking of any action, directly or indirectly, by a foreign country that would be a transaction prohibited by section 40 of this Act with respect to the United States Government and United States persons.''.

(b) REPORTING REQUIREMENT.—Section 3(e) of the Arms Export Control Act (22 U.S.C. 2753(e)) is amended by inserting after ''the Foreign Assistance Act of 1961,'' the following: ''regardless of whether the article or service has been sold or otherwise furnished by the United States Government or licensed under section 38 of this Act,''.

Subtitle E—Strengthening United States Missile Nonproliferation Law

SEC. 741. PROBATIONARY PERIOD FOR FOREIGN PERSONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, upon the expiration, or the granting of a waiver, on or after January 1, 2003, of sanctions against a foreign person imposed under section 73(a) of the Arms Export Control Act (22 U.S.C. 2797b(a)) or under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, a license shall be required, for a period of not less than three years, for the export to that foreign person of all items controlled for export under section 5 or 6 of the Export Administration Act of 1979 (50 U.S.C. App. 2404, 2405), as continued in effect under the International Emergency Economic Powers Act, in accordance with the Export Administration Regulations.

(b) TERMINATION.—Subsection (a) shall not apply to a foreign person 30 days after the President notifies the Committee on International Relations of the House of Representatives and the Committee on Banking, Housing and Urban Affairs and the Committee on Foreign Relations of the Senate that the President has determined that—

(1) the foreign person has—

(A) ceased all activity related to the original imposition of sanctions under section 73(a) of the Arms Export Control Act or section 11B(b)(1) of the Export Administration Act of 1979, as the case may be; and

(B) has instituted a program of transparency measures under which the United States will be able to verify, for a period of at least 3 years, that the foreign person is not engaging in prohibited activities under those provisions of law referred to in paragraph (1); and

(2) there has been an appropriate resolution of the original violation or violations, such as financial penalties, incarceration, destruction of prohibited items, or other appropriate measures taken to prevent a recurrence of the violation or violations.

(c) WAIVER.—Subsection (a) shall not apply to a foreign person if—

(1) the President issues a waiver of sanctions imposed upon that person under section 73(a) of the Arms Export Control Act or under section 11B(b)(1) of the Export Administration Act of 1979, on the basis that the waiver is essential to the national security of the United States;

(2) the President designates the waiver as classified information (as defined in section 606 of the National Security Act of 1947 (50 U.S.C. 426)); and

(3) the President transmits to the committees referred to in subsection (b)—

(A) a justification for designating the waiver as classified information; and

(B) a description of—

(i) any discussions with the foreign person, concerning the activities that were the subject of the sanctions, that have been conducted by United States Government officials, or by officials of the government of the country that has jurisdiction over the foreign person or in which the foreign person conducted such activities; and

(ii) any actions that the foreign person, or the government of the country that has jurisdiction over the foreign person or in which the foreign person conducted the activities that were the subject of the sanctions, has taken to prevent a recurrence of the same or similar activities.

SEC. 742. STRENGTHENING UNITED STATES MISSILE PROLIFERATION SANCTIONS ON FOREIGN PERSONS.

(a) ARMS EXPORT CONTROL ACT.—Section 73(a)(2) of the Arms Export Control Act (22 U.S.C. 2797b(a)(2)) is amended by striking ''2 years'' each place it appears and inserting ''4 years''.

(b) PUBLIC INFORMATION.—Section 73(e)(2) of the Arms Export Control Act (22 U.S.C. 2797b(e)(2)) is amended by adding at the end the following new sentences: ''Such report may be classified only to the extent necessary to protect intelligence sources and methods. If the report is so classified, the President shall make every effort to acquire sufficient alternative information that would allow a subsequent unclassified version of the report to be issued.''.

(c) EXPORT ADMINISTRATION ACT OF 1979.—Any sanction imposed on a foreign person under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, shall be in effect for a period of four years beginning on the date on which the sanction was imposed.

(d) APPLICABILITY.—The amendments made by subsections (a) and (b) and the provisions of subsection (c) shall apply to all sanctions imposed under section 73(a) of the Arms Export Control Act or section 11B(b)(1) of the Export Administration Act of 1979, as continued in effect under the International Emergency Economic Powers Act, by reason of acts giving rise to such sanctions that were committed by foreign persons on or after January 1, 2004.

SEC. 743. COMPREHENSIVE UNITED STATES MISSILE PROLIFERATION SANCTIONS ON ALL RESPONSIBLE FOREIGN PERSONS.

(a) ARMS EXPORT CONTROL ACT.—Section 73(a) of the Arms Export Control Act (22 U.S.C. 2797b(a)) is amended by adding at the end the following new paragraph:

''(3)(A) Sanctions imposed upon a foreign person under paragraph (2) shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

''(B) When a sanction is imposed on a foreign person under paragraph (2), the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire prohibited items with the intent to transfer to that foreign person, or provide to that foreign person access to, such items. In this subparagraph, 'prohibited items' are items that may not be exported to that foreign person on account of the sanction imposed on that foreign person.

''(C) The President may also prohibit, for such period of time as the President may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person on whom sanctions have been imposed under this subsection.

''(D) The President shall report on an annual basis to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate the identity of any foreign person that engages in any transaction or activity with a foreign person on whom sanctions have been imposed under this subsection that either—

''(i) would be the basis for imposing sanctions under subparagraph (B) but for which sanctions have not been imposed; or

''(ii) would be the basis for imposing sanctions under subparagraph (C) if the transaction or activity had been carried out by a United States person or by a person in the United States.

Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.''.

(b) DEFINITION OF PERSON.—Section 74(a)(8)(A) of the Arms Export Control Act (22 U.S.C. 2797c(a)(8)(A)) is amended to read as follows:

''(8)(A) The term 'person' means—

''(i) a natural person;

''(ii) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;

''(iii) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in clause (ii); and

''(iv) any successor of any business enterprise or other organization or entity listed in clause (ii) or (iii); and''.

(c) EXPORT ADMINISTRATION ACT OF 1979.—

(1) SANCTIONS IMPOSED ON GOVERNMENTAL ENTITIES.—Any sanction imposed on a foreign person under section 11B(b)(1)(B) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)(B)), as continued in effect under the International Emergency Economic Powers Act (in this subsection referred to as a ''dual use sanction''), shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

(2) OTHER ENTITIES.—When a dual use sanction is imposed on a foreign person, the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire prohibited items with the intent to transfer to that foreign person, or provide to that foreign person access to, such items. In this paragraph, ''prohibited items'' are items that may not be exported to that foreign person on account of the dual use sanction imposed on that foreign person.

(3) TRANSACTIONS BY THIRD PARTIES.—The President may also prohibit, for such period of time as he may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person on whom dual use sanctions have been imposed.

(4) REPORT.—The President shall submit on an annual basis to the Committee on International Relations of the House of Representatives and the Committee on Banking, Housing and Urban Affairs and the Committee on Foreign Relations of the Senate a report that contains the identity of any foreign person that engages in any transaction or activity with a foreign person on whom dual use sanctions have been imposed that either—

(A) would be the basis for imposing dual use sanctions under paragraph (2) but for which such sanctions have not been imposed; or

(B) would be the basis for imposing dual use sanctions under paragraph (3) if the transaction or activity had been carried out by a United States person or by a person in the United States.

Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.

(5) DEFINITIONS.—In this subsection:

(A) MISSILE EQUIPMENT OR TECHNOLOGY.—The term ''missile equipment or technology'' has the meaning given that term in section 11B(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(c)).

(B) PERSON.—

(i) The term ''person'' means—

(I) a natural person;

(II) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;

(III) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in subclause (II); and

(IV) any successor of any business enterprise or other organization or entity listed in subclause (II) or (III).

(ii) In the case of countries where it may be impossible to identify a specific governmental entity referred to in clause (i), the term ''person'' means—

(I) all activities of that government relating to the development or production of any missile equipment or technology; and

(II) all activities of that government affecting the development or production of aircraft, electronics, and space systems or equipment.

(C) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(2)).

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to sanctions imposed on or after January 1, 2004, on foreign persons under section 73(a)(2) of the Arms Export Control Act, and the provisions of subsection (c) shall apply with respect to sanctions imposed on or after January 1, 2004, on foreign persons under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act.

Subtitle F—Security Assistance and Related Provisions

SEC. 751. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

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

(1) GREECE.—To the Government of Greece, the OSPREY class minehunter coastal ship PELICAN (MHC–53).

(2) EGYPT.—To the Government of Egypt, the OSPREY class minehunter coastal ships CARDINAL (MHC–60) and RAVEN (MHC–61).

(3) PAKISTAN.—To the Government of Pakistan, the SPRUANCE class destroyer ship FLETCHER (DD–992).

(4) TURKEY.—To the Government of Turkey, the SPRUANCE class destroyer ship CUSHING (DD–985).

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

(1) INDIA.—To the Government of India, the AUSTIN class amphibious transport dock ship TRENTON (LPD–14).

(2) GREECE.—To the Government of Greece, the OSPREY class minehunter coastal ship HERON (MHC–52).

(3) TURKEY.—To the Government of Turkey, the SPRUANCE class destroyer ship O'BANNON (DD–987).

(c) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) shall not be counted

against the aggregate value of excess defense articles transferred to countries in any fiscal year under section 516(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)).

(d) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized under subsection (a) or (b) shall be charged to the recipient.

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

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

SEC. 752. TRANSFER OF OBSOLETE AND SURPLUS ITEMS FROM KOREAN WAR RESERVES STOCKPILE AND REMOVAL OR DISPOSAL OF REMAINING ITEMS.

(a) TRANSFER OF ITEMS IN KOREAN STOCKPILE.—

(1) AUTHORITY.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary of Defense, any or all of the items described in paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and materiel such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, barrier material, and ancillary equipment, if such items are—

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense;

(C) intended for use as reserve stocks for the Republic of Korea; and

(D) as of the date of the enactment of this Act, located in a stockpile in the Republic of Korea.

(3) VALUATION OF CONCESSIONS.—(A) The value of concessions negotiated pursuant to paragraph (1) shall be at least equal to—

(i) the fair market value of the items transferred; minus

(ii) the savings to the Department of Defense of the cost of removal of the items from the Republic of Korea and disposal of the items that would have been incurred by the Department but for the transfer of the items pursuant to paragraph (1), not to exceed the fair market value of the items transferred.

(B) The concessions may include cash compensation, service, waiver of charges otherwise payable by the United States, such as charges for demolition of United States-owned or United States-intended munitions, and other items of value.

(4) PRIOR NOTIFICATIONS OF PROPOSED TRANSFERS.—Not less than 30 days before making a transfer under the authority of this subsection, the President shall transmit to the Committees on Armed Services and International Relations of the House of Representatives and the Committees on Armed Services and Foreign Relations of the Senate a detailed notification of the proposed transfer, which shall include an identification of the items to be transferred and the concessions to be received.

(5) TERMINATION OF AUTHORITY.—No transfer may be made under the authority of this subsection more than three years after the date of the enactment of this Act.

(b) REMOVAL OR DISPOSAL OF REMAINING ITEMS IN KOREAN STOCKPILE.—The President shall provide for the removal or disposal of all items described in subsection (a)(2) that are not transferred pursuant to the authority of subsection (a) by not later than four years after the date of the enactment of this Act.

SEC. 753. EXTENSION OF PAKISTAN WAIVERS.

The Act entitled ''An Act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes'', approved October 27, 2001 (Public Law 107–57; 115 Stat. 403), is amended—

(1) in section 1(b)—

(A) in the heading, by striking ''FISCAL YEARS 2005 AND 2006'' and inserting ''FISCAL YEARS 2006 AND 2007''; and

(B) in paragraph (1), by striking ''2005 or 2006'' and inserting ''2006 or 2007'';

(2) in section 3(2), by striking ''and 2006'' and inserting ''2006, and 2007''; and

(3) in section 6, by striking ''2006'' and inserting ''2007''.

SEC. 754. REPORTING REQUIREMENT FOR FOREIGN MILITARY TRAINING.

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

(1) by striking ''January 31'' and inserting ''March 1''; and

(2) by striking ''and all such training proposed for the current fiscal year''.

SEC. 755. CERTAIN SERVICES PROVIDED BY THE UNITED STATES IN CONNECTION WITH FOREIGN MILITARY SALES.

(a) QUALITY ASSURANCE, INSPECTION, CONTRACT ADMINISTRATION, AND CONTRACT AUDIT DEFENSE SERVICES.—Section 21(h)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(h)(1)(A)) is amended by inserting after ''North Atlantic Treaty Organization'' the following: ''or the Governments of Australia, New Zealand, Japan, or Israel''.

(b) CATALOGING DATA AND SERVICES.—Section 21(h)(2) of the Arms Export Control Act (22 U.S.C. 2761(h)(2)) is amended by striking ''or to any member government of that Organization if that Organization or member government'' and inserting '', to any member of that Organization, or to the Governments of Australia, New Zealand, Japan, or Israel if that Organization, member government, or the Governments of Australia, New Zealand, Japan, or Israel''.

SEC. 756. MARITIME INTERDICTION PATROL BOATS FOR MOZAMBIQUE.

(a) IN GENERAL.—Of the amounts made available to carry out section 23 of the Arms Export Control Act for fiscal year 2006, there is authorized to be appropriated $1,000,000 for refurbishment, delivery, operational training, and related costs associated with the provision of not more than four excess coastal patrol boats to the Government of Mozambique for maritime patrol and interdiction activities.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until September 30, 2007.

SEC. 757. REIMBURSEMENT FOR INTERNATIONAL MILITARY EDUCATION AND TRAINING.

Section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) is amended—

(1) in the first sentence, by striking ''The President'' and inserting ''(a) The President''; and

(2) by adding at the end the following new subsection:

''(b) The President shall seek reimbursement for military education and training furnished under this chapter from countries using assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the the Foreign Military Financing Program) to purchase such military education and training at a rate comparable to the rate charged to countries receiving grant assistance for military education and training under this chapter.''.

TITLE VIII—NUCLEAR BLACK MARKET ELIMINATION ACT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Nuclear Black Market Elimination Act of 2005''.

Subtitle A—Sanctions for Transfers of Nuclear Enrichment, Reprocessing, and Weapons Technology, Equipment and Materials Involving Foreign Persons and Terrorists

SEC. 811. AUTHORITY TO IMPOSE SANCTIONS ON FOREIGN PERSONS.

(a) DETERMINATION OF NUCLEAR ACTIVITIES BY FOREIGN PERSONS.—Notwithstanding any other provision of law, the President is authorized to impose any or all of the sanctions described in subsection (b) whenever the President determines that a foreign person participated, on or after the date of the enactment of this Act, in the export, transfer or trade of—

(1) nuclear enrichment or reprocessing equipment, materials, or technology to any nonnuclear-weapon state (as defined in section 102(c) of the Arms Export Control Act) that—

(A) does not possess functioning nuclear enrichment or reprocessing plants as of January 1, 2004; and

(B)(i) does not have in force an additional protocol with the International Atomic Energy Agency for the application of safeguards (as derived from IAEA document INFCIRC/540 and related corrections and additions); or

(ii) is developing, manufacturing, or acquiring a nuclear explosive device; or

(2) any nuclear explosive device, or design information or component, equipment, materials, or other items or technology that—

(A) is designated for national export controls under the Nuclear Supplier Group Guidelines for the Export of Nuclear Material, Equipment and Technology (published by the International Atomic Energy Agency as IAEA document INFICRC/254/Rev. 6/Part 1 and subsequent revisions) and the Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material, and Related Technology (published as IAEA document INFCIRC/254/Rev. 5/ Part 2 and subsequent revisions); and

(B) contributes to the development, manufacture, or acquisition of a nuclear explosive device by—

(i) a nonnuclear weapon state; or

(ii) a foreign person.

(b) SANCTIONS.—The sanctions referred to in subsection (a) that are to be imposed on a foreign person are the following:

(1) No assistance may be provided to the foreign person under the Foreign Assistance Act of 1961, and the foreign person may not participate in any assistance program of the United States Government. Any such assistance being provided to the foreign person, and any participation in such assistance program by the foreign person, on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(2) The United States Government may not sell any defense articles, defense services, or design or construction services to the foreign person under the Foreign Assistance Act of 1961 or the Arms Export Control Act, and any contract to sell such articles or services, under either such Act, that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(3) Licenses or any other approval may not be issued to the foreign person for the export or import of any defense articles or defense services under the Arms Export Control Act or its implementing regulations. Any such license or approval that is in effect on the on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(4) Licenses or any other approval may not be issued to the foreign person for the export of any goods or technology subject to the jurisdiction of the Export Administration Regulations under chapter VII of title 15, Code of Federal Regulations (or successor regulations), other than food and other agricultural commodities, medicines and medical equipment. Any such license or approval that is in effect on the on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(c) PERIOD SANCTIONS IN EFFECT.—The sanctions referred to in subsection (b) should be imposed for not less than two years, but may be imposed for longer periods. The President may suspend after one year any sanction imposed pursuant to this section 15 days after submitting to the appropriate congressional committees a report explaining—

(1) the reasons for modifying or terminating the sanction;

(2) how the purposes of this Act and United States national security are furthered by such modification or termination; and

(3) what measures the United States will take or is taking to ensure that the foreign person will not engage in similar activities in the future.

SEC. 812. PRESIDENTIAL NOTIFICATION ON ACTIVITIES OF FOREIGN PERSONS.

(a) REPORTS TO CONGRESS.—Not later than 180 days after enactment of this Act and no later than January 31 of each year thereafter, the President shall submit to the appropriate congressional committees a report detailing any activity by any foreign person described in section 811. This report shall also include a description of any sanctions that have been imposed and their duration.

(b) PUBLICATION.—When the President imposes sanctions under section 811, the President shall, to the maximum extent unclassified, publish in the Federal Register, not later than 15 days after reporting such sanctions to the appropriate congressional committees under subsection (a), the identity of each sanctioned foreign person, the period for which sanctions will be in effect, and the reasons for the sanctions.

Subtitle B—Further Actions Against Corporations Associated With Sanctioned Foreign Persons

SEC. 821. FINDINGS.

The Congress finds the following:

(1) Foreign persons and corporations engaging in nuclear black-market activities are motivated by reasons of commercial gain and profit.

(2) Sanctions targeted solely against the business interests of the sanctioned person or business concern may be unsuccessful in halting these proliferation activities, as the sanctions may be seen merely as the cost of doing business, especially if the business interests of the parent or subsidiary corporate entities are unaffected by the sanctions.

(3) Such narrow targeting of sanctions creates the incentive to create shell and ''carve-out'' corporate entities to perform the proliferation activities and attract sanctions, leaving all other aspects of the larger corporation unaffected.

(4) To dissuade corporations from allowing their associated commercial entities or persons from engaging in proliferation black-market activities, they must also be made to suffer financial loss and commercial disadvantage, and parent and subsidiary commercial enterprises must be held responsible for the proliferation activities of their associated entities.

(5) If a corporation perceives that the United States Government will do everything possible to make its commercial activity difficult around the world, then that corporation has a powerful commercial incentive to prevent any further proliferation activity by its associated entities.

(6) Therefore, the United States Government should seek to increase the risk of commercial loss for associated corporate entities for the proliferation actions of their subsidiaries.

SEC. 822. CAMPAIGN BY UNITED STATES GOVERNMENT OFFICIALS.

The President shall instruct all agencies of the United States Government to make every effort in their interactions with foreign government and business officials to persuade foreign governments and relevant corporations not to engage in any business transaction with a foreign person sanctioned under section 811, including any parent or subsidiary of the sanctioned foreign person, for the duration of the sanctions.

SEC. 823. COORDINATION.

The Secretary of State shall coordinate the actions of the United States Government under section 822.

SEC. 824. REPORT.

Not later than one year after the date of the enactment of this Act and annually thereafter, the Secretary of State shall report to the appropriate congressional committees on the actions taken by the United States to carry out section 822.

Subtitle C—Incentives for Proliferation Interdiction Cooperation

SEC. 831. AUTHORITY TO PROVIDE ASSISTANCE TO COOPERATIVE COUNTRIES.

The President is authorized to provide, on such terms as the President considers appropriate, assistance under section 832 to any country that cooperates with the United States and with other countries allied with the United States to prevent the transport and transshipment of items of proliferation concern in its national territory or airspace or in vessels under its control or registry.

SEC. 832. TYPES OF ASSISTANCE.

The assistance authorized under section 831 is the following:

(1) Assistance under section 23 of the Arms Export Control Act.

(2) Assistance under chapters 4 and 5 of part II of the Foreign Assistance Act of 1961.

(3) Drawdown of defense equipment and services under section 516 of the Foreign Assistance Act of 1961.

SEC. 833. CONGRESSIONAL NOTIFICATION.

Assistance authorized under this subtitle may not be provided until at least 30 days after the date on which the President has provided notice thereof to the appropriate congressional committees, in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961.

SEC. 834. LIMITATION.

Assistance may be provided to a country under section 831 in no more than three fiscal years.

SEC. 835. USE OF ASSISTANCE.

To the extent practicable, assistance provided under this subtitle shall be used to enhance the capability of the recipient country to prevent the transport and transshipment of items of proliferation concern in its national territory or airspace, or in vessels under its control or registry, including through the development of a legal framework in that country to enhance such capability by criminalizing proliferation, enacting strict export controls, and securing sensitive materials within its borders.

SEC. 836. LIMITATION ON SHIP OR AIRCRAFT TRANSFERS TO UNCOOPERATIVE COUNTRIES.

Notwithstanding any other provision of law, the United States may not transfer any excess defense article that is a vessel or an aircraft to a country that has not agreed that it will support and assist efforts by the United States to interdict items of proliferation concern until thirty days after the date on which the President has provided notice of the proposed transfer to the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961, in addition to any other requirement of law.

Subtitle D—Rollback of Nuclear Proliferation Networks

SEC. 841. NONPROLIFERATION AS A CONDITION OF UNITED STATES ASSISTANCE.

United States foreign assistance should only be provided to countries that—

(1) are not cooperating with any non-nuclear weapon state or any foreign group or individual who may be engaged in, planning, or assisting international terrorism in the development of a nuclear explosive device or its means of delivery and are taking all necessary measures to prevent their nationals and other persons and entities subject to their jurisdiction from participating in such cooperation; and

(2) are fully and completely cooperating with the United States in its efforts to eliminate nuclear black-market networks or activities.

SEC. 842. REPORT ON IDENTIFICATION OF NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES.

(a) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the President shall submit a report to the appropriate congressional committees that—

(A) identifies any country in which manufacturing, brokering, shipment, transshipment, or other activity occurred in connection with the transactions of the nuclear proliferation network that supplied Libya, Iran, North Korea, and possibly other countries or entities, and

(B) includes any additional information with respect to any country and any other nuclear proliferation networks or activities and the foreign persons believed to be participating therein, including any information relating to the participation of any foreign person in the export, transfer, or trade described in section 811.

(2) ADDITIONAL INFORMATION.—The report under paragraph (1) shall also include a description of the extent to which each country described in the report is, in the opinion of the President, fully cooperating with the United States in its efforts to eliminate the nuclear proliferation network described in paragraph (1)(A) and any other nuclear proliferation networks or activities. The President shall base the determination regarding a country's cooperation with the United States in part on the degree to which the country has satisfied United States requests for assistance and information, including whether the United States has asked and been granted direct investigatory access to key persons involved in a nuclear proliferation network.

(b) CLASSIFICATION.—Reports under this section shall be unclassified to the maximum extent possible.

SEC. 843. SUSPENSION OF ARMS SALES LICENSES AND DELIVERIES TO NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES.

(a) SUSPENSION.—Upon submission of the report and any additional information under section 842 to the appropriate congressional committees, the President shall suspend all licenses issued under the Arms Export Control Act, and shall prohibit any licenses to be issued under that Act, to any country described in the report or additional information, until such time as the President certifies to the appropriate congressional committees that such country—

(1)(A) has fully investigated or is fully investigating the activities of any person or entity within its territory that has participated in the nuclear proliferation network or activities; and

(B) has taken or is taking effective steps to permanently halt similar illicit nuclear proliferation or acquisition activities;

(2) has been or is fully cooperating with the United States and other appropriate international organizations in investigating and eliminating the nuclear proliferation network, any successor networks operating within its territory, or other illicit proliferation and acquisition activities; and

(3) has enacted or is enacting new laws, promulgated decrees or regulations, or established practices designed to prevent future such activities from occurring within its territory.

(b) WAIVER.—The President may waive the requirements of subsection (a) in a fiscal year if—

(1) the President has certified to the appropriate congressional committees that the waiver is important to the national security of the United States; and

(2) five days have elapsed since making the certification under paragraph (1).

Subtitle E—General Provisions

SEC. 851. DEFINITIONS.

In this title:

(1) PARTICIPATED.—The term ''participated'' means to have sold, transferred, brokered, financed, assisted, delivered or otherwise provided or received, and includes any conspiracy or attempt to participate in any of the preceding activities, as well as facilitating such activities by any other person.

(2) FOREIGN PERSON.—The term ''foreign person'' has the meaning provided in section 38(g)(9)(C) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(C)) and includes, for purposes of subsections (a) and (b) of section 811, successors, assigns, subsidiaries, and subunits and other business organizations or associations in which that person may be deemed to have a controlling interest.

(3) EXCESS DEFENSE ARTICLE.—The term ''excess defense article'' has the meaning given that term in section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)).

(4) ITEMS OF PROLIFERATION CONCERN.—The term ''items of proliferation concern'' means any equipment, materials, or technology that could materially support the research, development, manufacturing, or acquisition by any means of a nuclear explosive device, a chemical or biological weapon, or missile with a payload of 500 kilograms or greater and with a range of 300 kilometers or greater.

(5) PERSON.—The term ''person''—

(A) means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity, or subsidiary, subunit, or parent entity thereof, and any successor of any such entity; and

(B) in the case of a country where it may be impossible to identify a specific governmental entity referred to in subparagraph (A), means all activities of that government relating to the development or production of any nuclear equipment or technology.

(6) UNITED STATES FOREIGN ASSISTANCE.—The term ''United States foreign assistance'' means assistance under the foreign operations, export financing, and related programs appropriations Act for a fiscal year, and assistance under the Foreign Assistance Act of 1961.

TITLE IX—FOREIGN ASSISTANCE PROVISIONS

Subtitle A—Foreign Assistance Act of 1961 and Related Provisions

CHAPTER 1—PART I OF THE FOREIGN ASSISTANCE ACT OF 1961

SEC. 901. ASSISTANCE TO ESTABLISH CENTERS FOR THE TREATMENT OF OBSTETRIC FISTULA IN DEVELOPING COUNTRIES.

(a) AMENDMENT.—Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is amended—

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

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

''(4)(A) In carrying out the purposes of this subsection, the President is authorized to furnish assistance, on such terms and conditions as the President may determine, for the establishment and operation of not less than twelve centers for the treatment and prevention of obstetric fistula at appropriate sites in developing countries.

''(B) In selecting sites for the establishment of centers pursuant to subparagraph (A), the President should seek the consultation and advice of United States embassy officials, appropriate nongovernmental organizations, and local government officials in developing countries with high rates of obstetric fistula, with particular emphasis on countries in Africa.

''(C) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, carry out the following activities:

''(i) The provision of surgery to repair obstetric fistula in women who do not otherwise have the resources to pay for such surgery and the provision of necessary post-surgery care and support for such women.

''(ii) Assistance related to surgery and post-surgery care and support described in clause (i), including the provision of transportation to and from the center for women in need of such transportation and the provision of necessary temporary shelter and food assistance to women in need of such shelter and food assistance.

''(iii) Activities to reduce the incidence of obstetric fistula, including the conduct of appropriate seminars and the dissemination of appropriate educational materials, such as brochures, pamphlets, and posters.

''(iv) Activities to expand access to contraception services for the prevention of pregnancies among women whose age or health status place them at high risk of prolonged or obstructed childbirth.

''(D) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, ensure that women who suffer from obstetric fistula as a result of sexual abuse during conflicts or as a result of official abuse receive preference in receiving services described in clauses (i) and (ii) of subparagraph (C).

''(E) Not later than January 31, 2008, the President shall prepare and transmit to Congress a report on the implementation of this paragraph for fiscal years 2006 and 2007.

''(F) In this paragraph, the term 'obstetric fistula' means a rupture or hole in tissues surrounding a woman's vagina, bladder, or rectum that occurs when the woman is in obstructed childbirth for a prolonged period of time without adequate medical attention.''.

(b) FUNDING.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out sections 104 and 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b and 2293), $5,000,000 for each such fiscal year is authorized to be available to carry out section 104(c)(4) of such Act (as added by subsection (a)).

SEC. 902. SUPPORT FOR SMALL AND MEDIUM ENTERPRISES IN SUB-SAHARAN AFRICA.

Section 240 of the Foreign Assistance Act of 1961 (22 U.S.C. 2200) is amended by adding at the end the following:

''(c) SUPPORT FOR SMALL AND MEDIUM ENTERPRISES IN SUB-SAHARAN AFRICA.—

''(1) SUPPORT.—The Corporation is commended for its activities in support of the development of small and medium enterprises, and is encouraged to exercise its authorities to promote investments in financial institutions that are duly incorporated in sub-Saharan African countries, to the extent that the purpose of such investments is to expand investment and lending opportunities to small and medium enterprises that—

''(A) are substantially owned by nationals of sub-Saharan African countries; and

''(B) are engaged in domestic commerce or international trade in sectors such as housing, agriculture, fishing, textiles and apparel, tourism, electronics, technology, manufacturing, and services.

''(2) CONSIDERATION.—In making a determination to provide insurance and financing to financial institutions referred to in paragraph (1), the Corporation should take into consideration the extent to which a project establishes and implements a nondiscrimination in lending policy to prohibit discrimination based on ethnicity, sex, color, race, religion, physical disability, marital status, or age.

''(3) TECHNICAL ASSISTANCE.—In supporting a project referred to in paragraph (1), the Corporation may provide technical assistance to—

''(A) improve the quality of management of financial institutions referred to in paragraph (1) to ensure the safety and stability of such institutions;

''(B) create in such financial institutions effective credit risk management systems to improve the quality of the assets of such institutions and the ability of such institutions to research and assess the overall credit risk of critical industries in the domestic economy; and

''(C) support effective credit risk management by developing internal credit rating systems and credit assessment tools that improve the ability of such financial institutions to evaluate individual credit worthiness and measure the overall amount of risk posed by the total number of borrowers.''.

SEC. 903. ASSISTANCE TO SUPPORT DEMOCRACY IN ZIMBABWE.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act, $12,000,000 for each such fiscal year is authorized to be available, consistent with the provisions of the Zimbabwe Democracy and Economic Recovery Act of 2001 (Public Law 107–99; 22 U.S.C. 2151 note), to support—

(1) the restoration of democratic legitimacy and foster a free and fair electoral process in Zimbabwe, particularly through legislative process training for members of Parliament;

(2) capacity building for civil society organizations to effectively provide information on the political process to citizens, defend the legal rights of minorities, women and youth, document the level of adherence by the Government of Zimbabwe to national and international civil and human rights standards, and monitor and report on the entire electoral process in Zimbabwe;

(3) organizational capacity-building training for political parties in Zimbabwe;

(4) poll watcher training for party and civil society election observers in Zimbabwe; and

(5) the reestablishment of independent media through overseas broadcasts and Internet sites.

SEC. 904. RESTRICTIONS ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO THE UNITED NATIONS DEVELOPMENT PROGRAM.

(a) LIMITATION.—Of the amounts made available for each of fiscal years 2006 and 2007 for United States voluntary contributions to the United Nations Development Program, an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year (including all funds administered by the United Nations Development Program in Burma) shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in subsection (b).

(b) CERTIFICATION.—The certification referred to in subsection (a) is a certification by the Secretary that all programs and activities of the United Nations Development Program (including all programs and activities administered by the United Nations Development Program) in Burma—

(1) are focused on eliminating human suffering and addressing the needs of the poor;

(2) are undertaken only through international or private voluntary organizations that are independent of the State Peace and Development Council (SPDC) (formerly the State Law and Order Restoration Council or SLORC);

(3) provide no financial, political, or military benefit, including the provision of goods, services, or per diems, to the SPDC or any agency or entity of, or affiliated with, the SPDC, including any entity whose members are ineligible for admission to the United States by reason of such membership under any provision of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) (including the Myanmar Maternal and Child Welfare Association (MMCWA), the Myanmar Council of Churches (MCC), the Myanmar Medical Association (MMA), the Myanmar Women Affairs Federation (MWAF),

and the Union of Solidarity Development Association (USDA)); and

(4) are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma.

(5) REPORT.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter during fiscal years 2006 and 2007, the Secretary shall submit to the appropriate congressional committees a report on—

(A) all programs and activities of the United Nations Development Program (including all programs and activities administered by the United Nations Development Program) in Burma; and

(B) all recipients and subrecipients of funds provided under such programs and activities.

SEC. 905. ASSISTANCE FOR THE OFFICE OF THE POLICE OMBUDSMAN FOR NORTHERN IRELAND.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291), $100,000 for each such fiscal year is authorized to be available for—

(1) specialized investigative training, including training in the United States, of personnel of the Office of the Police Ombudsman for Northern Ireland; and

(2) advisory support to the Office of the Police Ombudsman for Northern Ireland for the development and strengthening of its investigative capacity in order to ensure that policing in Northern Ireland is carried out in compliance with internationally recognized human rights standards.

SEC. 906. REPORT ON FOREIGN LAW ENFORCEMENT TRAINING AND ASSISTANCE.

Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)), as amended by section 317(d) of this Act, is further amended by adding at the end the following new paragraph:

''(9)(A) A separate section on all foreign law enforcement training and assistance that is provided to foreign law enforcement personnel and other related governmental authorities by the Department of State, the Department of Defense, the Department of Justice, and the United States Agency for International Development during the previous fiscal year and all such training proposed for the current fiscal year.

''(B) The section on foreign law enforcement training and assistance shall include the following:

''(i) For each law enforcement training activity—

''(I) the purpose of the activity and the foreign policy justification for the activity;

''(II) the number of foreign law enforcement personnel who are provided training, their units of operation, and countries of origin;

''(III) the type of training activity;

''(IV) the location of the training activity;

''(V) the department or agency of the United States Government which is conducting the training, by unit or office; and

''(VI) the cost of the training activity and the specific budgetary account from which the cost is paid.

''(ii) For other law enforcement assistance—

''(I) the purpose of the assistance and the foreign policy justification for the assistance;

''(II) the type of assistance;

''(III) the department or agency of the United States Government which is providing the assistance, by unit or office, where applicable; and

''(IV) the cost of the assistance and the specific budgetary account from which the cost is paid.

''(iii) For each country—

''(I) the aggregate number of students trained;

''(II) the aggregate cost of the law enforcement training and other law enforcement assistance; and

''(III) a plan describing the law enforcement assistance and rule of law programs of the relevant departments and agencies of the United States Government.

''(C) FORM.—The report required by this paragraph shall be in unclassified form but may include a classified annex.''.

SEC. 907. ASSISTANCE FOR DISASTER MITIGATION EFFORTS.

(a) FINDINGS.—Congress finds the following:

(1) The devastating impacts of natural disasters can be mitigated by assisting communities to build in safer locations, construct sturdier dwellings, enforce sound building codes and practices, and protect natural ecosystems.

(2) By 2050, two billion people are expected to be especially vulnerable to floods due to growing populations, indiscriminate logging, rapid urbanization, and increasing development along coasts and in other hazardous regions.

(3) According to a study by the World Bank and the United States Geological Survey during the 1990s, $40 billion invested in preventive measures could have saved $280 billion in disaster relief funds and saved countless lives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State, in consultation with the heads of other appropriate departments and agencies of the Government of the United States, should develop an initiative to encourage the use of disaster mitigation techniques, including techniques described in subsection (a)(1), by foreign governments in regions considered especially vulnerable to natural disasters.

(c) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—Section 491(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2292(b)) is amended by adding at the end the following new sentence: ''Assistance relating to disaster preparedness under the preceding sentence shall include assistance to encourage the use of disaster mitigation techniques, including to assist communities to build in safer locations, construct sturdier dwellings, enforce sound building codes and practices, and protect natural ecosystems.''.

SEC. 908. ASSISTANCE TO PROMOTE DEMOCRACY IN BELARUS.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq. and 2296 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq.), $12,000,000 for each such fiscal year is authorized to be available for assistance for the promotion of democracy in the Republic of Belarus, including free and fair electoral processes, the development of political parties and nongovernmental organizations, promoting democracy and respect for human rights and the rule of law, independent media, and international exchanges and training programs for leaders and members of the democratic forces that foster civil society.

SEC. 909. ASSISTANCE FOR MATERNAL AND PRENATAL CARE FOR CERTAIN INDIVIDUALS OF BELARUS AND UKRAINE INVOLVED IN THE CLEANUP OF THE CHORNOBYL DISASTER.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq. and 2296 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq.), such sums as may be necessary for each such fiscal year are authorized to be available for assistance to improve maternal and prenatal care, especially for the purpose of helping prevent birth defects and pregnancy complications, for individuals in the Republic of Belarus and Ukraine involved in the cleanup of the region affected by the Chornobyl disaster.

SEC. 910. ASSISTANCE TO ADDRESS NON-INFECTIOUS DISEASES IN FOREIGN COUNTRIES.

(a) STATEMENT OF POLICY.—Congress declares the following:

(1) Medical evidence indicates that non-infectious diseases, like heart disease and obesity, are on the rise worldwide.

(2) In response to these statistics, the current allocation of funds appropriated to the United States Agency for International Development for Child Survival and Maternal Health, Vulnerable Children, HIV/AIDS, Infectious Diseases, Reproductive Health and Family Planning, and the Global Fund to Fight AIDS, Tuberculosis and Malaria does not address noninfectious diseases.

(b) AUTHORIZATION OF ASSISTANCE.—The President, acting through the Administrator of the United States Agency for International Development, is authorized to provide assistance, on such terms and conditions as the President may determine, to address non-infectious diseases in foreign countries.

CHAPTER 2—PART II OF THE FOREIGN ASSISTANCE ACT OF 1961

SEC. 921. ECONOMIC SUPPORT FUND ASSISTANCE FOR EGYPT.

(a) FINDINGS.—Congress finds the following:

(1) Despite more than $28 billion in economic assistance provided by the United States to Egypt since 1975, Egypt's economy and educational systems are underdeveloped and democratic development remains extremely limited. Egypt remains near the bottom of many indices of growth and human development.

(2) Egypt's economic troubles, if not addressed through programs to develop Egypt's private sector, could destabilize the country.

(3) United States programs to promote growth in Egypt, including traditional development assistance as well as programs that attempt to link disbursement of cash assistance to the adoption of economic reforms by the Government of Egypt, have had, at best, mixed success.

(4) The United States has provided more than $32 billion in military assistance to Egypt since 1979.

(5) Egypt is currently at peace with all its neighbors.

(6) Egypt and the United States entered into an agreement in March 2005, whereby Egypt undertook to accomplish certain reform-oriented policies primarily related to its financial sector, and the United States undertook, subject to its constitutional processes, to provide Egypt with cash assistance. This program of financial reform is important and should continue, supported by assistance in the form of cash transferred from the United States, but not in amounts in excess of amounts already agreed to and not for lesser policy reforms than have already been agreed to.

(7) The model of an agreement for policy change between the United States and Egypt, similar but not identical to, the concept of a ''Millennium Challenge'' compact that emphasizes performance and outcomes, would be a way to reinvigorate a program for the development of the Egyptian economy that has languished for years, and would give more Egyptians a stake in the proper planning and execution of programs to assist in their country's development.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to acknowledge that—

(A) threats to Egypt's stability derive far more from domestic problems, such as inadequate economic growth, deficient educational and healthcare systems, and lack of political freedom, than from external dangers; and

(B) external threats to Egyptian stability are, in fact, minimal;

(2) to provide non-military assistance to Egypt which results in actual, sustainable, and, to the extent possible, measurable outcomes in terms of economic growth, poverty reduction, humanitarian conditions, health, education, and political reform;

(3) to restructure Egypt's assistance package over time so as to diminish military assistance and end the reduction of economic assistance and to begin the process of this restructuring without delay; and

(4) to ensure that this restructuring is done in such a manner that ensures that maintenance

and spare parts for existing Egyptian military equipment is not jeopardized and that Egyptian military purchases and projects to which the United States has already committed itself be funded fully in accordance with previous understandings.

(c) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—

(1) IN GENERAL.—Chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq; relating to the ''Economic Support Fund'') is amended by inserting after section 534 the following new section:

''SEC. 535. REQUIREMENTS RELATING TO ASSISTANCE FOR EGYPT.

''(a) REQUIREMENT FOR ASSISTANCE.—Assistance may be provided for Egypt under this chapter for a fiscal year only if Egypt provides to the United States for the fiscal year a proposal described in subsection (b) that is evaluated and approved in accordance with subsection (c).

''(b) PROPOSAL.—

''(1) IN GENERAL.—A proposal described in this subsection is a proposal that reflects Egyptian priorities to use assistance provided under this chapter to meet the requirements of paragraph (2).

''(2) REQUIREMENTS.—The requirements described in this paragraph are—

''(A) promoting economic growth (including economic freedom);

''(B) reducing poverty;

''(C) improving humanitarian conditions among the poorest individuals in Egypt;

''(D) improving education and health systems for the people of Egypt;

''(E) reducing corruption in the public and private sectors; and

''(F) strengthening democratic institutions and individual freedoms.

''(c) EVALUATION AND APPROVAL OF PROPOSAL.—

''(1) EVALUATION.—The President, acting through the Secretary of State, and in consultation with the Secretary of the Treasury, the United States Trade Representative, and the Administrator of the United States Agency for International Development, shall evaluate the proposal provided to the United States pursuant to subsection (a) to determine the extent to which the proposal meets the requirements of subparagraphs (A) through (F) of subsection (b)(2).

''(2) APPROVAL.—The President shall approve the proposal only if the President determines that—

''(A) the proposal sufficiently meets the requirements of subparagraphs (A) through (F) of subsection (b)(2) in a manner that achieves, in particular, lasting economic growth and poverty reduction and substantially strengthened democratic institutions and individual freedoms; and

''(B) the Government of Egypt—

''(i) has adopted and implemented reforms necessary to implement the proposal;

''(ii) has implemented the proposal provided to the United States and approved for the prior fiscal year in accordance with the requirements of subparagraphs (A) through (F) of subsection (b)(2); and

''(iii) has demonstrated high standards of fiduciary controls and accountability with respect to assistance provided for Egypt under this chapter.

''(d) SUSPENSION AND TERMINATION OF ASSISTANCE.—The President, acting through the Secretary of State, may suspend or terminate assistance in whole or in part for Egypt under this chapter if the President determines that the Government of Egypt is not implementing the proposal in accordance with the requirements of subparagraphs (A) through (F) of subsection (b)(2).

''(e) CASH ASSISTANCE.—

''(1) REQUIREMENT.—Notwithstanding any other provision of this section, cash assistance may be provided to Egypt under this chapter for a fiscal year pursuant to the memorandum of understanding specified in paragraph (2) only if a proposal provided to the United States pursuant to subsection (a) for the fiscal year has been evaluated and approved in accordance with subsection (c).

''(2) MEMORANDUM OF UNDERSTANDING.—The memorandum of understanding specified in this paragraph is the memorandum of understanding agreed to by the Government of the United States and the Government of Egypt in March 2005, including any modification to the memorandum of understanding, except—

''(A) a modification to increase the amounts of assistance agreed to be provided under the memorandum of understanding; or

''(B) a modification to reduce significantly the scope of, or to extend significantly the time for, the performance by Egypt of obligations that it has undertaken under the memorandum of understanding.

''(f) CONGRESSIONAL NOTIFICATION.—Assistance may not be obligated for Egypt under this chapter until 30 days after the date on which the President has provided notice thereof to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of this Act.

''(g) REPORT.—The President, acting through the Secretary of State, shall prepare and transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report for each fiscal year that contains—

''(1) the proposal provided to the United States pursuant to subsection (a) for the fiscal year; and

''(2) the evaluation of the proposal carried out pursuant to subsection (c)(1).

''(h) RULE OF CONSTRUCTION.—The provisions of this section shall not be superseded except by a provision of law enacted after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, which specifically repeals, modifies, or supersedes the provisions of this section.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to assistance for Egypt under chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 2007 and each subsequent fiscal year.

(d) MILITARY ASSISTANCE LEVELS FOR EGYPT; TRANSFER REQUIREMENT.—The following amounts available for assistance for Egypt under section 23 of Arms Export Control Act (22 U.S.C. 2763; relating to the ''Foreign Military Financing'' program) shall be transferred to and consolidated with amounts available for assistance for Egypt under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the ''Economic Support Fund''):

(1) For fiscal year 2006, the amount that exceeds $1,260,000,000.

(2) For fiscal year 2007, the amount that exceeds $1,220,000,000.

(3) For fiscal year 2008, the amount that exceeds $1,180,000,000.

(e) CASH-FLOW FINANCING FOR EGYPT.—As soon as practicable after the date of the enactment of this Act, the President shall modify the program of cash-flow financing for Egypt under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the ''Foreign Military Financing'' program) so as to accomplish the purposes of the policy set forth in paragraphs (3) and (4) of subsection (b) of this section.

(f) TRANSFER OF CERTAIN INTEREST FOR EGYPT.—For fiscal year 2006 and subsequent fiscal years, any interest earned from amounts in an interest bearing account for Egypt to which funds made available under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the ''Foreign Military Financing'' program) are disbursed—

(1) shall be transferred to and consolidated with amounts available for assistance for the Middle East Partnership Initiative under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the ''Economic Support Fund''); and

(2) shall be allocated for democracy and governance programs for Egypt, including direct support for nongovernmental organizations.

SEC. 922. INTER-ARAB DEMOCRATIC CHARTER.

(a) STRATEGY.—The Secretary of State, acting through the Assistant Secretary for Democracy, Human Rights, and Labor, and in consultation with the Assistant Secretary for Near East Affairs and the Assistant Secretary for Western Hemisphere Affairs, shall develop and implement a strategy to—

(1) support, including through the provision of technical assistance, efforts to establish an Inter-Arab Democratic Charter to promote human rights and democracy in the Near East region; and

(2) support and promote coordination among human rights organizations, pro-democracy advocates, and civil society members from both the Near East region and the Western Hemisphere to assist in efforts to establish the Inter-Arab Democratic Charter referred to in paragraph (1).

(b) REPORT.—Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2151n note) as amended by section 614(a)(2) of this Act, is further amended by inserting after the first sentence the following new sentence: ''As part of such separate report, the Secretary shall include information on efforts by the Department of State to develop and implement the strategy to support efforts to establish an Inter-Arab Democratic Charter pursuant to section 708(a) of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.''.

(c) FUNDING.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the ''Economic Support Fund''), including amounts made available to carry out the Human Rights and Democracy Fund and the Middle East Partnership Initiative, such sums as may be necessary for each such fiscal year is authorized to be available to the Secretary to carry out this section and the amendments made by this section.

SEC. 923. MIDDLE EAST PARTNERSHIP INITIATIVE.

(a) FUNDING.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the ''Economic Support Fund''), such sums as may be necessary for each such fiscal year is authorized to be available to the Secretary of State to carry out programs and activities of the Middle East Partnership Initiative.

(b) REQUIREMENT.—Not less than 50 percent of amounts made available for each of the fiscal years 2006 and 2007 to carry out the Middle East Partnership Initiative shall be used to—

(1) strengthen civil society, particularly nongovernmental organizations, and expand female and minority participation in the political, economic, and educational sectors of countries participating in the Initiative; and

(2) strengthen the rule of law and promote democratic values and institutions, particularly through—

(A) developing and implementing standards for free and fair election in countries participating in the Initiative; and

(B) supporting inter-regional efforts to promote democracy in countries under authoritarian rule, including through the Community of Democracies and Forum for the Future.

SEC. 924. WEST BANK AND GAZA PROGRAM.

(a) OVERSIGHT.—For each of the fiscal years 2006 and 2007, the Secretary of State shall certify to the appropriate congressional committees

not later than 30 days prior to the initial obligation of funds for the West Bank and Gaza that procedures have been established to ensure that the Comptroller General of the United States will have access to appropriate United States financial information in order to review the use of United States assistance for the West Bank and Gaza funded under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the ''Economic Support Fund'').

(b) VETTING.—Prior to any obligation of funds for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual or entity that the Secretary knows, or has reason to believe, advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual or entity which the Secretary has determined advocates, plans, sponsors, or engages in terrorist activity.

(c) PROHIBITION.—None of the funds made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(d) AUDITS.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development shall ensure that independent audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted for each of the fiscal years 2006 and 2007 to ensure, among other things, compliance with this section.

(2) AUDITS BY INSPECTOR GENERAL OF USAID.—Of the funds available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 that are made available for assistance for the West Bank and Gaza, up to $1,000,000 for each such fiscal year may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of paragraph (1). Such funds are in addition to funds otherwise available for such purposes.

(e) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations and the Committee on International Relations of the House of Representatives; and

(2) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

SEC. 925. ECONOMIC SUPPORT FUND ASSISTANCE FOR VENEZUELA.

There are authorized to be appropriated to the President $9,000,000 for each of the fiscal years 2006 and 2007 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the ''Economic Support Fund'') to fund activities which support political parties, the rule of law, civil society, an independent media, and otherwise promote democratic, accountable governance in Venezuela.

CHAPTER 3—PART III OF THE FOREIGN ASSISTANCE ACT OF 1961

SEC. 931. SUPPORT FOR PRO-DEMOCRACY AND HUMAN RIGHTS ORGANIZATIONS IN CERTAIN COUNTRIES.

Section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)) is amended by adding at the end the following new sentence: ''The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of a pro-democracy or human rights organization located or operating in a country described in such sentence, if, at least 30 days before obligating funds for such assistance, the Secretary of State notifies (in classified or unclassified form) the congressional committees specified in section 634A(a) of this Act in accordance with the procedures applicable to reprogramming notifications under that section that the pro-democracy or human rights organization opposes the use of terrorism, supports democracy and respect for human rights, including the equality of women and ethnic and religious minorities, and supports freedoms of the press, speech, association, and religion.''.

SEC. 932. LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.

(a) AMENDMENT.—Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is amended—

(1) by redesignating the second section 620G (as added by section 149 of Public Law 104–164 (110 Stat. 1436)) as section 620J; and

(2) by adding at the end the following new section:

''SEC. 620K. LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.

''(a) LIMITATION.—Assistance may be provided under this Act or any other provision of law to the Palestinian Authority only during a period for which a certification described in subsection (b) is in effect.

''(b) CERTIFICATION.—A certification described in this subsection is a certification transmitted by the President to Congress that contains a determination of the President that—

''(1) providing direct assistance to the Palestinian Authority is important to the national security interests of the United States; and

''(2) the Palestinian Authority—

''(A) is committed to and has initiated the process of purging from its security services individuals with ties to terrorism;

''(B) has made demonstrable progress toward dismantling the terrorist infrastructure, confiscating unauthorized weapons, arresting and bringing terrorists to justice, destroying unauthorized arms factories, thwarting and preempting terrorist attacks, and is fully cooperating with Israel's security services;

''(C) has made demonstrable progress toward halting all anti-Israel incitement in Palestinian Authority-controlled electronic and print media and in schools, mosques, and other institutions it controls, and is replacing these materials, including textbooks, with materials that promote tolerance, peace, and coexistence with Israel;

''(D) has taken effective steps to ensure democracy, the rule of law, and an independent judiciary, and has adopted other reforms such as ensuring transparent and accountable governance;

''(E) is committed to ensuring that all elections within areas it administers to be free, fair, and transparent; and

''(F) is undertaking verifiable efforts to ensure the financial transparency and accountability of all government ministries and operations.

''(c) RECERTIFICATIONS.—Not later than 90 days after the date on which the President transmits to Congress an initial certification under subsection (b), and every 6 months thereafter—

''(1) the President shall transmit to Congress a recertification that the requirements contained in subsection (b) are continuing to be met; or

''(2) if the President is unable to make such a recertification, the President shall transmit to Congress a report that contains the reasons therefor.

''(d) CONGRESSIONAL NOTIFICATION.—Assistance made available under this Act or any other provision of law to the Palestinian Authority may not be provided until 15 days after the date on which the President has provided notice thereof to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of this Act.''.

(b) REPORT BY COMPTROLLER GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains a review of the extent to which United States assistance to the Palestinian Authority under the Foreign Assistance Act of 1961 or any other provision of law is properly audited by the Department of State, the United States Agency for International Development, and all other relevant departments and agencies of the Government of the United States.

SEC. 933. ASSISTANCE FOR LAW ENFORCEMENT FORCES.

(a) IN GENERAL.—Section 660(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2420(b)) is amended—

(1) in paragraph (6)—

(A) by inserting ''to any national, regional, district, municipal, or other sub-national governmental entity of a foreign country'' after ''with respect to assistance''; and

(B) by striking '', and the provision of professional'' and all that follows through ''democracy'';

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(8) with respect to assistance to combat corruption in furtherance of the objectives for which programs are authorized to be established under section 133 of this Act;

''(9) with respect to the provision of professional public safety training to any national, regional, district, municipal, or other sub-national governmental entity of a foreign country, particularly training in international recognized standards of human rights, the rule of law, conflict prevention, and the promotion of civilian police roles that support democratic governance and foster improved police relations between law enforcement forces and the communities in which they serve;

''(10) with respect to assistance to combat trafficking in persons, particularly trafficking in persons by organized crime; or

''(11) with respect to assistance in direct support of developing capabilities for and deployment to impending or ongoing peace operations of the United Nations or comparable regional organizations.''.

(b) TECHNICAL AMENDMENTS.—Section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420) is amended—

(1) in subsection (b) (as amended by subsection (a) of this section)—

(A) by striking paragraph (2);

(B) in paragraph (4), by striking ''or'' at the end;

(C) in paragraph (7), by moving the margin 2 ems to the left; and

(D) by redesignating paragraphs (3) through (11) as paragraphs (2) through (10), respectively; and

(2) by striking subsection (d).

Subtitle B—Other Provisions of Law

SEC. 941. AMENDMENTS TO THE AFGHANISTAN FREEDOM SUPPORT ACT OF 2002.

(a) DECLARATION OF POLICY.—It shall be the policy of the United States to—

(1) assist Afghanistan in the preparation of parliamentary elections which are currently scheduled to take place on September 18, 2005;

(2) urge donor governments and institutions to provide significant financial support to support

the United Nations Assistance Mission in Afghanistan (UNAMA) in carrying out such parliamentary elections;

(3) assist legitimate and recognized parliamentary candidates and future elected parliamentary officials in carrying out the responsibilities and duties of their elected offices; and

(4) assist Afghanistan in the preparation for future presidential and parliamentary elections.

(b) PURPOSES OF ASSISTANCE.—Section 102 of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7512) is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively; and

(2) by inserting after paragraph (4) the following new paragraphs:

''(5) to ensure that parliamentary and presidential elections in Afghanistan are carried out in a free, fair, and transparent manner;

''(6) to provide assistance to legitimate and recognized parliamentary candidates and future elected parliamentary officials in Afghanistan to better educate such candidates and officials on parliamentary procedures, anticorruption, transparency, and good governance;''.

(c) ACTIVITIES SUPPORTED.—Section 103(a)(5)(C) of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513(a)(5)(C)) is amended—

(1) by striking clauses (iii) and (iv);

(2) by redesignating clauses (v) through (vii) as clauses (xi) through (xiii), respectively;

(3) by inserting after clause (ii) the following new clauses:

''(iii) programs to promote comprehensive public information campaigns, including nationwide voter and civic education, for the public, candidates, and political parties, and special efforts with respect to provinces in which small percentages of women voted in the October 2004 presidential elections;

''(iv) programs to accelerate disarmament, demobilization, and reintegration processes to ensure that candidates and political groups are not influenced or supported by armed militias;

''(v) programs to support the registration of new voters and the preparation of voter rolls;

''(vi) programs to support the vetting process of candidates for the parliamentary elections to ensure that such candidates are eligible under the relevant Afghan election requirements;

''(vii) programs to educate legitimate and recognized parliamentary candidates on campaign procedures and processes;

''(viii) capacity-building programs and advanced professional training programs for senior Afghan Government officials and future elected parliamentary officials in matters related to parliamentary procedures, anti-corruption, accountability to constituencies, transparency, good governance, and other matters related to democratic development;

''(ix) exchange programs to bring to the United States future elected parliamentary officials and senior officials of legitimate and recognized political parties for educational activities regarding legislative procedures, debate, and general campaign and legislative instruction;

''(x) programs to support nongovernmental organizations and other civil society organizations that will assist in civil and voter education programs and overall democracy development programs; '';

(4) in clause (xii) (as redesignated), by striking ''and'' at the end;

(5) in clause (xiii) (as redesignated), by striking the period at the end and inserting ''; and''; and

(6) by adding at the end the following new clause:

''(xiv) other similar activities consistent with the purposes set forth in subsection (a).''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 103(a)(5)(C) of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513(a)(5)(C)), as amended by subsection (c), is further amended—

(1) in the matter preceding clause (i), by striking ''To support'' and inserting ''(i) To support'';

(2) by redesignating clauses (i) through (xiv) as subclauses (I) through (XIV), respectively; and

(3) by adding at the end the following new clause:

''(ii) Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act, $50,000,000 for each such fiscal year is authorized to be available to the President to carry out subclauses (III) through (X) of clause (i). ''.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the President should take all necessary and appropriate steps to encourage all donor governments and institutions to provide full financial and logistical support to the United Nations Assistance Mission in Afghanistan (UNAMA) to carry out the parliamentary elections in Afghanistan, which are currently scheduled to take place on September 18, 2005, so as to—

(1) ensure the parliamentary elections are legitimate and free from influence, intimidation, and violence by local militia leaders and illicit narcotics terrorist organizations;

(2) make certain that all Afghans who want to vote may do so and may be educated about their choice in parliamentary candidates;

(3) provide that all legitimate and recognized parliamentary candidates and officials of legitimate and recognized political parties are informed and educated on campaign procedures and processes;

(4) provide that future parliamentary officials and senior officials of legitimate and recognized political parties are informed and educated on the legislative procedures and process through exchange programs; and

(5) assure sufficient funds for deployment of international observers for the upcoming parliamentary elections and future presidential and parliamentary elections.

SEC. 942. AMENDMENTS TO THE TIBETAN POLICY ACT OF 2002.

(a) BILATERAL ASSISTANCE.—Section 616 of the Tibetan Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901 note) is amended—

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

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

''(d) UNITED STATES ASSISTANCE.—

''(1) ASSISTANCE.—The President shall provide grants to nongovernmental organizations to support sustainable economic development, cultural and historical preservation, health care, education, and environmental sustainability projects for Tibetans inside Tibet that are designed in accordance with the principles contained in subsection (e).

''(2) ROLE OF SPECIAL COORDINATOR.—The United States Special Coordinator for Tibetan Issues (established under section 621(a)) shall review and approve all projects carried out pursuant to paragraph (1).

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out this subsection $6,000,000 for fiscal year 2006 and $8,000,000 for fiscal year 2007.''.

(b) LANGUAGE TRAINING.—Section 619 of the Tibetan Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901 note) is amended to read as follows:

''SEC. 619. REQUIREMENT FOR TIBETAN LANGUAGE TRAINING.

''The Secretary shall ensure at least one Foreign Service officer assigned to a United States post in the People's Republic of China responsible for monitoring developments in Tibet has at least six months of Tibetan language training prior to taking up such assignment at such post, unless such officer possesses equivalent fluency. If the Secretary determines that training resources and timing permit, such officer shall receive one year of such training.''.

(c) SPECIAL COORDINATOR FOR TIBETAN ISSUES.—Section 621 of the Tibetan Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901 note) is amended by adding at the end the following new subsection:

''(e) PERSONNEL.—The Secretary shall assign dedicated personnel to the Office of the Special Coordinator for Tibetan Issues sufficient to assist in the management of the responsibilities of this section and section 616(d)(2).''.

SEC. 943. AMENDMENTS TO THE ANGLO-IRISH AGREEMENT SUPPORT ACT OF 1986.

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

(1) United States assistance for the International Fund for Ireland (''International Fund'') has contributed greatly to the economic development of Northern Ireland and that both objectives of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415), economic development and reconciliation, remain critical to achieving a just and lasting peace in the region, especially in the economically-depressed areas; and

(2) since policing reform is a significant part of winning public confidence and acceptance in the new form of government in Northern Ireland, the International Fund is encouraged to support programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, and enhance peaceful mediation in neighborhoods of continued conflict.

(b) AMENDMENTS.—

(1) FINDINGS AND PURPOSES.—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415) is amended by adding at the end the following new sentence: ''Furthermore, the International Fund is encouraged to support programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, enhance peaceful mediation in neighborhoods of continued conflict, promote training programs to enhance the new district partnership police boards recommended by the Patten Commission, and assist in the transition of former British military installations and prisons into sites for peaceful, community-supported activities, such as housing, retail, and commercial development.''.

(2) UNITED STATES CONTRIBUTIONS TO THE INTERNATIONAL FUNDS.—Section 3 of the Anglo-Irish Agreement Support Act of 1986 is amended by adding at the end the following new subsection:

''(c) FISCAL YEARS 2006 AND 2007.—Of the amounts made available for fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), there are authorized to be appropriated $20,000,000 for each such fiscal year for United States contributions to the International Fund. Amounts appropriated pursuant to the authorization of appropriations under the preceding sentence are authorized to remain available until expended. Of the amount authorized to be appropriated for fiscal years 2006 and 2007 under this subsection, it is the sense of Congress that not less than 35 percent of such amount for each such fiscal year should be used to carry out the last sentence of section 2(b).''.

(3) ANNUAL REPORTS.—Section 6(1) of the Anglo-Irish Agreement Support Act of 1986 is amended by adding at the end before the semicolon the following: '', specifically through improving local community relations and relations between the police and the people they serve''.

SEC. 944. ASSISTANCE FOR DEMOBILIZATION AND DISARMAMENT OF FORMER IRREGULAR COMBATANTS IN COLOMBIA.

(a) AUTHORIZATION.—Amounts made available for fiscal year 2006 and each subsequent fiscal year for assistance for the Republic of Colombia under this Act or any other provision of law

may be made available for assistance for the demobilization and disarmament of former members of foreign terrorist organizations in Colombia, specifically the United Self-Defense Forces of Colombia (AUC), the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), if the Secretary of State makes a certification described in subsection (b) to the appropriate congressional committees prior to the initial obligation of amounts for such assistance for the fiscal year involved.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) assistance for the fiscal year will be provided only for individuals who have verifiably renounced and terminated any affiliation or involvement with foreign terrorist organizations;

(2) the Government of Colombia is continuing to provide full cooperation with the Government of the United States relating to extradition requests involving leaders and members of the foreign terrorist organizations involved in murder, kidnapping, narcotics trafficking, and other violations of United States law; and

(3) the Government of Colombia has established a concrete and workable framework for dismantling the organizational structures of foreign terrorist organizations that adequately balances the need for both reconciliation and justice with concerns for fundamental human rights.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

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

(2) FOREIGN TERRORIST ORGANIZATION.—The term ''foreign terrorist organization'' means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

SEC. 945. SUPPORT FOR FAMINE RELIEF IN ETHIOPIA.

(a) DEMONSTRATION INSURANCE PROJECT.—The Secretary of State is authorized to make a United States voluntary contribution to the United Nations World Food Program to establish and carry out a demonstration insurance project in the Federal Democratic Republic of Ethiopia using weather derivatives to transfer the risk of catastrophic drought resulting in famine from vulnerable subsistence farmers to international capital markets for the purpose of protecting vulnerable subsistence farmers against income and asset losses during natural disasters.

(b) REPORT.—Not later than one year and two years after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the implementation of the project referred to in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section up to $4,000,000 for fiscal year 2006.

SEC. 946. ASSISTANCE TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN VIETNAM.

(a) FINDING.—Congress finds that the Socialist Republic of Vietnam is a one-party state, ruled and controlled by the Communist Party of Vietnam, which continues to deny the right of citizens to change their government, prohibits independent political, labor, and social organizations, and continues to commit serious human rights violations, including the detention and imprisonment of persons for the peaceful expression of dissenting religious and political views.

(b) POLICY.—It is the policy of the United States—

(1) to limit United States nonhumanitarian assistance provided to the Government of Vietnam, not to exceed the amount so provided for fiscal year 2005, unless the President certifies to Congress not later than 30 days after the date of the enactment of this Act that, during the 12-month period preceding such certification, Vietnam has made substantial progress toward—

(A) releasing political and religious prisoners;

(B) respecting religious freedom and other universally recognized human rights;

(C) allowing open access to the United States for its refugee program;

(D) cooperating fully toward providing information concerning the locations of members of the United States Armed Forces who continue to be officially listed as missing in action as a result of the Vietnam conflict;

(E) respecting the rights of ethnic minorities in the Central Highlands; and

(F) ensuring that it is not acting in complicity with organizations engaged in the trafficking of human persons; and

(2) to ensure that programs of educational and cultural exchange with Vietnam actively promote progress towards freedom and democracy in Vietnam by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

(c) DEFINITION.—In this section, the term ''United States nonhumanitarian assistance'' means—

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

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

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

(C) assistance for refugees; and

(D) assistance to combat HIV/AIDS, including any assistance under section 104A of such Act; and

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

(d) AUTHORIZATION.—

(1) IN GENERAL.—The President is authorized to provide assistance to nongovernmental organizations and organizations to promote democracy and internationally recognized human rights in Vietnam.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President $2,000,000 to carry out paragraph (1).

Subtitle C—Miscellaneous Provisions

SEC. 951. REPORT ON UNITED STATES WEAPONS TRANSFERS, SALES, AND LICENSING TO HAITI.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on all United States weapons transfers, sales, and licensing to the Government of the Republic of Haiti for the period beginning on October 4, 1991, and ending on the date of the enactment of this Act.

(b) CONTENTS.—The report required by subsection (a) shall include a detailed description of each of the following:

(1) The names of the individuals or governmental entities to which weapons were transferred, sold, or licensed.

(2) The number and types of weapons transferred, sold, or licensed.

(3) The safeguards, if any, that were required prior to the transfer, sale, or license of the weapons.

(c) DEFINITION.—In this section, the term ''United States weapons transfers, sales, and licensing'' means transfers, sales, and licensing of weapons under—

(1) section 38 of the Arms Export Control Act (22 U.S.C. 2778); or

(2) chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.).

SEC. 952. SENSE OF CONGRESS REGARDING ASSISTANCE FOR REGIONAL HEALTH EDUCATION AND TRAINING PROGRAMS.

(a) STATEMENT OF POLICY.—Congress recognizes that many health problems are not country specific. Instead many health issues can be categorized and treated more effectively on a regional basis.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Agency for International Development should use up to five percent of country-specific health program funds, as needed, to address regional health education and training needs in instances in which it would be more cost effective to implement health education and training programs on a regional basis.

SEC. 953. SENSE OF CONGRESS REGARDING ASSISTANCE FOR REGIONAL HEALTH CARE DELIVERY.

(a) STATEMENT OF POLICY.—Congress declares the following:

(1) Health systems in developing countries for allocating and managing health resources are dysfunctional and incapable of addressing evolving epidemiological and demographical changes.

(2) Neither regional nor countrywide health problems can be adequately addressed without the infrastructure for health systems in place.

(3) The areas in Africa, Europe, Eurasia, the Middle East, and Asia with the greatest health problems all lack the infrastructure for health systems that can support providers and contain the cost of treatment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Agency for International Development should use up to five percent of country-specific health program funds, as needed, to support projects to create and improve indigenous capacity for health care delivery in regions in which such projects are most needed.

SEC. 954. SENSE OF CONGRESS REGARDING ELIMINATION OF EXTREME POVERTY IN DEVELOPING COUNTRIES.

It is the sense of Congress that—

(1) the elimination of extreme poverty in developing countries should be a major priority of United States foreign policy;

(2) the Unites States should further demonstrate its leadership and commitment to eliminating extreme poverty by working with developing countries, donor countries, and multilateral institutions committed to the necessary reforms, policies, and practices that reduce extreme poverty in developing countries and by pursuing greater coordination with key allies and international partners; and

(3) the President, acting through the Administrator of the United States Agency for International Development, and in consultation with the heads of other appropriate departments and agencies of the Government of the United States, international organizations, international financial institutions, recipient governments, civil society organizations, and other appropriate entities, should develop a comprehensive strategy to eliminate extreme poverty in developing countries that involves foreign assistance, foreign and local private investment, technical assistance, private-public partnerships, and debt relief.

SEC. 955. SENSE OF CONGRESS REGARDING UNITED STATES FOREIGN ASSISTANCE.

It is the sense of Congress that—

(1) United States foreign assistance should be used to support local capacity-building in developing countries and should focus on improving the institutional capacities of developing countries in order to promote long-term development; and

(2) the Department of State, the United States Agency for International Development, and the Millennium Challenge Corporation should increase their efforts to enhance recipient country

participation in the planning of development programs, promote recipient country ownership of the programs, and build local capacity within the recipient country.

TITLE X—REPORTING REQUIREMENTS

SEC. 1001. TRANS-SAHARA COUNTER-TERRORISM INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that efforts by the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the ''Trans-Sahara Counter Terrorism Initiative'', should be strongly supported.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a detailed strategy, in classified form, regarding the plan of the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the ''Trans-Sahara Counter Terrorism Initiative''.

(2) CONTENTS.—The report shall include the following:

(A) The names of the countries that will participate in the Initiative.

(B) A description of the types of security assistance necessary to create rapid reaction security forces in order to bolster the capacity of the countries referred to in subparagraph (A) to govern their borders.

(C) A description of training to ensure respect for human rights and civilian authority by rapid reaction security forces referred to in subparagraph (B) and other appropriate individuals and entities of the countries referred to in subparagraph (A).

(D) A description of the types of public diplomacy and related assistance that will be provided to promote development and counter radical Islamist elements that may be gaining a foothold in the region.

(3) UPDATE.—The Secretary shall submit to the appropriate congressional committees an update of the report required by this subsection not later than one year after the date of the initial submission of the report under this subsection.

(c) COOPERATION OF OTHER DEPARTMENTS AND AGENCIES.—The head of each appropriate department and agency of the Government of the United States shall cooperate fully with, and assist in the implementation of, the strategy described in subsection (b)(1) and shall make such resources and information available as is necessary to ensure the success of the Initiative described in such subsection.

SEC. 1002. ANNUAL PATTERNS OF GLOBAL TERRORISM REPORT.

(a) REQUIREMENT OF REPORT.—Section 140(a) Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) in the heading, by striking ''COUNTRY REPORTS ON TERRORISM'' and inserting ''PATTERNS OF GLOBAL TERRORISM REPORT''; and

(2) in the matter preceding paragraph (1), by inserting '', the Committee on International Relations of the House of Representatives,'' after ''Speaker of the House of Representatives''.

(b) ASSESSMENTS WITH RESPECT TO FOREIGN COUNTRIES IN WHICH ACTS OF TERRORISM OCCURRED.—Section 140(a)(1)(A)(i) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)(1)(A)(i)) is amended—

(1) by striking ''which were, in the opinion of the Secretary, of major significance;'' and inserting '', including—''; and

(2) by adding at the end the following new subclauses:

''(I) the number of such acts of terrorism or attempted acts of terrorism;

''(II) the number of individuals, including United States citizens, who were killed or injured in such acts of terrorism;

''(III) the methods, and relative frequency of methods, utilized in such acts of terrorism; and

''(IV) assessments of individuals who were responsible for such acts of terrorism and the relationships of such individuals to terrorist groups;''.

(c) INFORMATION WITH RESPECT TO TERRORIST GROUPS.—Section 140(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)(2)) is amended by inserting after ''and any other known international terrorist group'' the following ''or emerging terrorist group''.

(d) INFORMATION WITH RESPECT TO ALL FOREIGN COUNTRIES.—Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) in paragraph (2), by adding ''and'' at the end after the semicolon;

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''from which the United States Government'' and all that follows through ''United States citizens or interests'' and inserting ''worldwide'';

(B) in subparagraph (A)—

(i) by striking ''the individual or'';

(ii) by striking ''the act'' and inserting ''acts of terrorism''; and

(iii) by striking ''and'' at the end;

(C) in subparagraph (B) by striking ''against United States citizens in the foreign country''; and

(D) by adding at the end the following new subparagraph:

''(C) the extent to which the government of the foreign country is not cooperating with respect to the matters described in subparagraphs (A) and (B) and other matters relating to counterterrorism efforts.''; and

(3) by striking paragraph (4).

(e) EXISTING PROVISIONS TO BE INCLUDED IN REPORT.—Section 140(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''should to the extent feasible'' and inserting ''shall'';

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting ''and (a)(3)'' after ''subsection (a)(1)(A)'';

(B) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively;

(C) by inserting before subparagraph (B) (as redesignated) the following new subparagraph:

''(A) a separate list, in chronological order, of all acts of international terrorism described in subsection (a)(1)(A);'';

(D) in subparagraph (C) (as redesignated), by striking ''affecting American citizens or facilities''; and

(E) in subparagraph (D) (as redesignated)—

(i) in clause (i), by adding at the end before the semicolon the following: ''by the government of the country, government officials, nongovernmental organizations, quasi-governmental organizations, or nationals of the country'';

(ii) in clause (v), by adding ''and'' at the end after the semicolon; and

(iii) by adding at the end the following new clause:

''(vi) other types of indirect support for international terrorism, such as inciting acts of terrorism or countenance of acts of terrorism by the government of the country, government officials, nongovernmental organizations, quasi-governmental organizations, or nationals of the country;'';

(3) in paragraph (3)—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by adding ''and'' at the end; and

(C) by adding at the end the following new subparagraph:

''(G) information on the stated intentions and patterns of activities of terrorist groups described in subsection (a)(2), capabilities and membership of such groups, recruitment and fundraising activities of such groups, and the relationships of such groups to criminal organizations, including organizations involved in illicit narcotics trafficking;''; and

(4) by redesignating paragraphs (3) and (4) (as added by section 701(a)(2)(C) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487; 118 Stat. 3961)) as paragraphs (6) and (7), respectively.

(f) NEW PROVISIONS TO BE INCLUDED IN REPORT.—Section 140(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)), as amended by subsection (e), is further amended—

(1) in paragraph (6) (as redesignated), by striking ''and'' at the end;

(2) in paragraph (7) (as redesignated), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(8) an analysis of the efforts of multilateral organizations (excluding international financial institutions) to combat international terrorism, including efforts of the United Nations and its affiliated organizations, regional multilateral organizations, and nongovernmental organizations;

''(9) a list of countries of concern with respect to the financing of terrorism; and

''(10) an analysis of policy goals of the United States for counterterrorism efforts in the subsequent calendar year.''.

(g) CLASSIFICATION OF REPORT.—Section 140(c) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(c)) is amended to read as follows:

''(c) CLASSIFICATION OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form and shall contain a classified annex as necessary.''.

(h) INTER-AGENCY PROCESS FOR COMPILATION OF REPORT.—Section 140 of Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

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

''(d) INTER-AGENCY PROCESS FOR COMPILATION OF REPORT.—The Secretary of State shall, in preparing the report required by subsection (a), establish an inter-agency process to—

''(1) consult and coordinate with other appropriate officials of the Government of the United States who are responsible for collecting and analyzing counterterrorism intelligence; and

''(2) utilize, to the maximum extent practicable, such counterterrorism intelligence and analyses.''.

(i) COMPARABILITY STANDARD WITH PRIOR REPORT.—Section 140 of Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), as amended by subsection (h), is further amended—

(1) by redesignating subsections (e) and (f) (as redesignated) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) (as added by subsection (h)) the following new subsection:

''(e) COMPARABILITY STANDARD WITH PRIOR REPORT.—The Secretary of State shall, in preparing the report required by subsection (a), use standards, criteria, and methodologies in a consistent manner so that statistical comparisons may be made among different reports. If significant changes are made to any such standards, criteria, or methodology, the Secretary shall, in consultation with other appropriate officials of the Government of the United States, make appropriate adjustments, using the best available methods, so that the data provided in each report is comparable to the data provided in prior reports.''.

(j) DEFINITIONS.—Section 140(f)(1) of Foreign Relations Authorization Act, Fiscal Years 1988

and 1989 (as redesignated) is amended to read as follows:

''(1) the term 'international terrorism' means—

''(A) terrorism involving citizens or the territory of more than one country; or

''(B) terrorism involving citizens and the territory of one country which is intended to intimidate or coerce not only the civilian population or government of such country but also other civilian populations or governments;''.

(k) REPORTING PERIOD.—Section 140(g) Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (as redesignated) is amended to read as follows:

''(g) REPORTING PERIOD.—The report required under subsection (a) shall cover the events of the calendar year preceding the calender year in which the report is transmitted.''.

(l) APPEARANCE OF SECRETARY OF STATE BEFORE CONGRESS.—Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended by adding at the end the following new subsection:

''(h) APPEARANCE OF SECRETARY OF STATE BEFORE CONGRESS.—

''(1) IN GENERAL.—The Secretary of State shall appear before Congress at annual hearings, as specified in paragraph (2), regarding the provisions included in the report required under subsection (a).

''(2) SCHEDULE.—The Secretary of State shall appear before—

''(A) the Committee on International Relations of the House of Representatives on or about May 20 of even numbered calendar years;

''(B) the Committee on Foreign Relations of the Senate on or about May 20 of odd numbered calendar years; and

''(C) either Committee referred to in subparagraph (A) or (B), upon request, following the scheduled appearance of the Secretary before the other Committee under subparagraph (A) or (B).''.

(m) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended to read as follows:

''SEC. 140. ANNUAL PATTERNS OF GLOBAL TERRORISM REPORT.''.

(2) TABLE OF CONTENTS.—The table of contents of such Act (as contained in section 1(b) of such Act) is amended in the item relating to section 140 to read as follows:

''Sec. 140. Annual patterns of global terrrorism report.''.

(n) EFFECTIVE DATE.—The amendments made by this section apply with respect to the report required to be transmitted under section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), by April 30, 2007, and by April 30 of each subsequent year.

SEC. 1003. DUAL GATEWAY POLICY OF THE GOVERNMENT OF IRELAND.

(a) IN GENERAL.—The Secretary of State shall review the dual gateway policy and determine the effects the discontinuation of such policy might have on the economy of the United States and the economy of western Ireland before the United States takes any action that could lead to the discontinuation of such policy.

(b) ECONOMIC IMPACT STUDY.—In determining the effects that the discontinuation of such policy might have on the economy of the United States, the Secretary, in consultation with the heads of other appropriate departments and agencies, shall consider the effects the discontinuation of such policy might have on United States businesses operating in western Ireland, Irish businesses operating in and around Shannon Airport, and United States air carriers serving Ireland.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report describing the determinations made under subsection (a), together with any recommendations for United States action.

(d) DEFINITION.—In this section, the term ''dual gateway policy'' means the policy of the Government of Ireland requiring certain air carriers serving Dublin Airport to undertake an equal numbers of flights to Shannon Airport and Dublin Airport during each calendar year.

SEC. 1004. STABILIZATION IN HAITI.

Not later than one year after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on United States efforts to—

(1) assist in the disarmament of illegally armed forces in Haiti, including through a program of gun exchanges;

(2) assist in the reform of the Haitian National Police; and

(3) support stabilization in Haiti.

SEC. 1005. VERIFICATION REPORTS TO CONGRESS.

Section 403(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) is amended in the matter preceding paragraph (1)—

(1) by striking ''prepared by the Secretary of State with the concurrence of the Director of Central Intelligence and in consultation with the Secretary of Defense, the Secretary of Energy, and the Chairman of the Joint Chiefs of Staff,''; and

(2) by inserting '', as the President considers appropriate'' after ''include''.

SEC. 1006. PROTECTION OF REFUGEES FROM NORTH KOREA.

Section 305(a) of the North Korean Human Rights Act of 2004 (Public Law 108–333; 22 U.S.C. 7845) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(3) a detailed description of the measures undertaken by the Secretary of State to carry out section 303, including country-specific information with respect to United States efforts to secure the cooperation and permission of the governments of countries in East and Southeast Asia to facilitate United States processing of North Koreans seeking protection as refugees. The information required by this paragraph may be provided in a classified format, if necessary.''.

SEC. 1007. ACQUISITION AND MAJOR SECURITY UPGRADES.

Section 605(c) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; Public Law 106–113–Appendix G) is amended—

(1) in the heading, by striking ''SEMIANNUAL'';

(2) in the matter preceding paragraph (1), by striking ''June 1 and''; and

(3) in paragraph (1)(A), by striking ''two fiscal quarters'' and inserting ''year''.

SEC. 1008. SERVICES FOR CHILDREN WITH AUTISM AT OVERSEAS MISSIONS.

(a) STUDY.—With respect to countries in which there is at least one mission of the United States, the Secretary of State shall conduct a study of the availability of programs that address the special needs of children with autism, including the availability of speech therapists and pediatric occupational therapists at Department of Defense sponsored schools. Such study shall include the estimated incidence of autism among dependents of members of the Foreign Service and dependents of specialist Foreign Service personnel. Such study shall also include an analysis of the possibility of establishing ''Educational Centers of Excellence'' for such children.

(b) REPORT.—Not later than 30 days after the completion of the study required under subsection (a), the Secretary shall submit to the appropriate congressional committees a report containing the findings of the study together with any recommendations for related action.

SEC. 1009. INCIDENCE AND PREVALENCE OF AUTISM WORLDWIDE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of State shall direct the United States representative to the Executive Board of the United Nations Children's Fund (UNICEF) to use the voice and vote of the United States to urge UNICEF to provide for the conduct of a study of the incidence and prevalence of autism spectrum disorders (in this section referred to as ''autism'') worldwide.

(2) CONDUCT OF STUDY.—The study should—

(A) evaluate the incidence and prevalence of autism in all countries worldwide and compare such incidence and prevalence to the incidence and prevalence of autism in the United States and evaluate the reliability of the information obtained from each country in carrying out this subparagraph; and

(B) evaluate the feasibility of establishing a method for the collection of information relating to the incidence and prevalence of autism in all countries worldwide.

(b) REPORT.—The Secretary of State shall direct the United States representative to the Executive Board of UNICEF to use the voice and vote of the United States to urge UNICEF to—

(1) provide for the preparation of a report that contains the results of the study described in subsection (a); and

(2) provide for the availability of the report on the Internet website of UNICEF.

(c) FUNDING.—Of the amounts made available for fiscal year 2006 to carry out section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221), $1,500,000 is authorized to be available for a voluntary contribution to UNICEF to conduct the study described in subsection (a) and prepare the report described in subsection (b).

SEC. 1010. INTERNET JAMMING.

(a) REPORT.—Not later than March 1 of the year following the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report on the status of state-sponsored and state-directed Internet jamming by repressive foreign governments and a description of efforts by the United States to counter such jamming. Each report shall list the countries the governments of which pursue Internet censorship or jamming and provide information concerning the government agencies or quasi-governmental organizations of such governments that engage in Internet jamming.

(b) FORM.—If the Chairman determines that such is appropriate, the Chairman may submit such report together with a classified annex.

SEC. 1011. DEPARTMENT OF STATE EMPLOYMENT COMPOSITION.

(a) STATEMENT OF POLICY.—In order for the Department of State to accurately represent all people in the United States, the Department must accurately reflect the diversity of the United States.

(b) REPORT ON MINORITY RECRUITMENT.—Section 324 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended—

(1) in the matter preceding paragraph (1), by striking ''April 1, 2003, and April 1, 2004,'' and inserting ''April 1, 2006, and April 1, 2007,''; and

(2) in paragraphs (1) and (2), by striking ''minority groups'' each place it appears and inserting ''minority groups and women''.

(c) ACQUISITION.—Section 324 of such Act is further amended by adding at the end the following new paragraph:

''(3) For the immediately preceding 12-month period for which such information is available—

''(A) the numbers and percentages of small, minority-owned businesses that provide goods and services to the Department as a result of contracts with the Department during such period;

''(B) the total number of such contracts;

''(C) the total dollar value of such contracts; and

''(D) and the percentage value represented by such contract proportionate to the total value of all contracts held by the Department.''.

(d) USE OF FUNDS.—The provisions of section 325 of such Act shall apply to funds authorized to be appropriated under section 101(1)(G) of this Act.

SEC. 1012. INCITEMENT TO ACTS OF DISCRIMINATION.

(a) INCLUSION OF INFORMATION RELATING TO INCITEMENT TO ACTS OF DISCRIMINATION IN ANNUAL COUNTRY REPORTS ON HUMAN RIGHT PRACTICES.—

(1) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)), as amended by section 614(b)(1) of this Act, is further amended—

(A) in paragraph (10), by striking ''and'' at the end;

(B) in paragraph (11)(C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(12) wherever applicable, a description of the nature and extent of—

''(A) propaganda in foreign government and foreign government-controlled media and other sources, including foreign government-produced educational materials and textbooks, that attempt to justify or promote racial hatred or incite acts of violence against any race or people;

''(B) complicity or involvement by the foreign government in the creation of such propaganda or incitement of acts of violence against any race or people; and

''(C) a description of the actions, if any, taken by the foreign government to eliminate such propaganda or incitement.''.

(2) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)), as amended by section 614(b)(2) of this Act, is further amended by inserting after the ninth sentence the following new sentence: ''Each report under this section shall also include, wherever applicable, a description of the nature and extent of propaganda in foreign government and foreign government-controlled media and other sources, including foreign government-produced educational materials and textbooks, that attempt to justify or promote racial hatred or incite acts of violence against any race or people, complicity or involvement by the foreign government in the creation of such propaganda or incitement of acts of violence against any race or people, and a description of the actions, if any, taken by the foreign government to eliminate such propaganda or incitement.''.

(b) EFFECTIVE DATE OF AMENDMENT.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and apply beginning with the first report submitted by the Secretary of State under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) after such date.

SEC. 1013. CHILD MARRIAGE.

(a) ONE TIME REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a one time report on the practice of the custom of child marriage in countries around the world. The report shall include the following information:

(1) A separate section for each country, as applicable, describing the nature and extent of child marriage in such country.

(2) A description of the actions, if any, taken by the government of each such country, where applicable, to revise the laws of such country and institutionalize comprehensive procedures and practices to eliminate child marriage.

(3) A description of the actions taken by the Department of State and other Federal departments and agencies to encourage foreign governments to eliminate child marriage and to support the activities of non-governmental organizations dedicated to eliminating child marriage and supporting its victims.

(b) INCLUSION OF INFORMATION RELATING TO CHILD MARRIAGE IN ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—

(1) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)), as amended by sections 614(b)(1) and 1013(a)(1) of this Act, is further amended—

(A) in paragraph (11)(C), by striking ''and'' at the end;

(B) in paragraph (12)(C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(13)(A) wherever applicable, a description of the nature and extent of laws and traditions in each country that enable or encourage the practice of child marriage; and

''(B) a description of the actions, if any, taken by the government of each such country to revise the laws of such country and institutionalize comprehensive procedures and practices to eliminate child marriage.''.

(2) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)), as amended by sections 614(b)(2) and 1013(a)(2) of this Act, is further amended by inserting after the tenth sentence the following new sentence: ''Each report under this section shall also include, wherever applicable, a description of the nature and extent of laws and traditions in each country that enable or encourage the practice of child marriage and a description of the actions, if any, taken by the government of each such country to revise the laws of such country and institutionalize comprehensive procedures and practices to eliminate child marriage.''.

(c) EFFECTIVE DATE OF AMENDMENT.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act and apply beginning with the first report submitted by the Secretary of State under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) after the report required under subsection (a).

SEC. 1014. MAGEN DAVID ADOM SOCIETY.

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

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

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

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

(1) in paragraph (3), by striking ''and'' at the end;

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

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

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

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

''(c) REPORT.—Not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, and one year thereafter, the Secretary of State shall submit a report, on a classified basis if necessary, to the appropriate congressional committees describing—

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

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

''(3) efforts of the High Contracting Parties to the Geneva Conventions of August 12, 1949, to adopt the October 12, 2000, draft additional protocol to the Geneva Conventions;

''(4) the extent to which the Magen David Adom Society is participating in the activities of the International Red Cross and Red Crescent Movement; and

''(5) efforts by any state, member, or official of the International Red Cross and Red Crescent Movement to prevent, obstruct, or place conditions upon—

''(A) adoption by the High Contracting Parties to the Geneva Conventions of August 12, 1949, of the October 12, 2000, draft additional protocol to the Geneva Conventions; and

''(B) full participation of the Magen David Adom Society in the activities of the International Red Cross and Red Crescent Movement.''.

SEC. 1015. DEVELOPMENTS IN AND POLICY TOWARD INDONESIA.

(a) STATEMENT OF CONGRESS RELATING TO RECENT DEVELOPMENTS, HUMAN RIGHTS, AND REFORM.—Congress—

(1) recognizes the remarkable progress in democratization and decentralization made by Indonesia in recent years and commends the people of Indonesia on the pace and scale of those continuing reforms;

(2) reaffirms—

(A) its deep condolences to the people of Indonesia for the profound losses inflicted by the December 26, 2004, earthquake and tsunami; and

(B) its commitment to generous United States support for relief and long term reconstruction efforts in affected areas;

(3) expresses its hope that in the aftermath of the tsunami tragedy the Government of Indonesia and other parties will succeed in reaching and implementing a peaceful, negotiated settlement of the long-standing conflict in Aceh;

(4) commends the Government of Indonesia for allowing broad international access to Aceh after the December 2004 tsunami, and urges that international nongovernmental organizations and media be allowed unfettered access throughout Indonesia, including in Papua and Aceh;

(5) notes with grave concern that—

(A) reform of the Indonesian security forces has not kept pace with democratic political reform, and that the Indonesian military is subject to inadequate civilian control and oversight, lacks budgetary transparency, and continues to emphasize an internal security role within Indonesia;

(B) members of the Indonesian security forces continue to commit many serious human rights violations, including killings, torture, rape, and arbitrary detention, particularly in areas of communal and separatist conflict; and

(C) the Government of Indonesia largely fails to hold soldiers and police accountable for extrajudicial killings and other serious human rights abuses, both past and present, including atrocities committed in East Timor prior to its independence from Indonesia;

(6) condemns the intimidation and harassment of human rights and civil society organizations by members of the Indonesian security forces and military-backed militia groups, and urges a complete investigation of the fatal poisoning of

prominent human rights activist Munir in September 2004; and

(7) urges the Government of Indonesia and the Indonesian military to continue to provide full, active, and unfettered cooperation to the Federal Bureau of Investigation of the Department of Justice in its investigation of the August 31, 2002, attack near Timika, Papua, which killed three people (including two Americans, Rick Spier and Ted Burgon) and injured 12 others, and to pursue the indictment, apprehension, and prosecution of all parties responsible for that attack.

(b) FINDINGS RELATING TO PAPUA.—Congress finds the following:

(1) Papua, a resource-rich province whose indigenous inhabitants are predominantly Melanesian, was formerly a colony of the Netherlands.

(2) While Indonesia has claimed Papua as part of its territory since its independence in the late 1940s, Papua remained under Dutch administrative control until 1962.

(3) On August 15, 1962, Indonesia and the Netherlands signed an agreement at the United Nations in New York (commonly referred to as the ''New York Agreement'') which transferred administration of Papua first to a United Nations Temporary Executive Authority (UNTEA), and then to Indonesia in 1963, pending an ''act of free choice . . . to permit the inhabitants to decide whether they wish to remain with Indonesia''.

(4) In the New York Agreement, Indonesia formally recognized ''the eligibility of all adults [in Papua] . . . to participate in [an] act of self-determination to be carried out in accordance with international practice'', and pledged ''to give the people of the territory the opportunity to exercise freedom of choice . . . before the end of 1969''.

(5) In July and August 1969, Indonesia conducted an ''Act of Free Choice'', in which 1,025 selected Papuan elders voted unanimously to join Indonesia, in circumstances that were subject to both overt and covert forms of manipulation.

(6) In the intervening years, indigenous Papuans have suffered extensive human rights abuses, natural resource exploitation, environmental degradation, and commercial dominance by immigrant communities, and some individuals and groups estimate that more than 100,000 Papuans have been killed during Indonesian rule, primarily during the Sukarno and Suharto administrations.

(7) While the United States supports the territorial integrity of Indonesia, Indonesia's historical reliance on force for the maintenance of control has been counterproductive, and longstanding abuses by security forces have galvanized independence sentiments among many Papuans.

(8) While the Indonesian parliament passed a Special Autonomy Law for Papua in October 2001 that was intended to allocate greater revenue and decision making authority to the Papuan provincial government, the promise of special autonomy has not been effectively realized and has been undermined in its implementation, such as by conflicting legal directives further subdividing the province in apparent contravention of the law and without the consent of appropriate provincial authorities.

(9) Rather than demilitarizing its approach, Indonesia has reportedly sent thousands of additional troops to Papua, and military operations in the central highlands since the fall of 2004 have displaced thousands of civilians into very vulnerable circumstances, contributing further to mistrust of the central government by many indigenous Papuans.

(10) According to the 2004 Annual Country Report on Human Rights Practices of the Department of State, in Indonesia ''security force members murdered, tortured, raped, beat, and arbitrarily detained civilians and members of separatist movements'' and ''police frequently and arbitrarily detained persons without warrants, charges, or court proceedings'' in Papua.

(c) REPORTING REQUIREMENTS.—

(1) REPORT ON SPECIAL AUTONOMY.—Not later than 180 days after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report detailing implementation of special autonomy for Papua and Aceh. Such reports shall include—

(A) an assessment of the extent to which each province has enjoyed an increase in revenue allocations and decision making authority;

(B) a description of access by international press and non-governmental organizations to each province;

(C) an assessment of the role played by local civil society in governance and decision making;

(D) a description of force levels and conduct of Indonesian security forces in each province; and

(E) a description of United States efforts to promote respect for human rights in each province.

(2) REPORT ON THE 1969 ACT OF FREE CHOICE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report analyzing the 1969 Act of Free Choice.

SEC. 1016. MURDERS OF UNITED STATES CITIZENS JOHN BRANCHIZIO, MARK PARSON, AND JOHN MARIN LINDE.

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

(1) On October 15, 2003, a convoy of clearly identified United States diplomatic vehicles was attacked by Palestinian terrorists in Gaza resulting in the death of United States citizens John Branchizio, Mark Parson, and John Marin Linde, and the injury of a fourth United States citizen.

(2) John Branchizio, Mark Parson, and John Marin Linde were contract employees providing security to United States diplomatic personnel who were visiting Gaza in order to identify potential Palestinian candidates for Fulbright Scholarships.

(3) A senior official of the Palestinian Authority was reported to have stated on September 22, 2004, that ''Palestinian security forces know who was behind the killing'' of John Branchizio, Mark Parson, and John Marin Linde.

(4) Following her visit to Israel and the West Bank on February 7, 2005, Secretary of State Condoleezza Rice announced that she had been ''assured by President Abbas of the Palestinian Authority's intention to bring justice to those who murdered three American personnel in the Gaza in 2003''.

(5) Since the attack on October 15, 2003, United States Government personnel have been prohibited from all travel in Gaza.

(6) The United States Rewards for Justice program is offering a reward of up to $5,000,000 for information leading to the arrest or conviction of any persons involved in the murder of John Branchizio, Mark Parson, and John Marin Linde.

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

(1) the continued inability or unwillingness of the Palestinian Authority to actively and aggressively pursue the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde and bring them to justice calls into question the Palestinian Authority's viability as a partner for the United States in resolving the Palestinian-Israeli conflict;

(2) future United States assistance to the Palestinian Authority may be affected, and the continued operation of the PLO Representative Office in Washington may be jeopardized, if the Palestinian Authority does not fully and effectively cooperate in bringing to justice the murderers of John Branchizio, Mark Parson, and John Marin Linde; and

(3) it is in the vital national security interest of the United States to safeguard, to the greatest extent possible consistent with their mission, United States diplomats and all embassy and consulate personnel, and to use the full power of the United States to bring to justice any individual or entity that threatens, jeopardizes, or harms them.

(c) REPORT.—Not later than 30 days after the date of the enactment of this Act, and every 120 days thereafter, the Secretary of State shall submit a report, on a classified basis if necessary, to the appropriate congressional committees describing—

(1) efforts by the United States to bring to justice the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde;

(2) a detailed assessment of efforts by the Palestinian Authority to bring to justice the murderers of John Branchizio, Mark Parson, and John Marin Linde, including—

(A) the number of arrests, interrogations, and interviews by Palestinian Authority officials related to the case;

(B) the number of Palestinian security personnel and man-hours assigned to the case;

(C) the extent of personal supervision or involvement by the President and Ministers of the Palestinian Authority; and

(D) the degree of cooperation between the United States and the Palestinian Authority in regards to this case;

(3) a specific assessment by the Secretary of whether the Palestinian efforts described in paragraph (2) constitute the best possible effort by the Palestinian Authority; and

(4) any additional steps or initiatives requested or recommended by the United States that were not pursued by the Palestinian Authority.

(d) CERTIFICATION.—The requirement to submit a report under subsection (c) shall no longer apply if the Secretary of State certifies to the appropriate congressional committees that the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde have been identified, arrested, and brought to justice.

(e) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 1017. DIPLOMATIC RELATIONS WITH ISRAEL.

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

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

(2) Israel currently maintains diplomatic relations with 160 countries, 33 countries do not have any diplomatic relations with Israel, and one country has partial relations with Israel.

(3) The Government of Israel has been actively seeking to establish formal relations with a number of countries.

(4) After 57 years of existence, Israel deserves to be treated as an equal country by its neighbors and the world community.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should assist Israel in its efforts to establish diplomatic relations.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes the following information (in classified or unclassified form, as appropriate):

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

(2) Specific responses solicited and received by the Secretary from countries that do not maintain full diplomatic relations with Israel with

respect to their attitudes toward and plans for entering into diplomatic relations with Israel.

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

(d) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 1018. TAX ENFORCEMENT IN COLOMBIA.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report detailing challenges to tax code enforcement in Colombia. This report shall include, as a percentage of Colombia's gross domestic product, an estimate of current tax revenue, an estimate of potential additional tax revenue if Colombia's existing tax laws were fully enforced, and a discussion of how such additional revenue could be used to achieve the objectives of Plan Colombia, including supporting and expanding Colombia's security forces and increasing the availability of alternative livelihoods for illicit crop growers and former combatants.

SEC. 1019. PROVISION OF CONSULAR AND VISA SERVICES IN PRISTINA, KOSOVA.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing the possibility of providing consular and visa services at the United States Office Pristina, Kosovo (USOP) to residents of Kosova.

(b) CONTENTS.—The report required under subsection (a) shall contain the following information:

(1) The reasons why consular and visa services are not currently offered at the USOP, even though the Office has been in operation for more than five years.

(2) Plans for providing consular and visa services at the USOP, including conditions required before such services would be provided and the planned timing for providing such services.

(3) An explanation of why consular and visa services will not be offered at the USOP by January 1, 2007, if such services are not planned to be offered by such date.

(4) The number of residents of Kosova who apply for their visas outside of Kosova for each calendar year from 2000–2005.

SEC. 1020. DEMOCRACY IN PAKISTAN.

Not later than December 31 in each of fiscal years 2006 and 2007, the President shall submit to the appropriate congressional committees a report that contains a description of the extent to which, over the preceding 12-month period, the Government of Pakistan has restored a fully functional democracy in Pakistan in which free, fair, and transparent elections are held.

SEC. 1021. STATUS OF THE SOVEREIGNTY OF LEBANON.

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

(1) all parties in the Middle East and internationally should exert every effort to implement in its entirety the provisions of United Nations Security Council Resolution 1559 (2004), which, among other things—

(A) calls for ''strict respect'' for Lebanon's sovereignty, territorial integrity, unity, and political independence ''under the sole and exclusive authority of the Government of Lebanon throughout Lebanon'';

(B) calls upon all remaining foreign forces to withdraw from Lebanon;

(C) calls for the ''disbanding and disarmament of all Lebanese and non-Lebanese militias''; and

(D) supports the extension of the control of the Government of Lebanon over all Lebanese territory;

(2) in accordance with United Nations Security Council Resolution 1559, all militias in Lebanon, including Hizballah, should be disbanded and disarmed at the earliest possible opportunity, and the armed forces of Lebanon should take full control of all of Lebanon's territory and borders;

(3) the Government of Lebanon is responsible for the disbanding and disarming of the militias, including Hizballah, and preventing the flow of armaments and other military equipment to the militias, including Hizballah, from Syria, Iran, and other external sources;

(4) the Government of the United States should closely monitor progress toward full implementation of all aspects of United Nations Security Council Resolution 1559, particularly the matters described in subparagraphs (A) through (D) of paragraph (1);

(5) the Government of the United States should closely monitor the Government of Lebanon's efforts to stanch the flow of armaments and other military equipment to Hizballah and other militias from external sources, such as Syria and Iran;

(6) the United States and its allies should consider providing training and other assistance to the armed forces of Lebanon to enhance their ability to disarm Hizballah and other militias and stanch the flow of arms to Hizballah and other militias; and

(7) United States assistance provided to Lebanon after the date of the enactment of this Act may be affected if Lebanon does not make every effort to disarm militias, including Hizballah, and to deny them re-armament.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that describes and evaluates—

(1) the extent to which armed militias continue to operate in Lebanon and the progress of the Government of Lebanon to disband and disarm such militias;

(2) the extent to which the Government of Lebanon is committed to disbanding and disarming Hizballah and other militias and stanching the flow of arms to Hizballah and other militias;

(3) the progress of the armed forces of Lebanon to deploy to and take full control of all of Lebanon's borders;

(4) the extent to which countries in the region attempt to direct arms to Lebanon-based militias or allow their territory to be traversed for this purpose and the extent to which these armament efforts succeed;

(5) the routes and means used by external sources attempting to supply arms to the Lebanon-based militias the countries that are involved in these efforts;

(6) the efforts of the United States and its allies to facilitate the process of disbanding and disarming Lebanon-based militias and stanching the flow of weapons to such militias; and

(7) any recommendations for legislation to support the disbanding and disarming of Lebanon-based militias.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form and may contain a classified annex if necessary.

(d) CERTIFICATION.—The requirement to submit a report under subsection (b) shall no longer apply if the Secretary certifies to the appropriate congressional committees that all Lebanon-based militias have been disbanded and disarmed and the armed forces of Lebanon are deployed to and in full control of Lebanon's borders.

SEC. 1022. ACTIVITIES OF INTERNATIONAL TERRORIST ORGANIZATIONS IN LATIN AMERICA AND THE CARIBBEAN.

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

(1) activities in Latin America and the Caribbean by international terrorist organizations and their affiliates and supporters represent a direct threat to the national security of the United States and hemispheric stability;

(2) international terrorist organizations, such as Hezbollah and Hamas, have profited and taken advantage of the dearth or weakened state of the rule of law in many Latin American and Caribbean countries to further their own aims; and

(3) the United States should work cooperatively with countries of Latin America and the Caribbean to expose and prevent such activities.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, and not later than June 30 of the year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on the activities of international terrorist organizations in Latin America and the Caribbean. The report shall include the following:

(1) An assessment of the membership, stated intentions, recruitment, and terrorist fundraising capabilities of each international terrorist organization operating in Latin America and the Caribbean.

(2) An assessment of the relationship of each such international terrorist organization with other criminal enterprises or terrorist organizations for fundraising and other criminal purposes.

(3) An assessment of the activities of each such international terrorist organization.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form but may contain a classified annex.

SEC. 1023. ANALYSIS OF EMPLOYING WEAPONS SCIENTISTS FROM THE FORMER SOVIET UNION IN PROJECT BIOSHIELD.

(a) REPORT.—Not later than November 1, 2006, the Secretary of State, after consultation with the Secretary of Health and Human Services, shall submit to the appropriate congressional committees a report containing an analysis of—

(1) the scientific and technological contributions that scientists formerly employed in the former Soviet Union in the field of biological warfare could make to the research and development of biomedical countermeasures;

(2) the practical alternative methods through which the services of such scientists could be employed so as to facilitate the application of the knowledge and experience of such scientists to such research and development;

(3) the cost-effectiveness of those methods of employing the services of such scientists; and

(4) the desirability and national security implications of providing employment opportunities for such scientists in the field of research and development of biomedical countermeasures for purposes of biological weapons nonproliferation.

(b) RECOMMENDATIONS.—Each Secretary shall also include in the report required under subsection (a) any recommendations of each for appropriate legislation to address the issues analyzed in the report.

(c) DEFINITION.—In this section, the term ''biomedical countermeasures'' means a drug (as such term is defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1))), biological product (as such term is defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i))), or device (as such term is defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h))) that is used—

(1) in the diagnosis, cure, mitigation, treatment, or prevention of harm from any biological, chemical, radiological, or nuclear agent that may cause a public health emergency affecting national security; or

(2) in diagnosis, cure, mitigation, treatment, or prevention of harm from a condition that may result in adverse health consequences or death.

SEC. 1024. EXTRADITION OF VIOLENT CRIMINALS FROM MEXICO TO THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) Mexico is unable to extradite criminals who face life sentences without the possibility of parole because of a 2001 decision of the Mexican Supreme Court.

(2) As a result of this ruling, Mexico is unable to extradite to the United States numerous suspects wanted for violent crimes committed in the United States unless the United States assures Mexico that these criminals will not face life imprisonment without the possibility of parole.

(3) The attorneys general from all 50 States have asked the Government of the United States to continue to address this extradition issue with the Government of Mexico.

(4) The Government of the United States and the Government of Mexico have experienced positive cooperation on numerous matters relevant to their bilateral relationship, including increased cooperation on extraditions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Government of the United States should encourage the Government of Mexico to continue to work closely with the Mexican Supreme Court to urge the Court to revisit its October 2001 ruling so that the possibility of life imprisonment without parole will not have an effect on the timely extradition of criminal suspects from Mexico to the United States.

(c) REPORTS.—

(1) ANNUAL NUMBER AND STATUS OF FORMAL EXTRADITION REQUESTS MADE TO MEXICO BY THE UNITED STATES.—Not later than six months after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) the number of formal requests made to the Government of Mexico by the Government of the United States for the extradition of Mexican nationals suspected of or convicted in abstentia for crimes committed in the United States in the preceding fiscal year, the names of such nationals, the crimes of which each such national is suspected or has been convicted in abstentia, a detailed disposition of the status of each such extradition request, and the progress that has been made with respect to each such extradition request in the preceding fiscal year; and

(B) the number of such nationals who Mexico has extradited to the United States in response to formal extradition requests for such nationals in the preceding fiscal year.

(2) AGGREGATE NUMBER AND STATUS OF FORMAL EXTRADITION REQUESTS MADE TO MEXICO BY THE UNITED STATES.—Not later than six months after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) the number of formal requests made to the Government of Mexico by the Government of the United States for the extradition of Mexican nationals suspected of or convicted in abstentia for crimes committed in the United States since the signing of the Extradition treaty, with appendix, between the United States and Mexico, signed at Mexico City on May 4, 1978 (31 UST 5059), including the names of such nationals, the crimes of which each such national is suspected or has been convicted in abstentia, a detailed disposition of the status of each such extradition request, and the progress that has been made with respect to each such extradition request since such signing; and

(B) the number of such nationals who Mexico has extradited to the United States in response to formal extradition requests for such nationals since the signing of the Extradition treaty, with appendix between the United States and Mexico.

(3) COOPERATION BY THE UNITED STATES WITH EXTRADITION REQUESTS FROM MEXICO.—Not later than six months after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—

(A) the number of United States nationals who the United States has extradited to Mexico in response to formal extradition requests for such nationals by Mexico in the preceding fiscal year; and

(B) the number of United States nationals who the United States has extradited to Mexico in response to formal extradition requests for such nationals by Mexico since the signing of the Extradition treaty, with appendix between the United States and Mexico.

(d) FORM.—If the Secretary of State determines that such is appropriate, the Secretary may submit a report required under subsection (c) with a classified annex.

SEC. 1025. ACTIONS OF THE 661 COMMITTEE.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on United States decisions, actions, communications, and deliberations in the 661 Committee of the United Nations regarding the issues of overpricing of contracts, kickbacks from sales of humanitarian goods, efforts to correct and revalue the remaining contracts in the post-Saddam Hussein regime era, oil smuggling, and trade protocols. The report shall examine the process by which the United States made its decisions in the 661 Committee, the officials in the United States Government involved in these decisions, and the names of the officials who made the final decisions. The report shall also include information detailing the positions of the other members states of the 661 Committee with respect to the issues described in this subsection.

(b) INCLUSION OF SUPPORTING DOCUMENTS.—The report required under subsection (a) shall contain all supporting documents with respect to the decisions, actions, communications, and deliberations referred in such subsection.

(c) FORMAT.—If the Secretary determines that such is appropriate, the Secretary may submit the report required under subsection (a) with a classified annex.

(d) DEFINITION.—In this section, the term ''661 Committee'' means the committee within the United Nations that was tasked with administering the United Nations oil for food program.

SEC. 1026. ELIMINATION OF REPORT ON REAL ESTATE TRANSACTIONS.

Section 12 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 303) is hereby repealed.

TITLE XI—MISCELLANEOUS PROVISIONS

Subtitle A—General Provisions

SEC. 1101. STATEMENT OF POLICY RELATING TO DEMOCRACY IN IRAN.

(a) FINDINGS.—Congress finds the following:

(1) Iran is neither free nor democratic. Men and women are not treated equally in Iran, women are legally deprived of internationally recognized human rights, and religious freedom is not respected under the laws of Iran. Undemocratic institutions, such as the Guardians Council, thwart the decisions of elected leaders.

(2) The April 2005 report of the Department of State states that Iran remained the most active state sponsor of terrorism in 2004.

(3) That report also states that Iran continues to provide funding, safe-haven, training, and weapons to known terrorist groups, including Hizballah, Hamas, the Palestine Islamic Jihad, al-Aqsa Martyrs Brigade, and the Popular Front for the Liberation of Palestine, and has harbored senior members of al-Qaeda.

(b) POLICY.—It is the policy of the United States that—

(1) currently, there is not a free and fully democratic government in Iran;

(2) the United States supports transparent, full democracy in Iran;

(3) the United States supports the rights of the Iranian people to choose their system of government; and

(4) the United States condemns the brutal treatment, imprisonment, and torture of Iranian civilians who express political dissent.

SEC. 1102. IRANIAN NUCLEAR ACTIVITIES.

(a) FINDINGS.—Congress finds the following:

(1) Iran remains the world's leading sponsors of international terrorism and is on the Department of State's list of countries that provide support for acts of international terrorism.

(2) Iran has repeatedly called for the destruction of Israel, and Iran supports organizations, such as Hizballah, Hamas, and the Palestine Islamic Jihad, that deny Israel's right to exist and are responsible for terrorist attacks against Israel.

(3) The Ministry of Defense of the Government of Iran confirmed in July 2003 that it had successfully conducted the final test of the Shahab-3 missile, giving Iran an operational intermediate-range ballistic missile capable of striking both Israel and United States troops throughout the Middle East and Afghanistan.

(4) Inspections by the International Atomic Energy Agency (IAEA) in Iran have revealed significant undeclared activities, including plutonium reprocessing efforts.

(5) Plutonium reprocessing is a necessary step in a nuclear weapons program that uses plutonium created in a reactor.

(6) Iran continues to assert its right to pursue nuclear power and related technology, continues constructing a heavy water reactor that is ideal for making plutonium for weapons, and has not fully cooperated with the ongoing investigation by the IAEA of its nuclear activities.

(7) The United States has publicly opposed the completion of reactors at the Bushehr nuclear power plant because the transfer of civilian nuclear technology and training could help to advance Iran's nuclear weapons program.

(8) Russia, in spite of strong international concern that Iran intended to use civilian nuclear energy plants to develop nuclear weapons, provided Iran with support to complete the Bushehr nuclear facility.

(9) Russia intends to begin supplying the Bushehr nuclear facility with fuel in June 2005, and the Bushehr nuclear plant is expected to begin operation at the beginning of 2006.

(10) The Iranian parliament has ratified a bill supporting the construction of 20 new nuclear power plants.

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

(1) Russia's provision of assistance to Iran on the Bushehr nuclear reactor is inconsistent with the nonproliferation goals of the United States;

(2) Iran's stated plans to construct 20 new nuclear facilities and its development of nuclear technologies, coupled with acknowledged and unacknowledged ties to terrorist groups, constitute a threat to global peace and security; and

(3) the national security interests of the United States will best be served if the United States develops and implements a long-term strategy to halt all foreign nuclear cooperation with Iran.

(c) STATEMENT OF CONGRESS.—Congress calls upon the leaders of the governments of the G–8 to—

(1) insist that the Government of Russia terminate all assistance, including fuel shipments, to the Bushehr nuclear facility in Iran; and

(2) condition Russia's continued membership in the G–8 on Russia's termination of all assistance, including fuel shipments, to the Bushehr facility and to any other nuclear plants in Iran.

SEC. 1103. LOCATION OF INTERNATIONAL INSTITUTIONS IN AFRICA.

(a) STATEMENT OF CONGRESS.—Congress declares that, for the purpose of maintaining regional balances with respect to the location of international organizations and institutions in Africa, such organizations or institutions, such as the African Development Bank, that move their headquarters offices from their original locations for reasons of security should return

once those security issues have been resolved or should relocate to another country in the region in which the organization or institution was originally headquartered.

(b) CONSULTATIONS REGARDING RETURN.—The Secretary of State is authorized to begin consultations with appropriate parties to determine the feasibility of returning such organizations and institutions to the regions in which they were originally headquartered.

SEC. 1104. BENJAMIN GILMAN INTERNATIONAL SCHOLARSHIP PROGRAM.

Section 305 of the International Academic Opportunity Act of 2000, (title III of the Microenterprise for Self-Reliance and International Anti-Corruption Act of 2000) (Public Law 106–309; 22 U.S.C. 2462 note) is amended by striking ''$1,500,000'' and inserting ''$4,000,000''.

SEC. 1105. PROHIBITION ON COMMEMORATIONS RELATING TO LEADERS OF IMPERIAL JAPAN.

The Department of State, both in Washington and at United States diplomatic missions and facilities in foreign countries, shall not engage in any activity, including the celebration of the recently enacted Showa holiday, which may, in any manner, serve to commemorate or be construed as serving to commemorate leaders of Imperial Japan who were connected to the attack on the United States Fleet at Pearl Harbor, Oahu, Hawaii, on December 7, 1941.

SEC. 1106. UNITED STATES POLICY REGARDING WORLD BANK GROUP LOANS TO IRAN.

(a) UNITED STATES POLICY.—The Secretary of State, in consultation with the Secretary of the Treasury, shall work to secure the support of the governments of countries represented on the decisionmaking boards and councils of the international financial institutions of the World Bank Group to oppose any further activity in Iran by the international financial institutions of the World Bank Group until Iran abandons its program to develop nuclear weapons.

(b) NOTIFICATION.—Not later than 30 days after the Secretary initiates efforts to carry out subsection (a), the Secretary shall notify the appropriate congressional committees of such efforts.

(c) WORLD BANK GROUP DEFINED.—As used in this section, the term ''World Bank Group'' means the International Bank for Reconstruction and Development, the International Development Association, the International Financial Corporation, and the Multilateral Investment Guaranty Agency.

SEC. 1107. STATEMENT OF POLICY REGARDING SUPPORT FOR SECI REGIONAL CENTER FOR COMBATING TRANS-BORDER CRIME.

(a) FINDINGS.—Congress finds the following:

(1) The Southeast European Cooperative Initiative (SECI) Regional Center for Combating Trans-Border Crime, located in Bucharest, Romania, is composed of police and customs officers from each of the 12 member states of SECI: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Moldova, Romania, Slovenia, Serbia and Montenegro and Turkey.

(2) The SECI Regional Center supports joint trans-border crime fighting efforts through the establishment of task forces, including task forces relating to trafficking in human beings, anti-drugs, financial and computer crimes, stolen vehicles, anti-smuggling and anti-fraud, and terrorism.

(b) STATEMENT OF POLICY.—It is the policy of the United States to continue to support the activities of the SECI Regional Center for Combating Trans-border Crime.

SEC. 1108. STATEMENT OF POLICY URGING TURKEY TO RESPECT THE RIGHTS AND RELIGIOUS FREEDOMS OF THE ECUMENICAL PATRIARCH.

(a) FINDINGS.—Congress finds the following:

(1) Turkey is scheduled to begin accession negotiations with the European Union on October 3, 2005.

(2) In 1993 the European Union defined the membership criteria for accession to the European Union at the Copenhagen European Council, obligating candidate countries to have achieved certain levels of reform, including stability of institutions guaranteeing democracy, the rule of law, and human rights, and respect for and protection of minorities.

(3) The Government of Turkey refuses to recognize the Ecumenical Patriarch's international status.

(4) The Government of Turkey has limited to Turkish nationals the candidates available to the Holy Synod for selection as the Ecumenical Patriarch and has refused to reopen the Theological School at Halki, thus impeding training for the clergy.

(b) STATEMENT OF POLICY.—Congress—

(1) calls on Turkey to continue to demonstrate its willingness to adopt and uphold European standards for the protection of human rights;

(2) based on the ideals associated with the European Union and its member states, calls on Turkey to eliminate all forms of discrimination, particularly those based on race or religion, and immediately—

(A) grant the Ecumenical Patriarch appropriate international recognition and ecclesiastic succession;

(B) grant the Ecumenical Patriarchate the right to train clergy of all nationalities, not just Turkish nationals; and

(C) respect property rights and human rights of the Ecumenical Patriarchate; and

(3) calls on Turkey to pledge to uphold and safeguard religious and human rights without compromise.

SEC. 1109. STATEMENT OF POLICY REGARDING THE MURDER OF UNITED STATES CITIZEN JOHN M. ALVIS.

(a) FINDINGS.—Congress finds the following:

(1) On November 30, 2000, United States citizen John M. Alvis was brutally murdered in Baku, Azerbaijan.

(2) John M. Alvis was serving his final two weeks of a two year full-time commitment to the International Republican Institute, a United States nongovernmental organization carrying out assistance projects for the Government of the United States to help promote democracy and strengthen the rule of law in Azerbaijan.

(3) The United States is committed to ensuring that the truth of the murder of John M. Alvis is determined and the individual or individuals who are responsible for this heinous act are brought to justice.

(b) STATEMENT OF POLICY.—Congress—

(1) appreciates the efforts of the Government of Azerbaijan to find the individual or individuals who are responsible for the murder of United States citizen John M. Alvis and urges the Government of Azerbaijan to continue to make these efforts a high priority; and

(2) urges the Secretary of State to continue to raise the issue of the murder of United States citizen John M. Alvis with the Government of Azerbaijan and to make this issue a priority in relations between the Government of the United States and the Government of Azerbaijan.

SEC. 1110. STATEMENT OF CONGRESS AND POLICY WITH RESPECT TO THE DISENFRANCHISEMENT OF WOMEN.

(a) FINDINGS.—Congress finds the following:

(1) Following the May 16, 2005, decision of the Kuwaiti parliament to enfranchise its female citizens, Saudi Arabia is now the only country in world that restricts the franchise and the right to hold elected office to men only.

(2) Only men were allowed to vote and run for office in Saudi Arabia's municipal elections held earlier this year, the first elections of any kind that Saudi Arabia has held since 1963.

(b) STATEMENTS OF CONGRESS.—Congress—

(1) strongly condemns the disenfranchisement of women, including restrictions that prevent women from holding office; and

(2) calls on the Government of Saudi Arabia to, at the earliest possible time, promulgate a law that grants women the right to vote and to run for office in all future Saudi elections, whether local, provincial, or national.

(c) POLICY.—The President is encouraged to take such action as the President considers appropriate, including a downgrading of diplomatic relations, to encourage countries that disenfranchise only women to grant women the rights to vote and hold office.

Subtitle B—Sense of Congress Provisions

SEC. 1111. KOREAN FULBRIGHT PROGRAMS.

It is the sense of Congress that Fulbright program activities for the Republic of Korea (commonly referred to as ''South Korea'') should—

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

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

(3) broaden the Korean student emphasis beyond degree-seeking graduate students to include opportunities for one-year nondegree study at United States colleges and universities by pre-doctoral Korean students; and

(4) include a significant number of Korean students planning to work or practice in areas other than advanced research and university teaching, such as in government service, media, law, and business.

SEC. 1112. UNITED STATES RELATIONS WITH TAIWAN.

It is the sense of Congress that—

(1) it is in the national interests of the United States to communicate directly with democratically elected and appointed officials of Taiwan, including the President of Taiwan, the Vice-President of Taiwan, the Foreign Minister of Taiwan, and the Defense Minister of Taiwan;

(2) the Department of State should, in accordance with Public Law 103–416, admit such high level officials of Taiwan to the United States to discuss issues of mutual concern with United States officials; and

(3) the Department of State should, in cooperation with the Ministry of Foreign Affairs of Taiwan, facilitate high level meetings between such high level officials of Taiwan and their counterparts in the United States.

SEC. 1113. NUCLEAR PROLIFERATION AND A. Q. KHAN.

(a) FINDINGS.—Congress finds the following:

(1) Dr. Abdul Qadeer Khan, former director of the A.Q. Khan Research Laboratory in Pakistan and Special Adviser to the Prime Minister on the Strategic Programme, had the status of a federal minister and established and operated an illegal international network which sold nuclear weapons and related technologies to a variety of countries.

(2) China provided Dr. Khan with nuclear weapons designs, and the illegal international nuclear proliferation network established by Dr. Khan may have provided other countries with these designs.

(3) The illegal international nuclear proliferation network established by Dr. Khan assisted Iran with its nuclear program by supplying Iran with uranium-enrichment technology, including centrifuge equipment and designs.

(4) The illegal international nuclear proliferation network established by Dr. Khan assisted North Korea with its nuclear weapons program by providing centrifuge technology, including designs and complete centrifuges.

(5) The illegal international nuclear proliferation network established by Dr. Khan assisted Libya with its nuclear program by providing blueprints of centrifuge parts and thousands of assembled centrifuge parts.

(6) There is concern that the illegal international nuclear proliferation network created by Dr. Khan may be still in existence and its work still on-going.

(7) Defense cooperation and technology transfer between China and Pakistan have been recently strengthened, including the codevelopment and manufacturing of a minimum of 400 J–

17 ''Thunder'' fighter aircraft, with a minimum of 250 going to China. This and other Chinese-Pakistani technology sharing provides an expanded basis for further Pakistani proliferation of advanced military technology.

(8) The illegal international nuclear proliferation network established by Dr. Khan is a threat to United States national security.

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

(1) should continue efforts to—

(A) dismantle the illegal international nuclear proliferation network created by Dr. Abdul Qadeer Khan; and

(B) counter, through diplomacy and negotiation, the proliferation of weapons of mass destruction from Pakistan to other countries;

(2) should request and Pakistan should grant access to interview Dr. Khan and his top associates to determine in greater detail what technology his network provided or received from Iran, North Korea, Libya, and China; and

(3) should take the steps necessary to ensure that Pakistan has verifiably halted any cooperation with any country in the development of nuclear or missile technology, material, or equipment, or any other technology, material, or equipment that is useful for the development of weapons of mass destruction, including exports of such technology, material, or equipment.

SEC. 1114. PALESTINIAN TEXTBOOKS.

(a) FINDINGS.—Congress finds the following:

(1) Since 1993, the United States has provided more than $1,400,000,000 to assist the Palestinian people, including to assist with the process of strengthening the Palestinian educations system.

(2) Since 1950, the United States has provided more than $3,200,000,000 in assistance to United Nations Relief and Works Agency (UNRWA), which operates schools in camps housing Palestinians.

(3) The Palestinian Authority has undertaken a reform of its textbooks, a process which will be completed in 2006.

(4) These new textbooks, while an improvement over past texts, fail in many respects to foster attitudes amongst the Palestinian people conducive to peace with Israel, including references to the infamous Protocols of the Elders of Zion, failure to acknowledge the State of Israel, and failure to discuss Jews in sections dealing with religious tolerance.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should express in the strongest possible terms United States opposition to the inclusion in Palestinian textbooks of materials which foster anti-Semitism and rejection of peace with Israel, and to express the unwillingness of the United States to continue to support educational programs of the Palestinian Authority, whether directly or indirectly, should the Palestinian Authority continue to include material which does not foster tolerance and peace.

SEC. 1115. INTERNATIONAL CONVENTION AFFIRMING THE HUMAN RIGHTS AND DIGNITY OF PERSONS WITH DISABILITIES.

(a) FINDINGS.—Congress finds the following:

(1) There are more than 600,000,000 people who have a disability and more than two-thirds of all persons with disabilities live in developing countries.

(2) Only two percent of children with disabilities in developing countries receive any education or rehabilitation.

(3) A substantial shift has occurred globally from an approach of charity toward persons with disabilities to the recognition of the inherent universal human rights of persons with disabilities.

(4) A clearly defined international standard addressing the rights of persons with disabilities would assist developing countries in the creation and implementation of national laws protecting those rights.

(5) To better protect and promote the rights of persons with disabilities and to establish international norms, the United Nations General Assembly adopted Resolution 56/168 (December 19, 2001) which established an ad hoc committee to consider proposals for a comprehensive and integral international convention that affirms the human rights and dignity of persons with disabilities.

(6) With the strong commitment and leadership of the United States and the vast domestic experience of the United States in the advancement of disability rights, the world community can benefit from United States participation in the drafting of an international convention that affirms the human rights and dignity of persons with disabilities.

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

(1) the United States should play a leading role in the drafting of an international convention that affirms the human rights and dignity of persons with disabilities and which is consistent with the Constitution of the United States, the Americans with Disabilities Act of 1990, and other rights enjoyed by United States citizens with disabilities;

(2) for this purpose, the President should authorize the Secretary of State to send to the Sixth Session of the United Nations Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities to be held in August 2005 and to subsequent sessions of the Ad Hoc Committee a United States delegation which includes individuals with disabilities who are recognized leaders in the United States disability rights movement; and

(3) the United States delegation referred to in paragraph (2) should seek the input and advice of the Department of State's Advisory Committee on Persons with Disabilities with respect to matters considered at the Sixth Session of the United Nations Ad Hoc Committee and subsequent sessions.

SEC. 1116. FULBRIGHT SCHOLARSHIPS FOR EAST ASIA AND THE PACIFIC.

(a) FINDINGS.—Congress finds the following:

(1) From 1949–2003, the Department of State awarded 13,176 Fulbright Scholarships to students from East Asia and the Pacific, but only 31 went to Pacific Island students.

(2) In 2003–2004, the Department of State awarded 315 scholarships to students from East Asia and the Pacific, but none were awarded to Pacific Island students.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of State should conduct a review and submit to the appropriate congressional committees a report regarding the marginalization of Pacific Islands students in the awarding of Fulbright Scholarships.

SEC. 1117. BAKU-TBILISI-CEYHAN ENERGY PIPELINE.

(a) FINDINGS.—Congress finds the following:

(1) It has been the long-standing policy of the United States to support the independence, security, and economic development of the newly independent states of the Caspian Sea region.

(2) The growth and stability of the newly independent states of the Caspian Sea region will be greatly enhanced by the development of their extensive oil and natural gas resources and the export of these resources unhindered along an east-west energy transportation corridor.

(3) The establishment of an east-west energy transportation corridor would enhance the energy security of the United States, Turkey, and other United States allies by ensuring an unhindered flow of energy from the Caspian Sea region to world markets.

(4) The centerpiece of the proposed east-west energy transportation corridor is the Baku-Tbilisi-Ceyhan (BTC) pipeline, which was first endorsed by the relevant regional governments in 1998 and which will carry one million barrels of Caspian Sea oil per day from Baku, Azerbaijan, to Ceyhan, Turkey, via a route that passes through Tbilisi, Georgia.

(5) The BTC pipeline was inaugurated on May 25, 2005, and Caspian Sea oil exports from the port of Ceyhan, Turkey, will begin later this year.

(6) The BTC pipeline project has received strong bipartisan support during the administrations of both Presidents Bill Clinton and George W. Bush.

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

(1) the governments and peoples of Turkey and the newly independent states of the Caspian Sea region should be congratulated for the successful completion of the Baku-Tbilisi-Ceyhan pipeline;

(2) the policy of the United States to support the independence, security, and economic development of the newly independent states of the Caspian Sea region should be reaffirmed; and

(3) projects should be encouraged that would further develop the east-west energy transportation corridor between the newly independent states of the Caspian Sea region and Europe and that advance the strategic goals of the United States, especially the promotion of appropriate multiple routes for the transportation to world markets of oil and gas from the Caspian Sea region.

SEC. 1118. LEGISLATION REQUIRING THE FAIR, COMPREHENSIVE, AND NON-DISCRIMINATORY RESTITUTION OF PRIVATE PROPERTY CONFISCATED IN POLAND.

(a) FINDINGS.—Congress find the following:

(1) The protection of and respect for property rights is a basic tenet for all democratic governments that operate according to the rule of law.

(2) Private properties were seized and confiscated by the Nazis in occupied Poland or by the Communist Polish government after World War II.

(3) Some post-Communist countries in Europe have taken steps toward compensating individuals whose property was seized and confiscated by the Nazis during World War II and by Communist governments after World War II.

(4) Poland has continuously failed to enact legislation that requires realistically achievable restitution or compensation for those individuals who had their private property seized and confiscated.

(5) Although President Aleksander Kwasniewski of Poland later exercised his veto power, in March 2001 the Polish Parliament passed a bill that would have provided compensation for seized and confiscated property, but only to individuals who were registered as Polish citizens as of December 31, 1999, thereby excluding all those individuals who emigrated from Poland during and after World War II.

(6) President Kwasniewski met in 2002 with congressional leaders of the United States Helsinki Commission and stated that he intended to draft a new law requiring the restitution of previously seized and confiscated private property that would not discriminate based on the residency or citizenship of an individual, and which would be ready to take effect by the beginning of 2003.

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

(1) Poland should develop a final and complete settlement for those individuals who had their private property seized and confiscated by the Nazis during World War II or by the Communist Polish government after the war;

(2) restitution should be made in a timely manner if they are to be of any benefit to the many Holocaust survivors who are in their eighties or older; and

(3) the President and the Secretary of State should engage, as appropriate—

(A) in an open dialogue with the Government of Poland supporting the adoption of legislation requiring the fair, comprehensive, and nondiscriminatory restitution of or compensation

for private property that was seized and confiscated; and

(B) in follow-up discussions with the Government of Poland regarding the status and implementation of such legislation.

SEC. 1119. CHILD LABOR PRACTICES IN THE COCOA SECTORS OF COTE D'IVOIRE AND GHANA.

It is the sense of Congress that—

(1) the Government of the Republic of Cote d'Ivoire and the Government of the Republic of Ghana should be commended for the tangible steps they have taken to address the situation of child labor in the cocoa sector;

(2) the Government of Cote d'Ivoire and the Government of Ghana should consider child labor and forced labor issues top priorities;

(3) the chocolate industry signatories to the September 19, 2001, voluntary Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products in a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor should meet the sixth and final pillar of the Protocol, to ''develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor'' by July 1, 2005;

(4) the chocolate industry, nongovernmental organizations, and the Government of Cote d'Ivoire and the Government of Ghana should continue their efforts in full force beyond July 1, 2005, to develop and implement a system to monitor child labor in the cocoa industry of Cote d'Ivoire and Ghana;

(5) the Office to Monitor and Combat Trafficking in Persons of the Department of State should include information on the association between trafficking in persons and the cocoa industries of Cote d'Ivoire, Ghana, and other cocoa producing regions in the annual trafficking in persons report to Congress; and

(6) the Department of State should assist the Government of Cote d'Ivoire and the Government of Ghana in preventing the trafficking of persons into the cocoa fields and other industries in West Africa.

SEC. 1120. CONTRIBUTIONS OF IRAQI KURDS.

(a) FINDINGS.—Congress finds the following:

(1) Iraqi Kurdish forces played a unique and significant role in the fight to liberate Iraq for all Iraqis in 2003.

(2) Since Iraq's liberation, Iraqi Kurdish leaders have played prominent and constructive roles in the drafting and passage of the Transitional Administrative Law and, more generally, in seeking to achieve a free, stable, and democratic Iraq.

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

(1) Iraqi Kurds should be commended for their many contributions and sacrifices made in the cause of creating a free, stable, and democratic Iraq; and

(2) the Iraqi Transitional Government and the Kurdistan Regional Government are expected to adhere to the highest standards of democratic governance, including through enforcement of full equality and rights for all religious and ethnic minorities, such as Assyrians and Turcomans.

SEC. 1121. PROLIFERATION SECURITY INITIATIVE.

It is the sense of Congress that—

(1) the Secretary of State should strive to expand and strengthen the Proliferation Security Initiative announced on May 31, 2003, by President George W. Bush, placing particular emphasis on including countries outside of the North Atlantic Treaty Organization (NATO); and

(2) the United States should seek an international instrument, in the form of a United Nations Security Council resolution, multilateral treaty, or other agreement, to enhance international cooperation with the Proliferation Security Initiative regarding the interdiction, seizure, and impoundment in international waters and airspace of illicit shipments of weapons of mass destruction and their delivery systems and of related materials, equipment, and technology.

SEC. 1122. SECURITY OF NUCLEAR WEAPONS AND MATERIALS.

It is the sense of Congress that the President should seek to devise and implement standards to improve the security of nuclear weapons and materials by—

(1) establishing with other willing nations a set of guidelines containing performance-based standards for the security of nuclear weapons and materials;

(2) negotiating with those nations agreements to adopt guidelines containing performance-based standards and implement appropriate verification measures to assure ongoing compliance;

(3) coordinating with those nations and the International Atomic Energy Agency to strongly encourage other nations to adopt and verifiably implement the standards; and

(4) encouraging all nations to work with the International Atomic Energy Agency to complete the negotiation, adoption, and implementation of its proposed series of documents related to the security of nuclear materials.

SEC. 1123. INTERNATIONAL CRIMINAL COURT AND GENOCIDE IN DARFUR, SUDAN.

Based upon the adoption of resolutions on July 22, 2004, by both the House of Representatives and the Senate and the declaration on September 9, 2004, by former Secretary of State Colin Powell that the atrocities unfolding in Darfur, Sudan, are genocide, it is the sense of Congress that, notwithstanding the American Servicemembers' Protection Act of 2002 (title II of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States; Public Law 107–206), the United States should render assistance to the efforts of the International Criminal Court to bring to justice persons accused of genocide, war crimes, or crimes against humanity in Darfur, Sudan, provided that legally binding assurances have been received from the United Nations Security Council or the International Criminal Court that no current or former United States Government official, employee (including any contractor), member of the United States Armed Forces, or United States national will be subject to prosecution by the International Criminal Court in connection with those efforts.

SEC. 1124. ACTION AGAINST AL-MANAR TELEVISION.

(a) FINDINGS.—Congress finds that—

(1) in 1996, the Secretary of State designated Hizballah as a foreign terrorist organization (FTO) under section 219 of the Immigration and Nationality Act;

(2) al-Manar television is owned and controlled by Hizballah and acts on behalf of Hizballah, as openly acknowledged by Hizballah leader Hasan Nasrallah;

(3) al-Manar's programming, in accordance with Hizballah's policy, openly promotes hatred of and graphically glorifies and incites violence, including suicide bombings, against Americans, Israelis, and Jews;

(4) in December 2004, the Secretary of State placed al-Manar on its Terrorist Exclusion List, immediately after which the sole satellite company that broadcast al-Manar in North America pulled al-Manar off the air;

(5) in recent months, several European Union (EU) countries and EU-based satellite companies have taken actions that severely limit al-Manar's broadcasting reach in Europe; and

(6) al-Manar continues to broadcast to all of the Arab world, much of non-Arab Asia, most of Central and South America, and parts of Europe, with the cooperation of companies headquartered in Europe and the Arab world.

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

(1) all countries that host satellite companies that broadcast al-Manar, on whose territory al-Manar may be viewed over media subject to government regulation, or where advertising or other financial support for al-Manar originates, should take action, by the strongest and most comprehensive appropriate means available, to suppress al-Manar's terroristic programming; and

(2) the Arab States Broadcasting Union, which is part of the Arab League, should revoke al-Manar's membership status because of al-Manar's promotion of hatred and incitement to violence, including suicide bombings, directed toward Americans, Israelis, and Jews.

SEC. 1125. STABILITY AND SECURITY IN IRAQ.

It is the sense of Congress that the President should transmit to the appropriate congressional committees as soon as possible after the date of the enactment of this Act the plan to provide for a stable and secure government of Iraq and an Iraqi military and police force that will allow the United States military presence in Iraq to be diminished.

SEC. 1126. PROPERTY EXPROPRIATED BY THE GOVERNMENT OF ETHIOPIA.

It is the sense of the Congress that the Government of Ethiopia should account for, compensate for, or return to United States citizens, and entities not less than 50 percent beneficially owned by United States citizens, property of such citizens and entities that has been nationalized, expropriated, or otherwise seized by the Government of Ethiopia before the date of the enactment of this Act in contravention of international law.

The Acting CHAIRMAN. No amendment to that amendment is in order except the amendments made in order under the rule. Each amendment may be offered only in the order specified, by a Member designated, shall be considered read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in part B of House Report 109–175.

AMENDMENT NO. 1 OFFERED BY MR. HYDE

Mr. HYDE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HYDE:

Page 9, strike line 19 through page 11, line 20.

Page 9, beginning line 19, insert the following new subparagraph:

(E) ORGANIZATION FOR SECURITY AND COOPERATION AND EUROPE.—Of the amounts authorized to be appropriated under subparagraph (A), the following amounts are authorized to be appropriated for the following activities of the Organization for Security and Cooperation in Europe (OSCE):

(i) ANTI-SEMITISM.—For necessary expenses to fund secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) regarding anti-Semitism and intolerance and for the OSCE/ODIHR Law Enforcement Officers Hate Crimes Training Program, $225,000 for fiscal year 2006 and $225,000 for fiscal year 2007.

(ii) OSCE PROJECTS AND ACTIVITIES REGARDING RELIGIOUS FREEDOM.—For necessary expenses to fund secondments, hiring of staff,

and support targeted projects of ODIHR regarding religious freedom and for the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief, $125,000 for fiscal year 2006 and $125,000 for fiscal year 2007.

(iii) OSCE MISSIONS RELATED TO RELIGIOUS FREEDOM.—For OSCE Missions in Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan for activities to address issues relating to religious freedom and belief and to fund the hiring of new staff who are dedicated to religious freedom and belief, $80,000 for fiscal year 2006 and $80,000 for fiscal year 2007.

Page 11, line 21, strike ''(G)'' and insert ''(F)''.

Page 12, line 3, strike ''(H)'' and insert ''(G)''.

Page 26, line 3, strike ''Beginning'' and insert ''(a) IN GENERAL.—Beginning''.

Page 26, line 6, before ''title'' insert ''the last paragraph under the heading 'DIPLOMATIC AND CONSULAR PROGRAMS' under''.

Page 26, after line 10, insert the following new subsection:

(b) REQUIREMENTS.—In carrying out subsection (a) and the provision of law described in such subsection, the Secretary shall meet the following requirements:

(1) The amounts of the surcharges shall be reasonably related to the costs of providing services in connection with the activity or item for which the surcharges are charged.

(2) The aggregate amount of surcharges collected may not exceed the aggregate amount obligated and expended for the costs related to consular services in support of enhanced border security incurred in connection with the activity or item for which the surcharges are charged.

(3) A surcharge may not be collected except to the extent the surcharge will be obligated and expended to pay the costs related to consular services in support of enhanced border security incurred in connection with the activity or item for which the surcharge is charged.

(4) A surcharge shall be available for obligation and expenditure only to pay the costs related to consular services in support of enhanced border security incurred in providing services in connection with the activity or item for which the surcharge is charged.

Page 29, beginning line 12, insert the following new paragraphs:

(3) The Annual Report on Democracy required under section 612 of this Act.

(4) The annual Trafficking in Persons Report prepared by the Office to Monitor and Combat Trafficking in Persons of the Department of State, required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

Page 32, line 2, insert ''that is not later than 90 days after the date'' after ''after the date''.

Page 46, line 10, redesignate paragraph (4) as paragraph (5).

Page 46, beginning line 10, insert the following new paragraph:

''(4) In the case of a grievance filed under paragraph (3), the Foreign Service Grievance Board may not exercise the authority provided under section 1106(8).''.

Page 46, strike lines 11 through 19 and insert the following new subparagraph:

(A) The term ''reasonable time'' means 30 days after receiving notice of the proposed suspension.

Page 79, line 21, strike ''at least one'' and insert ''a''.

Page 79, line 22, strike ''one'' and insert ''a''.

Page 83, line 15, strike ''and''.

Page 83, line 22, strike the period at the end and insert ''; and''.

Page 83, beginning line 23, insert the following new clause:

(iii) evaluate the effectiveness of United States programs that promote democracy.

Page 97, beginning line 22, insert ''the Director of the Office for Reconstruction and Stabilization of the Department of State,'' after ''Assistant Secretary of State for Democracy, Human Rights, and Labor,''.

Page 98, line 2, strike ''democracy and'' and insert ''democracy, the means of coordinating United States policies and programs related to the promotion of democracy, and United States policies regarding''.

Page 101, line 14, strike ''potential contribution that'' and insert ''advantages and disadvantages of''.

Page 101, line 17, strike ''reaching'' and insert ''reach''.

Page 101, beginning line 17, strike ''countries, the situations where such support may be appropriate,'' and insert ''countries''.

Page 103, line 5, insert before the period at the end the following: ''or for any additional period determined by the Secretary pursuant to paragraph (5)''.

Page 115, beginning line 5, strike ''at posts so designated by the chief of mission'' and insert ''serving in a position in which the primary responsibility is to monitor or promote democracy or human rights''.

Page 115, strike line 20 through page 116, line 13.

Page 116, beginning line 14, strike ''(b) CHIEFS OF MISSION.—Section 304(a)(1) of such Act'' and insert ''(a) CHIEFS OF MISSION.—Section 304(a)(1) of the Foreign Service Act of 1980''.

Page 117, after line 2, insert the following new subsection:

(b) REPORT TO CONGRESS.—Section 304(b) of such Act (22 U.S.C. 3944(b)) is amended by adding at the end the following new paragraph:

''(3) If an individual (with respect to section 302(a)) or a member of the Service (with respect to section 302(b)) is nominated by the President to be a chief of mission in a country categorized as nondemocratic in an Annual Report on Democracy (required under section 612(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), and if such individual or such member has previously served as chief of mission in a country that was so categorized, the President shall, at the time of nomination, submit to the Committee on Foreign Relations of the Senate a written report summarizing the actions that such individual or member took during the period of such prior service to promote democracy and human rights in such country, including actions in furtherance of the strategy contained in such report.''.

Page 125, line 21, after ''available'' insert the following: ''to carry out chapter 4 of Part II of the Foreign Assistance Act of 1961''.

Page 153, line 2, strike ''shall be sold or transferred'' and insert ''shall be knowingly sold or transferred for military end use''.

Page 153, beginning on line 8, strike ''the Secretary of State'' and all that follows through ''license'' on line 10 and insert the following: ''the sale or transfer is approved through issuance of a license by the Secretary of State or the Secretary of Commerce, as the case may be''.

Page 153, strike line 11 and all that follows through line 17.

Page 153, line 18, strike ''(d)'' and insert ''(c)''.

Page 153, line 19, after ''Secretary of State'' insert '', in consultation with the Secretary of Commerce and the Secretary of Defense,''.

Page 153, beginning on line 21, strike ''to implement the requirements of subsection (c)'' and insert ''to ensure the effective implementation of section 38(k) of the Arms Export Control Act, as added by subsection (b).''.

Page 156, after line 9, insert the following new section:

SEC. 736. PURPOSES OF ARMS SALES.

Section 4 of the Arms Export Control Act (22 U.S.C. 2754) is amended in the first sentence by inserting after ''solely for internal security'' the following: ''(including antiterrorism and border security)''.

Page 177, line 22, strike ''to the foreign person for the export or import'' and insert ''for the export or import to the foreign person''.

Page 178, line 5, strike ''to the foreign person for the export'' and insert ''for the export to the foreign person''.

Page 212, line 6, strike ''section'' and insert ''section or subsections (d) or (f) of section 921 of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,''.

Page 212, beginning on line 7, strike ''the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,'' and insert ''such Act''.

Page 212, line 10, strike ''this section'' and insert ''this section or subsections (d) or (f) of section 921 of such Act, as the case may be''.

Page 265, line 24, insert '', or disadvantaged'' after ''minority-owned''.

Page 289, beginning line 11, insert the following new paragraphs (and redesignate subsequent paragraphs accordingly):

(4) Hizballah utilizes its resources to operate its television station, al-Manar, to recruit terrorists and incite violence, which contributes to instability in Lebanon and throughout the region;

(5) the Government of Lebanon should take steps to address the threat posed by al-Manar, including by revoking its license;

Page 291, line 10, strike ''and'' at the end.

Page 291, line 13, strike the period at the end and insert ''; and''.

Page 291, beginning line 14, insert the following new paragraph :

(8) efforts by the Government of Lebanon and the United States and its allies to end broadcasts by al-Manar.

Page 316, line 19, strike ''educations'' and insert ''education''.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Illinois (Mr. HYDE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

This en bloc amendment has been prepared in coordination with the gentleman from California (Mr. LANTOS), ranking member, and all the changes it contains are noncontroversial and make either technical, clarifying, or minor changes. The en bloc contains adjustments to section 205 regarding surcharges on the U.S. passport based on the sound recommendation of the Committee on Ways and Means. We appreciate the contributions the Committee on Ways and Means made to further refine the purpose of section 205. As a matter of budget policy, it is important that fees that are collected and retained by the State Department are collected and used for a specific purpose.

This amendment also makes some useful additions to section 1021 by adding to the sense of Congress that the al-Manar TV station in Lebanon poses a threat because Hezbollah uses the station to recruit terrorists and adds

to the report section efforts taken to end broadcasts by al-Manar.

The en bloc also includes a clarification that licenses shall be required under an arms embargo when dual-use goods or technology are knowingly sold or transferred for military end use to the military intelligence or other security forces of the embargoed government.

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

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

Mr. LANTOS. Madam Chairman, I thank the gentleman for yielding to me.

The changes entailed in this amendment are technical, noncontroversial, and fully acceptable to our side.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in part B of House Report 109–175.

AMENDMENT NO. 2 OFFERED BY MR. HYDE

Mr. HYDE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HYDE:

Redesignate title XI as title XII and redesignate sections 1101 through 1126 as sections 1201 through 1226, respectively (and conform the table of contents accordingly).

Insert after title X the following new title (and conform the table of contents accordingly):

TITLE XI—HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

SECTION 1101. SHORT TITLE.

This title may be cited as the ''Henry J. Hyde United Nations Reform Act of 2005''.

SEC. 1102. DEFINITIONS.

In this title:

(1) EMPLOYEE.—The term ''employee'' means an individual who is employed in the general services, professional staff, or senior management of the United Nations, including contractors and consultants.

(2) GENERAL ASSEMBLY.—The term ''General Assembly'' means the General Assembly of the United Nations.

(3) MEMBER STATE.—The term ''Member State'' means a Member State of the United Nations. Such term is synonymous with the term ''country''.

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

(5) SECRETARY GENERAL.—The term ''Secretary General'' means the Secretary General of the United Nations.

(6) SECURITY COUNCIL.—The term ''Security Council'' means the Security Council of the United Nations.

(7) SPECIALIZED AGENCIES AND SPECIALIZED AGENCIES OF THE UNITED NATIONS.—The terms ''specialized agencies'' and ''specialized agencies of the United Nations'' mean—

(A) the Food and Agriculture Organization (FAO);

(B) the International Atomic Energy Agency (IAEA);

(C) the International Civil Aviation Organization (ICAO);

(D) the International Fund for Agricultural Development (IFAD);

(E) the International Labor Organization (ILO);

(F) the International Maritime Organization (IMO);

(G) the International Telecommunication Union (ITU);

(H) the United Nations Educational, Scientific, and Cultural Organization (UNESCO);

(I) the United Nations Industrial Development Organization (UNIDO);

(J) the Universal Postal Union (UPU);

(K) the World Health Organization (WHO) and its regional agencies;

(L) the World Meteorological Organization (WMO); and

(M) the World Intellectual Property Organization (WIPO).

SEC. 1103. STATEMENT OF CONGRESS.

Congress declares that, in light of recent history, it is incumbent upon the United Nations to enact significant reform measures if it is to restore the public trust and confidence necessary for it to achieve the laudable goals set forth in its Charter. To this end, the following Act seeks to reform the United Nations.

Subtitle A—Mission and Budget of the United Nations

SEC. 1111. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

(a) STATEMENTS OF POLICY.—

(1) IN GENERAL.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—

(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (4) from the regular assessed budget to voluntarily funded programs.

(2) UNITED STATES CONTRIBUTIONS.—It shall be the policy of the United States to—

(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):

(i) Public Information.

(ii) General Assembly affairs and conference services.

(3) FUTURE BIENNIUM BUDGETS.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that future biennial budgets of the United Nations, as agreed to by the General Assembly, reflect the shift in funding mechanisms described in paragraph (1)(B) and the redirection of funds described in paragraph (2).

(4) CERTAIN ORGANIZATIONAL PROGRAMS.—The organizational programs referred to in paragraph (1)(B) are the following:

(A) Economic and social affairs.

(B) Least-developed countries, landlocked developing countries and small island developing States.

(C) United Nations support for the New Partnership for Africa's Development.

(D) Trade and development.

(E) International Trade Center UNCTAD/WTO.

(F) Environment.

(G) Human settlements.

(H) Crime prevention and criminal justice.

(I) International drug control.

(J) Economic and social development in Africa.

(K) Economic and social development in Asia and the Pacific.

(L) Economic development in Europe.

(M) Economic and social development in Latin America and the Caribbean.

(N) Economic and social development in Western Asia.

(O) Regular program of technical cooperation.

(P) Development account.

(Q) Protection of and assistance to refugees.

(R) Palestine refugees.

(b) AUTHORIZATION WITH RESPECT TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—Subject to the amendment made by subsection (c), the Secretary of State is authorized to make contributions toward the amount assessed to the United States by the United Nations for the purpose of funding the regular assessed budget of the United Nations.

(c) UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.—Section 11 of the United Nations Participation Act of 1945 (22 U.S.C. 287e–3) is amended to read as follows:

''SEC. 11. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

''(a) POLICY OF THE UNITED STATES RELATING TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—

''(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to—

''(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

''(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (2) of subsection (c) from the regular assessed budget to voluntarily funded programs.

''(2) UNITED STATES CONTRIBUTIONS.—It shall be the policy of the United States to—

''(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

''(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):

''(i) Public Information.

''(ii) General Assembly affairs and conferences services.

''(3) FUTURE BIENNIUM BUDGETS.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the shifting of funding mechanisms under paragraph (1)(B) and redirecting of contributions under paragraph (2) be reflected in future resolutions agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium. To achieve the policies described in paragraphs (1) and (2), the United States Permanent Representative to the United Nations shall withhold the support of the United States for a consensus for such budget until such time as such budget is reflective of such policies.

''(b) 22 PERCENT LIMITATION.—In accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, the Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under subsection (c).

''(c) ANNUAL DUES.—

''(1) IN GENERAL.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in subsection (b) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for a current biennial period, as agreed to by resolution of the General Assembly.

''(2) CALCULATION WITH RESPECT TO CERTAIN ORGANIZATIONAL PROGRAMS FOR REDIRECTION.—The percentage specified in subsection (b) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for a current biennial period for the following certain organizational programs:

''(A) Economic and social affairs.

''(B) Least-developed countries, landlocked developing countries and small island developing States.

''(C) United Nations support for the New Partnership for Africa's Development.

''(D) Trade and development.

''(E) International Trade Center UNCTAD/WTO.

''(F) Environment.

''(G) Human settlements.

''(H) Crime prevention and criminal justice.

''(I) International drug control.

''(J) Economic and social development in Africa.

''(K) Economic and social development in Asia and the Pacific.

''(L) Economic development in Europe.

''(M) Economic and social development in Latin America and the Caribbean.

''(N) Economic and social development in Western Asia.

''(O) Regular program of technical cooperation.

''(P) Development account.

''(Q) Protection of and assistance to refugees.

''(R) Palestine refugees.

''(3) REDIRECTION OF FUNDS.—Of amounts appropriated for contributions towards payment of regular assessed dues to the United Nations for 2008 and each subsequent year, if the funding mechanisms of one or more of the organizational programs of the United Nations specified in paragraph (2) have not been shifted from the regular assessed budget to voluntarily funded programs in accordance with subsection (a)(1), the Secretary shall ensure that such amounts in each such fiscal year that are specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium are redirected from payment of the assessed amount for the regular assessed budget as follows:

''(A) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend an amount, not to exceed 40 percent of the amount specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium, as a contribution to an eligible organizational program specified in paragraph (4).

''(B) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend the remaining amounts under this paragraph to voluntarily funded United Nations specialized agencies, funds, or programs.

''(4) ELIGIBLE ORGANIZATIONAL PROGRAMS.—The eligible organizational programs referred to in paragraph (3)(A) for redirection of funds under such paragraph are the following:

''(A) Internal oversight.

''(B) Human rights.

''(C) Humanitarian assistance.

''(D) An organizational program specified in subparagraphs (A) through (P) of paragraph (2), subject to paragraph (5).

''(5) EXPENDITURE OF REMAINING AMOUNTS TO CERTAIN ORGANIZATION PROGRAMS.—

''(A) VOLUNTARY CONTRIBUTION.—Subject to not less than 30 days prior notification to Congress and the limitation specified under subparagraph (B), the Secretary is authorized to make a voluntary contribution to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) of any amounts not contributed in a fiscal year to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4).

''(B) 10 PERCENT LIMITATION.—A voluntary contribution under subparagraph (A) to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) may not exceed 10 percent of the total contribution made under paragraph (3)(A).

''(d) FURTHER CALCULATION WITH RESPECT TO BUDGETS FOR PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—

''(1) 22 PERCENT LIMITATION.—The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under paragraph (2).

''(2) ANNUAL DUES EACH FISCAL YEAR.—

''(A) IN GENERAL.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in paragraph (1) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for a current biennial period, as agreed to by resolution of the General Assembly.

''(B) CALCULATION WITH RESPECT TO PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—With respect to such United States annual dues, the percentage specified in paragraph (1) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for the 2004–2005 biennial period for the following organizational programs:

''(i) Public Information.

''(ii) General Assembly affairs and conferences services.

''(C) REDIRECTION OF FUNDS.—

''(i) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) for 2007 by 10 percent against the budgets of such organizational programs for the 2004–2005 biennial period. If the budgets of such organizational programs are not so reduced, 20 percent the amount determined under subparagraph (B) for contributions towards payment of regular assessed dues for 2007 shall be redirected from payment for the amount assessed for United States annual contributions to the regular assessed budget of the United Nations.

''(ii) SPECIFIC AMOUNTS.—The Secretary shall make the amount determined under clause (i) available as a contribution to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4) of subsection (c).

''(3) POLICY WITH RESPECT TO 2008–2009 BIENNIAL PERIOD AND SUBSEQUENT BIENNIAL PERIODS.—

''(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) of paragraph (2) for the 2008–2009 biennial period and each subsequent biennial period by 20 percent against the budgets of such organizational programs for the 2004–2005 biennial period.

''(B) CERTIFICATION.—In accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, a certification shall be required that certifies that the reduction in budgets described in subparagraph (A) has been implemented.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall take effect and apply beginning on October 1, 2006.

(e) LIMITATION ON UNITED STATES CONTRIBUTIONS TO UNRWA.—The Secretary of State may not make a contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in an amount greater than the highest contribution to UNRWA made by an Arab country, but may not exceed 22 percent of the total budget of UNRWA. For purposes of this subsection, an Arab country includes the following: Algeria, Bahrain, Comoros, Dijibouti, Egypt, Iran, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates, Iraq, and Yemen.

(f) POLICY RELATING TO ZERO NOMINAL GROWTH.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to make every effort to enforce zero nominal growth in all assessed dues to the regular budget of the United Nations, its specialized agencies, and its funds and programs.

(g) 5.6 RULE.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to actively enforce the 5.6 rule at the United Nations, requiring the Secretariat to identify low-priority activities in the budget proposal. The United Nations should strengthen the 5.6 rule by requiring that managers identify the lowest priority activities equivalent to 15 percent of their budget request or face an across the board reduction of such amount.

(h) ANNUAL PUBLICATION.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to ensure the United Nations is annually publishing a list of all subsidiary bodies and their functions, budgets, and staff.

(i) SCALE OF ASSESSMENTS.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the difference between the scale of assessments for the five permanent members of the Security Council is not greater than five times that of any other permanent member of the Security Council.

(2) DENIAL OF USE OF VETO.—If the Secretary of State determines that a permanent member of the Security Council with veto power is not in compliance with the requirement described in paragraph (1), the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to deny to such permanent member the use of the veto power of such permanent member until such time as such permanent member satisfies the requirement of such paragraph.

SEC. 1112. WEIGHTED VOTING.

It shall be the policy of the United States to actively pursue weighted voting with respect to all budgetary and financial matters in the Administrative and Budgetary Committee and in the General Assembly in accordance with the level of the financial contribution of a Member State to the regular assessed budget of the United Nations.

SEC. 1113. BUDGET CERTIFICATION REQUIREMENTS.

(a) CERTIFICATION.—In accordance with section 1171, a certification shall be required

that certifies that the conditions described in subsection (b) have been satisfied.

(b) CONDITIONS.—The conditions under this subsection are the following:

(1) NEW BUDGET PRACTICES FOR THE UNITED NATIONS.—The United Nations is implementing budget practices that—

(A) require the maintenance of a budget not in excess of the level agreed to by the General Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus and do not exceed ten percent; and

(B) require the identification of expenditures by the United Nations by functional categories such as personnel, travel, and equipment.

(2) PROGRAM EVALUATION.—

(A) EXISTING AUTHORITY.—The Secretary General and the Director General of each specialized agency have used their existing authorities to require program managers within the United Nations Secretariat and the Secretariats of the specialized agencies to conduct evaluations in accordance with the standardized methodology referred to in subparagraph (B) of—

(i) United Nations programs approved by the General Assembly; and

(ii) programs of the specialized agencies.

(B) DEVELOPMENT OF EVALUATION CRITERIA.—

(i) UNITED NATIONS.—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(ii) SPECIALIZED AGENCIES.—Patterned on the work of the Office of Internal Oversight Services of the United Nations, each specialized agency has developed a standardized methodology for the evaluation of the programs of the agency, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of such evaluations, identifying programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.

(D) SUNSET OF PROGRAMS.—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each specialized agency has established and is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.

SEC. 1114. ACCOUNTABILITY.

(a) CERTIFICATION OF CREATION OF INDEPENDENT OVERSIGHT BOARD.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of an Independent Oversight Board (IOB) have been adopted by the United Nations:

(1) An IOB is established from existing United Nations budgetary and personnel resources. Except as provided in this subsection, the IOB shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations.

(2) The head of the IOB shall be a Director, who shall be nominated by the Secretary General and who shall be subject to Security Council approval by a majority vote. The IOB shall also consist of four other board members who shall be nominated by the Secretary General and subject to Security Council approval by a majority vote. The IOB shall be responsible to the Security Council and the Director and board members shall each serve terms of six years, except that the terms of the initial board shall be staggered so that no more than two board members' terms will expire in any one year. No board member may serve more than two terms. An IOB board member may be removed for cause by a majority vote of the Security Council. The Director shall appoint a professional staff headed by a Chief of Staff and may employ contract staff as needed.

(3) The IOB shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources, and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(4) While the IOB shall have the authority to evaluate all operations of the United Nations, the primary mission of the IOB is to oversee the Office of Internal Oversight Services and the Board of External Auditors. The IOB may direct the Office of Internal Oversight Services or the Board of External Auditors to initiate, abandon, or modify the scope of an investigation. Every three months or more frequently when appropriate, the IOB shall submit, as appropriate, to the Secretary General, the Security Council, the General Assembly, or the Economic and Social Council a report on its activities, relevant observations, and recommendations relating to its audit operations, including information relating to the inventory and status of investigations by the Office of Internal Oversight Services.

(5) In extraordinary circumstances and with the concurrence of the Secretary General or the Security Council by majority vote, the IOB may augment the Office of Internal Oversight Services with a special investigator and staff consisting of individuals who are not employees of the United Nations, to investigate matters involving senior officials of the United Nations or of its specialized agencies when allegations of serious misconduct have been made and such a special investigation is necessary to maintain public confidence in the integrity of the investigation. A special investigator and staff shall comply with all United Nations financial disclosure and conflict of interest rules, including the filing of an individual Annual Financial Disclosure Form in accordance with subsection (c).

(6) The IOB shall recommend annual budgets for the Office of Internal Oversight Services and the Board of External Auditors.

(7)(A) The IOB shall review the Final Report of the Independent Inquiry Committee (IIC) into the United Nations Oil for Food Program (OFF). The IOB's review should focus on the adequacy of the IIC's Final Report or any subsequent reports of the IIC or of any possible successor to the IIC. The IOB's review of the IIC's Final Report should address the Final Report's treatment of and adequacy in the following areas—

(i) OFF's operations from inception through the transfer of power from the Coalition Provisional Authority to the interim Iraqi government;

(ii) claims of oil smuggling, illegal surcharges on oil and commissions on commodity contracts, illegal kick-backs, use of oil allocations to influence foreign government officials and international people of influence, and use of funds for military purposes;

(iii) the involvement, directly or indirectly, of any entity, bureau, division, department, specialized agency, or employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations or any employee or officer of the Secretariat;

(iv) the IIC's findings, discovery and use of evidence, and investigation practices; and

(v) the extent of cooperation by the United Nations with requests by Congress for testimony, interviews, documents, correspondence, reports, memoranda, books, papers, accounts, or records related to the Oil for Food Program.

(B) Subsequent to the IOB's review, the IOB shall determine in a written report whether the IIC investigation is incomplete or inadequate in any respects and whether any additional investigation is justified. If the IOB determines that additional investigation is warranted, it shall appoint, in accordance with paragraph (5), a special investigator and staff consisting of individuals who are not employees of the United Nations and to identify specific areas within the OFF to investigate.

(b) CERTIFICATION OF UNITED NATIONS REFORMS OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the Office of Internal Oversight Services (OIOS) have been adopted by the United Nations:

(1) The OIOS is designated as an independent entity within the United Nations. The OIOS shall not be subject to budget authority or organizational authority of any entity within the United Nations except as provided in this section.

(2) The regular assessed budget of the United Nations shall fully fund the Internal Oversight Budget from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(3) All United Nations officials, including officials from any entity, bureau, division, department, or specialized agency of the United Nations, may—

(A) make a recommendation to the OIOS to initiate an investigation of any aspect of the United Nations; or

(B) report to the OIOS information or allegations of misconduct or inefficiencies within the United Nations.

(4) The OIOS may, *sua sponte*, initiate and conduct an investigation or audit of any entity, bureau, division, department, specialized agency, employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations, or contractor or consultant for the United Nations or its specialized agencies.

(5) At least every three months and more frequently when appropriate, the OIOS shall submit to the IOB a report containing an inventory and status of its investigations.

(6) The OIOS shall establish procedures for providing ''whistle-blower'' status and employment protections for all employees of the United Nations, including employees of the specialized agencies of the United Nations, who provide informational leads and testimony related to allegations of wrongdoing. Such procedures shall be adopted throughout the United Nations. Such status and protection may not be conferred on the Secretary General.

(7) The OIOS shall annually publish a public report determining the proper number, distribution, and expertise of auditors within the OIOS necessary to carry out present and future duties of the OIOS, including assessing the staffing requirements needed to audit United Nations contracting activities

throughout the contract cycle from the bid process to contract performance.

(8) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Specialized Agencies and Funds and Programs who shall be responsible for supervising the OIOS liaison or oversight duties for each of the specialized agencies and funds and programs of the United Nations. With the concurrence of the Director, the Associate Director of OIOS for Specialized Agencies and Funds and Programs may, from existing levels of United Nations budgetary and personnel resources, hire and appoint necessary OIOS staff, including staff serving within and located at specialized agencies and funds and programs permanently or as needed to liaison with existing audit functions within each specialized agency and fund and program.

(9) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Peacekeeping Operations, who shall be responsible for the oversight and auditing of the field offices attached to United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or peacekeeping troops or regarding inefficiencies associated with United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall be responsible for initiating, conducting, and overseeing investigations within peacekeeping operations.

(10) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Procurement and Contract Integrity, who shall be responsible for auditing and inspecting procurement and contracting win the United Nations, including within the specialized agencies. The Associate Director of OIOS for Procurement and Contract Integrity shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or regarding inefficiencies associated with United Nations procurement or contracting activities. The Associate Director of OIOS for Procurement and Contract Integrity shall be responsible for initiating, conducting, and overseeing investigations of procurement and contract activities. Not later than 12 months after the establishment of the position of Associate Director of OIOS for Procurement and Contract Integrity, the Director, with the assistance of the Associate Director of OIOS for Procurement and Contract Integrity, shall undertake a review of contract procedures to ensure that practices and policies are in place to ensure that—

(A) the United Nations has ceased issuing single bid contracts except for such contracts issued during an emergency situation that is justified by the Under Secretary General for Management;

(B) the United Nations has established effective controls to prevent conflicts of interest in the award of contracts; and

(C) the United Nations has established effective procedures and policies to ensure effective and comprehensive oversight and monitoring of United Nations contract performance.

(c) CERTIFICATION OF ESTABLISHMENT OF UNITED NATIONS OFFICE OF ETHICS.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of a United Nations Office of Ethics have been adopted by the United Nations:

(1) A United Nations Office of Ethics (UNOE) is established. The UNOE shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations. The UNEO shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of United Nations and its specialized agencies. The UNEO shall also be responsible for providing such employees with annual training related to such code. The head of the UNEO shall be a Director who shall be nominated by the Secretary General and who shall be subject to Security Council approval by majority vote. The UNOE shall promulgate ethics rules, including the following:

(A) No employee of any United Nations entity, bureau, division, department, or specialized agency may be compensated while participating in the domestic politics of the country of such employee, except for voting or acting as part of a Security Council, General Assembly, or legitimately authorized United Nations mission or assignment.

(B) No United Nations entity, bureau, division, department, or specialized agency may hire an individual convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union for any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury.

(C) The employment of an employee of any United Nations entity, bureau, division, department, or specialized agency who is convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union of any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury shall be subject to termination.

(D) If an employee of any United Nations entity, bureau, division, department, or specialized agency has contact regarding the disposition of ongoing internal United Nations operations or decisions with an individual who is not an employee or official of the government of a Member State (or a similarly situated individual), with an individual who is not officially employed by any United Nations entity, bureau, division, department, or specialized agency, or with an individual who is not a working member of the media, a memorandum of such contact shall be prepared by such employee and, upon request, be made available to Member States.

(2) The UNEO shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(3) The Director of the UNEO shall, not later than six months after the date of its establishment, publish a report containing proposals for implementing a system for the filing and review of individual Annual Financial Disclosure Forms by each employee of the United Nations, including by each employee of its specialized agencies, at the P–5 level and above and by all contractors and consultants compensated at any salary level. Such system shall be in place and operational not later than six months after the date of the publication of the report. Such completed forms shall be made available to the Office of Internal Oversight Services at the request of the Director of the Office of Internal Oversight Services. Such system shall seek to identify and prevent conflicts of interest by United Nations employees and shall be comparable to the system used for such purposes by the United States Government. Such report shall also address broader reforms of the ethics program for the United Nations, including—

(A) the effect of the establishment of ethics officers throughout all organizations within the United Nations;

(B) the effect of retention by the UNEO of Annual Financial Disclosure Forms;

(C) proposals for making completed Annual Financial Disclosure Forms available to the public on request through their Member State's mission to the United Nations;

(D) proposals for annual disclosure to the public of information related to the annual salaries and payments, including pension payments and buyouts, of employees of the United Nations, including employees of its specialized agencies, and of consultants;

(E) proposals for annual disclosure to the public of information related to per diem rates for all bureaus, divisions, departments, or specialized agencies within the United Nations;

(F) proposals for disclosure upon request by the Ambassador of a Member State of information related to travel and per diem payments made from United Nations funds to any person; and

(G) proposals for annual disclosure to the public of information related to travel and per diem rates and payments made from United Nations funds to any person.

(d) CERTIFICATION OF UNITED NATIONS ESTABLISHMENT OF POSITION OF CHIEF OPERATING OFFICER.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of the position of a Chief Operating Officer have been adopted by the United Nations:

(1) There is established the position of Chief Operating Officer (COO). The COO shall report to the Secretary General.

(2) The COO shall be responsible for formulating general policies and programs for the United Nations in coordination with the Secretary General and in consultation with the Security Council and the General Assembly. The COO shall be responsible for the daily administration, operation and supervision, and the direction and control of the business of the United Nations. The Chief Operating Officer shall also perform such other duties and may exercise such other powers as from time to time may be assigned to the COO by the Secretary General.

(e) CERTIFICATION OF ACCESS BY MEMBER STATES TO REPORTS AND AUDITS BY BOARD OF EXTERNAL AUDITORS.—In accordance with section 1171, a certification shall be required that certifies that Member States may, upon request, have access to all reports and audits completed by the Board of External Auditors.

(f) WAIVER OF IMMUNITY.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the Secretary General exercises the right and duty of the Secretary General under section 20 of the Convention on the Privileges and Immunities of the United Nations to waive the immunity of any United Nations official in any case in which such immunity would impede the course of justice. In exercising such waiver, the Secretary General is urged to interpret the interests of the United Nations as favoring the investigation or prosecution of a United Nations official who is credibly under investigation for having committed a serious criminal offense or who is credibly charged with a serious criminal offense.

(g) CERTIFICATION OF UNITED NATIONS COOPERATION RELATING TO OIL-FOR-FOOD PROGRAM.—

(1) ACTIONS.—In accordance with section 1171, a certification shall be required that certifies that the following actions relating to the oil-for-food program have been taken by the United Nations:

(A) The United Nations Secretary General has authorized the release to a law enforcement authority of any Member State (upon request by the permanent representative to the United Nations of such Member State on behalf of such law enforcement authority) or to a national legislative authority authentic copies of any document in the possession of the United Nations, including any document in the possession of a person who was engaged on a contract basis to provide goods or services to the United Nations, that in the judgment of such requesting law enforcement authority or national legislative authority directly or indirectly concerns the oil-for-food program or a sanction imposed on Iraq related to the oil-for-food program.

(B) The United Nations has waived any immunity enjoyed by any United Nations official from the judicial process in the United States for any civil or criminal acts or omissions under Federal or State law that may have transpired within the jurisdiction of the United States in connection with the oil-for-food program.

(2) DEFINITION.—As used in this subsection, the term ''oil-for-food program'' means the program established and administered pursuant to United Nations Security Council Resolution 986 (April 14, 1995) and subsequent United Nations resolutions to permit the sale of petroleum products exported from Iraq and to use the revenue generated from such sale for humanitarian assistance.

SEC. 1115. TERRORISM AND THE UNITED NATIONS.

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to work toward adoption by the General Assembly of—

(1) a definition of terrorism that builds upon the recommendations of the Secretary General's High-Level Panel on Threats, Challenges, and Change, and includes as an essential component of such definition any action that is intended to cause death or serious bodily harm to civilians with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act; and

(2) a comprehensive convention on terrorism that includes the definition described in paragraph (1).

SEC. 1116. UNITED NATIONS TREATY BODIES.

The United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended with respect to a United Nations human rights treaty monitoring body or committee that was established by—

(1) a convention (without any protocols) or an international covenant (without any protocols) to which the United States is not party; or

(2) a convention, with a subsequent protocol, if the United States is a party to neither.

SEC. 1117. EQUALITY AT THE UNITED NATIONS.

(a) INCLUSION OF ISRAEL IN WEOG.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to expand the Western European and Others Group (WEOG) in the United Nations to include Israel as a permanent member with full rights and privileges.

(2) NOTIFICATION TO CONGRESS.—Not later than six months after the date of the enactment of this Act and every six months thereafter for the next six years, the Secretary of State shall notify the appropriate congressional committees concerning the treatment of Israel in the United Nations and the expansion of WEOG to include Israel as a permanent member.

(b) DEPARTMENT OF STATE REVIEW AND REPORT.—

(1) IN GENERAL.—To avoid duplicative efforts and funding with respect to Palestinian interests and to ensure balance in the approach to Israeli–Palestinian issues, the Secretary shall, not later than 60 days after the date of the enactment of this Act—

(A) conduct an audit of the functions of the entities listed in paragraph (2); and

(B) submit to the appropriate congressional committees a report containing recommendations for the elimination of such duplicative entities and efforts.

(2) ENTITIES.—The entities referred to in paragraph (1) are the following:

(A) The United Nations Division for Palestinian Rights.

(B) The Committee on the Exercise of the Inalienable Rights of the Palestinian People.

(C) The United Nations Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority.

(D) The NGO Network on the Question of Palestine.

(E) The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

(F) Any other entity the Secretary determines results in duplicative efforts or funding or fails to ensure balance in the approach to Israeli-Palestinian issues.

(c) IMPLEMENTATION BY PERMANENT REPRESENTATIVE.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the implementation of the recommendations contained in the report required under subsection (b)(1).

(2) WITHHOLDING OF FUNDS.—Until such recommendations have been implemented, the United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended for such entities.

(d) GAO AUDIT.—The Comptroller General of the United States of the Government Accountability Office shall conduct an audit of—

(1) the status of the implementation of the recommendations contained in the report required under subsection (b)(1); and

(2) United States actions and achievements under subsection (c).

SEC. 1118. REPORT ON UNITED NATIONS REFORM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall submit to the appropriate congressional committees a report on United Nations reform since 1990.

(b) CONTENTS.—The report required under paragraph (1) shall describe—

(1) the status of the implementation of management reforms within the United Nations and its specialized agencies;

(2) the number of outputs, reports, or other items generated by General Assembly resolutions that have been eliminated;

(3) the progress of the General Assembly to modernize and streamline the committee structure and its specific recommendations on oversight and committee outputs, consistent with the March 2005 report of the Secretary General entitled ''In larger freedom: towards development, security and human rights for all'';

(4) the status of the review by the General Assembly of all mandates older than five years and how resources have been redirected to new challenges, consistent with such March 2005 report of the Secretary General;

(5) the continued utility and relevance of the Economic and Financial Committee and the Social, Humanitarian, and Cultural Committee, in light of the duplicative agendas of those committees and the Economic and Social Council; and

(6) whether the United Nations or any of its specialized agencies has contracted with any party included on the Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs.

SEC. 1119. REPORT ON UNITED NATIONS PERSONNEL.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report—

(1) concerning the progress of the General Assembly to modernize human resource practices, consistent with the March 2005 report of the Secretary General entitled ''In larger freedom: towards development, security and human rights for all''; and

(2) containing the information described in subsection (b).

(b) CONTENTS.—The report shall include—

(1) a comprehensive evaluation of human resources reforms at the United Nations, including an evaluation of—

(A) tenure;

(B) performance reviews;

(C) the promotion system;

(D) a merit-based hiring system and enhanced regulations concerning termination of employment of employees; and

(E) the implementation of a code of conduct and ethics training;

(2) the implementation of a system of procedures for filing complaints and protective measures for work-place harassment, including sexual harassment;

(3) policy recommendations relating to the establishment of a rotation requirement for nonadministrative positions;

(4) policy recommendations relating to the establishment of a prohibition preventing personnel and officials assigned to the mission of a Member State to the United Nations from transferring to a position within the United Nations Secretariat that is compensated at the P–5 level and above;

(5) policy recommendations relating to a reduction in travel allowances and attendant oversight with respect to accommodations and airline flights; and

(6) an evaluation of the recommendations of the Secretary General relating to greater flexibility for the Secretary General in staffing decisions to accommodate changing priorities.

SEC. 1120. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

Not later than one year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report on United States contributions to the United Nations. Such report shall examine assessed, voluntary, in-kind, and all other United States contributions.

SEC. 1121. UNITED NATIONS SECURITY COUNCIL AND LEBANON.

(a) RESOLUTION 1559.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the Security Council is undertaking the necessary steps to secure the implementation of Security Council Resolution 1559, including—

(1) deploying United Nations inspectors to verify and certify to the Security Council that—

(A) all foreign forces, including intelligence, security, and policing forces, have been withdrawn from Lebanon; and

(B) all militias in Lebanon have been permanently disarmed and dismantled and their weapons have been decommissioned; and

(2) continuing the presence of United Nations elections monitoring teams in Lebanon to verify and certify to the Security Council that—

(A) citizens of Lebanon are not being targeted for assassination by foreign forces, in particular by foreign forces of Syria, or by their proxies, as a means of intimidation and coercion in an effort to manipulate the political process in Lebanon;

(B) elections in Lebanon are being conducted in a fair and transparent manner and are free of foreign interference; and

(C) that such foreign forces, or their proxies, are not seeking to infringe upon the territorial integrity or political sovereignty of Lebanon.

(b) UNITED STATES ACTION.—If the steps described in paragraphs (1) and (2) of subsection (a) have not been verified and certified to the Security Council by July 31, 2005, or by the date that is not later than 30 days after the date of the enactment of this Act, whichever is sooner, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to secure the adoption of a resolution in the Security Council imposing punitive measures on the governments of countries whose forces remain in Lebanon in violation of Security Council Resolution 1559 and who directly, or through proxies, are infringing upon the territorial integrity or political sovereignty of Lebanon.

SEC. 1122. POLICY WITH RESPECT TO EXPANSION OF THE SECURITY COUNCIL.

It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to oppose any proposals on expansion of the Security Council if such expansion would—

(1) diminish the influence of the United States on the Security Council;

(2) include veto rights for any new members of the Security Council; or

(3) undermine the effectiveness of the Security Council.

SEC. 1123. GENOCIDE AND THE UNITED NATIONS.

(a) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure the formal adoption and implementation of mechanisms to—

(1) suspend the membership of a Member State if it is determined that the government of such Member State is engaged in or complicit in, either by commission or omission, acts of genocide, ethnic cleansing, or crimes against humanity;

(2) impose an arms and trade embargo and travel restrictions on, and freeze the assets of, all groups and individuals responsible for committing or allowing such acts of genocide, ethnic cleansing, or crimes against humanity to occur;

(3) deploy a United Nations peacekeeping operation or authorize and support the deployment of a peacekeeping operation from an international or regional organization to the Member State with a mandate to stop such acts of genocide, ethnic cleansing, or crimes against humanity;

(4) deploy monitors from the United Nations High Commissioner for Refugees to the area in the Member State where such acts of genocide, ethnic cleansing, or crimes against humanity are occurring; and

(5) authorize the establishment of an international commission of inquiry into such acts of genocide, ethnic cleansing, or crimes against humanity.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the mechanisms described in subsection (a) have been adopted and implemented.

SEC. 1124. ANTI-SEMITISM AND THE UNITED NATIONS.

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) ensure the issuance and implementation of a directive by the Secretary General or the Secretariat, as appropriate, that—

(A) requires all employees of the United Nations and its specialized agencies to officially and publicly condemn anti-Semitic statements made at any session of the United Nations or its specialized agencies, or at any other session sponsored by the United Nations;

(B) requires employees of the United Nations and its specialized agencies to be subject to punitive action, including immediate dismissal, for making anti-Semitic statements or references;

(C) proposes specific recommendations to the General Assembly for the establishment of mechanisms to hold accountable employees and officials of the United Nations and its specialized agencies, or Member States, that make such anti-Semitic statements or references in any forum of the United Nations or of its specialized agencies; and

(D) develops and implements education awareness programs about the Holocaust and anti-Semitism throughout the world, as part of an effort to combat intolerance and hatred;

(2) work to secure the adoption of a resolution by the General Assembly that establishes the mechanisms described in paragraph (1)(C); and

(3) continue working toward further reduction of anti-Semitic language and anti-Israel resolutions in the United Nations and its specialized agencies.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the requirements described in subsection (a) have been satisfied.

Subtitle B—Human Rights and the Economic and Social Council (ECOSOC)

SEC. 1131. HUMAN RIGHTS.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that a credible and respectable Human Rights Council or other human rights body is established within the United Nations whose participating Member States uphold the values embodied in the Universal Declaration of Human Rights.

(b) HUMAN RIGHTS REFORMS AT THE UNITED NATIONS.—The President shall direct the United States Permanent Representative to the United Nations to ensure that the following human rights reforms have been adopted by the United Nations:

(1) A Member State that fails to uphold the values embodied in the Universal Declaration of Human Rights shall be ineligible for membership on any United Nations human rights body.

(2) A Member State shall be ineligible for membership on any United Nations human rights body if such Member State is—

(A) subject to sanctions by the Security Council; or

(B) under a Security Council-mandated investigation for human rights abuses.

(3) A Member State that is currently subject to an adopted country specific resolution, in the principal body in the United Nations for the promotion and protection of human rights, relating to human rights abuses perpetrated by the government of such country in such country, or has been the subject of such an adopted country specific resolution in such principal body within the previous three years, shall be ineligible for membership on any United Nations human rights body. For purposes of this subsection, an adopted country specific resolution shall not include consensus resolutions on advisory services.

(4) A Member State that violates the principles of a United Nations human rights body to which it aspires to join shall be ineligible for membership on such body.

(5) No human rights body has a standing agenda item that relates only to one country or region.

(6) The practice of considering in the principal body in the United Nations for the promotion and protection of human rights country specific resolutions relating to human rights abuses perpetrated by the government of a Member State within such Member State shall not be eliminated.

(c) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the human rights reforms described under subsection (b) have been adopted by the United Nations.

(d) PREVENTION OF ABUSE OF ''NO ACTION'' MOTIONS.—The United States Permanent Representative shall work to prevent abuse of ''no action'' motions, particularly as such motions relate to country specific resolutions.

(e) OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS.—

(1) STATEMENT OF POLICY.—It shall be the policy of the United States to continue to strongly support the Office of the United Nations High Commissioner for Human Rights.

(2) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the Office of the United Nations High Commissioner for Human Rights has been given greater authority in field operation activities, such as in the Darfur region of Sudan and in the Democratic Republic of Congo, in furtherance of the purpose and mission of the United Nations.

(f) PROHIBITION ON CONTACT WITH MEMBER STATES SUBJECT TO SANCTIONS.—An employee from of any United Nations entity, bureau, division, department, or specialized agency may not have unauthorized contact, including business contact, with a Member State that is subject to United Nations sanctions.

SEC. 1132. ECONOMIC AND SOCIAL COUNCIL (ECOSOC).

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—

(1) abolish secret voting in the Economic and Social Council (ECOSOC);

(2) ensure that, until such time as the Commission on Human Rights of the United Nations is abolished, only countries that are not ineligible for membership on a human

rights body in accordance with paragraphs (1) through (4) of section 1131(b) shall be considered for membership on the Commission on Human Rights; and

(3) ensure that after candidate countries are nominated for membership on the Commission on Human Rights, the Economic and Social Council conducts a recorded vote to determine such membership.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the policies described in subsection (a) have been implemented by the Economic and Social Council.

SEC. 1133. UNITED NATIONS DEMOCRACY FUND.

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) establish a Democracy Fund at the United Nations to be administered by Member States of the United Nations Democracy Caucus;

(2) secure political and financial support for the Democracy Fund from Member States of the United Nations Democracy Caucus; and

(3) establish criteria that limits recipients of assistance from the Democracy Fund to Member States that—

(A) are not ineligible for membership on any United Nations human rights body, in accordance with paragraphs (1) through (4) of section 1131(b); and

(B) are determined by the Secretary of State to be emerging democracies or democracies in transition.

(b) POLICY RELATING TO FUNDING FOR THE DEMOCRACY FUND.—It shall be the policy of the United States to shift contributions of the United States to the regularly assessed budget of the United Nations for a biennial period to initiate and support the Democracy Fund referred to in subsection (a).

(c) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the requirements described in subsection (a) have been satisfied.

Subtitle C—International Atomic Energy Agency

SEC. 1141. INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) ENFORCEMENT AND COMPLIANCE.—

(1) OFFICE OF COMPLIANCE.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to International Atomic Energy Agency (IAEA) to use the voice, vote, and influence of the United States at the IAEA to establish an Office of Compliance in the Secretariat of the IAEA.

(B) OPERATION.—The Office of Compliance shall—

(i) function as an independent body composed of technical experts who shall work in consultation with IAEA inspectors to assess compliance by IAEA Member States and provide recommendations to the IAEA Board of Governors concerning penalties to be imposed on IAEA Member States that fail to fulfill their obligations under IAEA Board resolutions;

(ii) base its assessments and recommendations on IAEA inspection reports; and

(iii) shall take into consideration information provided by IAEA Board Members that are one of the five nuclear weapons states as recognized by the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the ''Nuclear Nonproliferation Treaty'' or the ''NPT'').

(C) STAFFING.—The Office of Compliance shall be staffed from existing personnel in the Department of Safeguards of the IAEA or the Department of Nuclear Safety and Security of the IAEA.

(2) SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to establish a Special Committee on Safeguards and Verification.

(B) RESPONSIBILITIES.—The Special Committee shall—

(i) improve the ability of the IAEA to monitor and enforce compliance by Member States of the IAEA with the Nuclear Nonproliferation Treaty and the Statute of the International Atomic Energy Agency; and

(ii) consider which additional measures are necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.

(3) PENALTIES WITH RESPECT TO THE IAEA.—

(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations has its privileges suspended, including—

(i) limiting its ability to vote on its case;

(ii) being prevented from receiving any technical assistance; and

(iii) being prevented from hosting meetings.

(B) TERMINATION OF PENALTIES.—The penalties specified under subparagraph (A) shall be terminated when such investigation is concluded and such Member State is no longer in such breach or noncompliance.

(4) PENALTIES WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is found to be in breach of, in noncompliance with, or has withdrawn from the Nuclear Nonproliferation Treaty shall return to the IAEA all nuclear materials and technology received from the IAEA, any Member State of the IAEA, or any Member State of the Nuclear Nonproliferation Treaty.

(b) UNITED STATES CONTRIBUTIONS.—

(1) VOLUNTARY CONTRIBUTIONS.—Voluntary contributions of the United States to the IAEA should primarily be used to fund activities relating to Nuclear Safety and Security or activities relating to Nuclear Verification.

(2) LIMITATION ON USE OF FUNDS.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to—

(A) ensure that funds for safeguards inspections are prioritized for countries that have newly established nuclear programs or are initiating nuclear programs; and

(B) block the allocation of funds for any other IAEA development, environmental, or nuclear science assistance or activity to a country—

(i) the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism and the government of which the Secretary has determined has not dismantled and surrendered its weapons of mass destruction programs under international verification;

(ii) that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations; or

(iii) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(3) DETAIL OF EXPENDITURES.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to secure, as part of the regular budget presentation of the IAEA to Member States of the IAEA, a detailed breakdown by country of expenditures of the IAEA for safeguards inspections and nuclear security activities.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to block the membership on the Board of Governors of the IAEA for a Member State of the IAEA that has not signed and ratified the Additional Protocol and—

(A) is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations; or

(B) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(2) CRITERIA.—The United States Permanent Representative to the IAEA shall make every effort to modify the criteria for Board membership to reflect the principles described in paragraph (1).

(d) SMALL QUANTITIES PROTOCOL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure that the IAEA changes the policy regarding the Small Quantities Protocol in order to—

(1) rescind and eliminate the Small Quantities Protocol;

(2) require that any IAEA Member State that has previously signed a Small Quantities Protocol to sign, ratify, and implement the Additional Protocol, provide immediate access for IAEA inspectors to its nuclear-related facilities, and agree to the strongest inspections regime of its nuclear efforts; and

(3) require that any IAEA Member State that does not comply with paragraph (2) to be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State and subject to the penalties described in subsection (a)(3).

(e) NUCLEAR PROGRAM OF IRAN.—

(1) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure the adoption of a resolution by the IAEA Board of Governors that makes Iran ineligible to receive any nuclear material, technology, equipment, or assistance from any IAEA Member State and ineligible for any IAEA assistance not related to safeguards inspections or nuclear security until the IAEA Board of Governors determines that Iran—

(A) is providing full access to IAEA inspectors to its nuclear-related facilities;

(B) has fully implemented and is in compliance with the Additional Protocol; and

(C) has permanently ceased and dismantled all activities and programs related to nuclear-enrichment and reprocessing.

(2) PENALTIES.—If an IAEA Member State is determined to have violated the prohibition on assistance to Iran described in paragraph (1) before the IAEA Board of Governors determines that Iran has satisfied the conditions described in subparagraphs (A) through (C) of such paragraph, such Member State shall be subject to the penalties described in subsection (a)(3), shall be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State, and shall be ineligible to receive any IAEA assistance not related to safeguards inspections or nuclear security until such time as the IAEA Board of Governors makes such determination with respect to Iran.

(f) REPORT.—Not later than six months after the date of the enactment of this Act and annually for two years thereafter, the President shall submit to the appropriate congressional committees a report on the implementation of this section.

SEC. 1142. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA.

It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Governors should recommend, and the General Conference should adopt, a resolution incorporating the Nuclear Security Action Plan into the regular budget of the IAEA.

Subtitle D—Peacekeeping

SEC. 1151. SENSE OF CONGRESS REGARDING REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It is the sense of Congress that—

(1) although United Nations peacekeeping operations have contributed greatly toward the promotion of peace and stability for the past 57 years and the majority of peacekeeping personnel who have served under the United Nations flag have done so with honor and courage, the record of United Nations peacekeeping has been severely tarnished by operational failures and unconscionable acts of misconduct; and

(2) if the reputation of and confidence in United Nations peacekeeping operations is to be restored, fundamental and far-reaching reforms, particularly in the areas of planning, management, training, conduct, and discipline, must be implemented without delay.

SEC. 1152. STATEMENT OF POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It shall be the policy of the United States to pursue reform of United Nations peacekeeping operations in the following areas:

(1) PLANNING AND MANAGEMENT.—

(A) GLOBAL AUDIT.—As the size, cost, and number of United Nations peacekeeping operations have increased substantially over the past decade, an independent audit of each such operation, with a view toward ''right-sizing'' operations and ensuring that such operations are cost effective, should be conducted and its findings reported to the Security Council.

(B) REVIEW OF MANDATES AND CLOSING OPERATIONS.—In conjunction with the audit described in subparagraph (A), the United Nations Department of Peacekeeping Operations should conduct a comprehensive review of all United Nations peacekeeping operation mandates, with a view toward identifying objectives that are practical and achievable, and report its findings to the Security Council. In particular, the review should consider the following:

(i) Activities that fall beyond the scope of traditional peacekeeping activities should be delegated to a new Peacebuilding Commission, described in paragraph (3).

(ii) Long-standing operations that are static and cannot fulfill their mandate should be downsized or closed.

(iii) Where there is legitimate concern that the withdrawal from a country of an otherwise static United Nations peacekeeping operation would result in the resumption of major conflict, a burden-sharing arrangement that reduces the level of assessed contributions, similar to that currently supporting the United Nations Peacekeeping Force in Cyprus, should be explored and instituted.

(C) LEADERSHIP.—As peacekeeping operations become larger and increasingly complex, the Secretariat should adopt a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and current senior leaders and managers who do not meet those standards should be removed or reassigned.

(D) PRE-DEPLOYMENT TRAINING.—Pre-deployment training on interpretation of the mandate of the operation, specifically in the areas of use of force, civilian protection and field conditions, the Code of Conduct, HIV/AIDS, and human rights should be mandatory, and all personnel, regardless of category or rank, should be required to sign an oath that each has received and understands such training as a condition of participation in the operation.

(E) GRATIS MILITARY PERSONNEL.—The General Assembly should lift restrictions on the utilization at the headquarters in New York, the United States, of the Department of Peacekeeping Operations of gratis military personnel by the Department so that the Department may accept secondments from Member States of military personnel with expertise in mission planning, logistics, and other operational specialties.

(2) CONDUCT AND DISCIPLINE.—

(A) ADOPTION OF A UNIFORM CODE OF CONDUCT.—A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, should be promulgated, adopted, and enforced.

(B) UNDERSTANDING THE CODE OF CONDUCT.—All personnel, regardless of category or rank, should receive training on the Code of Conduct prior to deployment with a peacekeeping operation, in addition to periodic follow-on training. In particular—

(i) all personnel, regardless of category or rank, should be provided with a personal copy of the Code of Conduct that has been translated into the national language of such personnel, regardless of whether such language is an official language of the United Nations;

(ii) all personnel, regardless of category or rank, should sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code of Conduct, and that each understands the consequences of violating the Code of Conduct, including immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of appointment to such operation; and

(iii) peacekeeping operations should conduct educational outreach programs to reach local communities where peacekeeping personnel of such operations are based, including explaining prohibited acts on the part of United Nations peacekeeping personnel and identifying the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

(C) MONITORING MECHANISMS.—Dedicated monitoring mechanisms, such as the Personnel Conduct Units already deployed to support United Nations peacekeeping operations in Haiti, Liberia, Burundi, and the Democratic Republic of Congo, should be present in each operation to monitor compliance with the Code of Conduct, and—

(i) should report simultaneously to the Head of Mission, the United Nations Department of Peacekeeping Operations, and the Associate Director of OIOS for Peacekeeping Operations (established under section 1114(b)(9)); and

(ii) should be tasked with designing and implementing mission-specific measures to prevent misconduct, conduct follow-on training for personnel, coordinate community outreach programs, and assist in investigations, as OIOS determines necessary and appropriate.

(D) INVESTIGATIONS.—A permanent, professional, and independent investigative body should be established and introduced into United Nations peacekeeping operations. In particular—

(i) the investigative body should include professionals with experience in investigating sex crimes, as well as experts who can provide guidance on standards of proof and evidentiary requirements necessary for any subsequent legal action;

(ii) provisions should be included in a Model Memorandum of Understanding that obligate Member States that contribute troops to a peacekeeping operation to designate a military prosecutor who will participate in any investigation into an allegation of misconduct brought against an individual of such Member State, so that evidence is collected and preserved in a manner consistent with the military law of such Member State;

(iii) the investigative body should be regionally based to ensure rapid deployment and should be equipped with modern forensics equipment for the purpose of positively identifying perpetrators and, where necessary, for determining paternity; and

(iv) the investigative body should report directly to the Associate Director of OIOS for Peacekeeping Operations, while providing copies of any reports to the Department of Peacekeeping Operations, the Head of Mission, and the Member State concerned.

(E) FOLLOW-UP.—A dedicated unit, similar to the Personnel Conduct Units, staffed and funded through existing resources, should be established within the headquarters of the United Nations Department of Peacekeeping Operations and tasked with—

(i) promulgating measures to prevent misconduct;

(ii) coordinating allegations of misconduct, and reports received by field personnel; and

(iii) gathering follow-up information on completed investigations, particularly by focusing on disciplinary actions against the individual concerned taken by the United Nations or by the Member State that is contributing troops to which such individual belongs, and sharing such information with the Security Council, the Head of Mission, and the community hosting the peacekeeping operation.

(F) FINANCIAL LIABILITY AND VICTIMS ASSISTANCE.—Although peacekeeping operations should provide immediate medical assistance to victims of sexual abuse or exploitation, the responsibility for providing longer-term treatment, care, or restitution lies solely with the individual found guilty of the misconduct. In particular, the following reforms should be implemented:

(i) The United Nations should not assume responsibility for providing long-term treatment or compensation by creating a ''Victims Trust Fund'', or any other such similar fund, financed through assessed contributions to United Nations peacekeeping operations, thereby shielding individuals from

personal liability and reinforcing an atmosphere of impunity.

(ii) If an individual responsible for misconduct has been repatriated, reassigned, redeployed, or is otherwise unable to provide assistance, responsibility for providing assistance to a victim should be assigned to the Member State that contributed the troops to which such individual belonged or to the manager concerned.

(iii) In the case of misconduct by a member of a military contingent, appropriate funds shall be withheld from the troop contributing country concerned.

(iv) In the case of misconduct by a civilian employee or contractor of the United Nations, appropriate wages shall be garnished from such individual or fines shall be imposed against such individual, consistent with existing United Nations Staff Rules.

(G) MANAGERS AND COMMANDERS.—The manner in which managers and commanders handle cases of misconduct by those serving under them should be included in their individual performance evaluations, so that managers and commanders who take decisive action to deter and address misconduct are rewarded, while those who create a permissive environment or impede investigations are penalized or relieved of duty, as appropriate.

(H) DATA BASE.—A centralized data base should be created and maintained within the United Nations Department of Peacekeeping Operations to track cases of misconduct, including the outcome of investigations and subsequent prosecutions, to ensure that personnel who have engaged in misconduct or other criminal activities, regardless of category or rank, are permanently barred from participation in future peacekeeping operations.

(I) WELFARE.—Peacekeeping operations should assume responsibility for maintaining a minimum standard of welfare for mission personnel to ameliorate conditions of service, while adjustments are made to the discretionary welfare payments currently provided to Member States that contribute troops to offset the cost of operation-provided recreational facilities.

(3) PEACEBUILDING COMMISSION.—

(A) ESTABLISHMENT.—Consistent with the recommendations of the High Level Panel Report, the United Nations should establish a Peacebuilding Commission, supported by a Peacebuilding Support Office, to marshal the efforts of the United Nations, international financial institutions, donors, and non-governmental organizations to assist countries in transition from war to peace.

(B) STRUCTURE AND MEMBERSHIP.—The Commission should—

(i) be a subsidiary body of the United Nations Security Council, limited in size to ensure efficiency;

(ii) include members of the United Nations Security Council, major donors, major troop contributing countries, appropriate United Nations organizations, the World Bank, and the International Monetary Fund; and

(iii) invite the President of ECOSOC, regional actors, Member States that contribute troops, regional development banks, and other concerned parties that are not already members, as determined appropriate, to consult or participate in meetings as observers.

(C) RESPONSIBILITIES.—The Commission should seek to ease the demands currently placed upon the Department of Peacekeeping Operations to undertake tasks that fall beyond the scope of traditional peacekeeping, by—

(i) developing and integrating country-specific and system-wide conflict prevention, post-conflict reconstruction, and long-term development policies and strategies; and

(ii) serving as the key coordinating body for the design and implementation of military, humanitarian, and civil administration aspects of complex missions.

(D) RESOURCES.—The establishment of the Peacebuilding Commission and the related Peacebuilding Support Office, should be staffed within existing resources.

SEC. 1153. CERTIFICATION.

(a) NEW OR EXPANDED PEACEKEEPING OPERATIONS CONTINGENT UPON PRESIDENTIAL CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—

(1) NO NEW OR EXPANDED PEACEKEEPING OPERATIONS.—

(A) CERTIFICATION.—Except as provided in subparagraph (B), until the Secretary of State certifies that the requirements described in paragraph (2) have been satisfied, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to oppose the creation of new, or expansion of existing, United Nations peacekeeping operations.

(B) EXCEPTION AND NOTIFICATION.—The requirements described under subparagraphs (F) and (G) of paragraph (2) may be waived until January 1, 2007, if the President determines that such is in the national interest of the United States. If the President makes such a determination, the President shall, not later than 15 days before the exercise of such waiver, notify the appropriate congressional committees of such determination and resulting waiver.

(2) CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—The certification referred to in paragraph (1) is a certification made by the Secretary to the appropriate congressional committees that the following reforms, or an equivalent set of reforms, related to peacekeeping operations have been adopted by the United Nations Department of Peacekeeping Operations or the General Assembly, as appropriate:

(A) A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, has been adopted by the General Assembly and mechanisms have been established for training such personnel concerning the requirements of the Code and enforcement of the Code.

(B) All personnel, regardless of category or rank, serving in a peacekeeping operation have been trained concerning the requirements of the Code of Conduct and each has been given a personal copy of the Code, translated into the national language of such personnel.

(C) All personnel, regardless of category or rank, are required to sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code, and that each understands the consequences of violating the Code, including the immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of the appointment to such operation.

(D) All peacekeeping operations have designed and implemented educational outreach programs to reach local communities where peacekeeping personnel of such operations are based to explain prohibited acts on the part of United Nations peacekeeping personnel and to identify the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

(E) A centralized data base has been created and is being maintained in the United Nations Department of Peacekeeping Operations that tracks cases of misconduct, including the outcomes of investigations and subsequent prosecutions, to ensure that personnel, regardless of category or rank, who have engaged in misconduct or other criminal activities are permanently barred from participation in future peacekeeping operations.

(F) A Model Memorandum of Understanding between the United Nations and each Member State that contributes troops to a peacekeeping operation has been adopted by the United Nations Department of Peacekeeping Operations that specifically obligates each such Member State to—

(i) designate a competent legal authority, preferably a prosecutor with expertise in the area of sexual exploitation and abuse, to participate in any investigation into an allegation of misconduct brought against an individual of such Member State;

(ii) refer to its competent national or military authority for possible prosecution, if warranted, any investigation of a violation of the Code of Conduct or other criminal activity by an individual of such Member State;

(iii) report to the Department of Peacekeeping Operations on the outcome of any such investigation;

(iv) undertake to conduct on-site court martial proceedings relating to allegations of misconduct alleged against an individual of such Member State; and

(v) assume responsibility for the provision of appropriate assistance to a victim of misconduct committed by an individual of such Member State.

(G) A professional and independent investigative and audit function has been established within the United Nations Department of Peacekeeping Operations and the OIOS to monitor United Nations peacekeeping operations.

SEC. 1154. RULE OF CONSTRUCTION RELATING TO PROTECTION OF UNITED STATES OFFICIALS AND MEMBERS OF THE ARMED FORCES.

Nothing in this subtitle shall be construed as superseding the Uniform Code of Military Justice or operating to effect the surrender of United States officials or members of the Armed Forces to a foreign country or international tribunal, including the International Criminal Court, for prosecutions arising from peacekeeping operations or other similar United Nations-related activity, and nothing in this subtitle shall be interpreted in a manner inconsistent with the American Servicemembers' Protection Act of 2002 (title II of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States; Public Law 107–206).

TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 1161. POSITIONS FOR UNITED STATES CITIZENS AT INTERNATIONAL ORGANIZATIONS.

The Secretary of State shall make every effort to recruit United States citizens for positions within international organizations.

SEC. 1162. BUDGET JUSTIFICATION FOR REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.

(a) DETAILED ITEMIZATION.—The annual congressional budget justification shall include a detailed itemized request in support of the assessed contribution of the United States to the regular assessed budget of the United Nations.

(b) CONTENTS OF DETAILED ITEMIZATION.—The detailed itemization required under subsection (a) shall—

(1) contain information relating to the amounts requested in support of each of the various sections and titles of the regular assessed budget of the United Nations; and

(2) compare the amounts requested for the current year with the actual or estimated amounts contributed by the United States in previous fiscal years for the same sections and titles.

(c) ADJUSTMENTS AND NOTIFICATION.—If the United Nations proposes an adjustment to its regular assessed budget, the Secretary of State shall, at the time such adjustment is presented to the Advisory Committee on Administrative and Budgetary Questions (ACABQ), notify and consult with the appropriate congressional committees.

SEC. 1163. REVIEW AND REPORT.

Not later than six months after the date of the enactment of this Act, the Secretary of State shall conduct a review of programs of the United Nations that are funded through assessed contributions and submit to the appropriate congressional committees a report containing—

(1) the findings of such review; and

(2) recommendations relating to—

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded, other than those specified in subparagraphs (A) through (R) of subsection (c)(2) of section 11 of the United Nations Participation Act of 1945, as amended by section 1111(c) of this title.

SEC. 1164. GOVERNMENT ACCOUNTABILITY OFFICE.

(a) REPORT ON UNITED NATIONS REFORMS.—Not later than 12 months after the date of the enactment of this Act and again 12 months thereafter, the Comptroller General of the United States of the Government Accountability Office shall submit to the appropriate congressional committees a report on the status of the 1997, 2002, and 2005 management reforms initiated by the Secretary General and on the reforms mandated by this title.

(b) REPORT ON DEPARTMENT OF STATE CERTIFICATIONS.—Not later than six months after each certification submitted by the Secretary of State to the appropriate congressional committees under this title and subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title), the Comptroller General shall submit to the appropriate congressional committees a report on each such certification. The Secretary shall provide the Comptroller General with any information required by the Comptroller General to submit any such report.

(c) UNITED NATIONS CONSTRUCTION AND CONTRACTING.—Not later than six months after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report describing the costs associated with the contracting for and construction of the Geneva, Switzerland, buildings of the World Meteorological Organization (WMO) and the World Intellectual Property Organization (WIPO). The report shall include analyses of the procurement procedures for each such building and shall specifically address issues of any corrupt contracting practices that are discovered, such as rigged bids and kickbacks, as well as other improprieties. The report shall also include an identification of other credible allegations of corrupt contracting at United Nations construction projects that involve major construction on a scale comparable to the WMO and WIPO construction projects, and a description of the results of an investigation into each such credible allegation.

Subtitle F—Certifications and Withholding of Contributions

SEC. 1171. CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS.

(a) CERTIFICATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (3), the certifications required under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) and section 1113, sections 1114(a) through 1114(e), section 1114(g), section 1123, section 1124, sections 1131(c) and 1131(e), section 1132, and section 1133 of this title are certifications submitted to the appropriate congressional committees by the Secretary of State that the requirements of each such section have been satisfied with respect to reform of the United Nations.

(2) ALTERNATE CERTIFICATION MECHANISM.—

(A) IN GENERAL.—Except as provided in paragraph (3), in the event that the Secretary is unable to submit a certification in accordance with paragraph (1), the Secretary may submit to the appropriate congressional committees, in accordance with subparagraph (B), an alternate certification that certifies that the requirements of the section to which the original certification applies have been implemented through reforms that are substantially similar to the requirements of such section or accomplish the same purposes as the requirements of such section.

(B) EQUIVALENCY.—Reforms are substantially similar or accomplish the same purposes if—

(i) such reforms are formally adopted in written form by the entity or committee of the United Nations or of its specialized agency that has authority to enact or implement such reforms or are issued by the Secretariat or the appropriate entity or committee in written form; and

(ii) such reforms are not identical to the reforms required by a particular certification but in the determination of the Secretary will have the same, or nearly the same effect, as such reforms.

(C) WRITTEN JUSTIFICATION AND CONSULTATION.—

(i) WRITTEN JUSTIFICATION.—Not later than 30 days before submitting an alternate certification in accordance with subparagraph (A), the Secretary shall submit to the appropriate congressional committees a written justification explaining in detail the basis for such alternate certification.

(ii) CONSULTATION.—After the Secretary has submitted the written justification under clause (i), but no later than 15 days before the Secretary exercises the alternate certification mechanism described under subparagraph (A), the Secretary shall consult with the appropriate congressional committees regarding such exercise.

(3) LIMITED EXCEPTION FOR SUBSTANTIAL COMPLIANCE.—

(A) SUBSTANTIAL COMPLIANCE.—Subject to subparagraph (B), if at least 32 of the 46 reforms represented by the 14 certifications specified under paragraph (1) have been implemented, all such reforms (including the unimplemented reforms) so represented shall be deemed to have been implemented for the year in which the Secretary submits such certifications.

(B) MANDATORY IMPLEMENTATION OF CERTAIN REFORMS.—

(i) IN GENERAL.—The provisions of subparagraph (A) shall not apply unless the reforms under the following sections have been implemented for the year to which subparagraph (A) applies:

(I) Subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title).

(II) Section 1113(b)(1)(A).

(III) Section 1113(b)(2)(D).

(IV) Section 1114(a)(1).

(V) Section 1114(a)(6).

(VI) Section 1114(b)(1).

(VII) Section 1114(b)(2).

(VIII) Section 1114(c)(1).

(IX) Section 1131(b)(1).

(X) Section 1131(b)(2).

(XI) Section 1131(b)(3).

(XII) Section 1131(b)(5).

(XIII) Section 1131(b)(6).

(XIV) Section 1132(a)(1).

(XV) Section 1132(a)(2).

(ii) FULL COMPLIANCE IN SUCCEEDING YEAR.—If the unimplemented reforms under subparagraph (A) are not implemented in the year succeeding the year to which subparagraph (A) applies, the provisions of subsection (b) shall apply for such succeeding year.

(b) WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (4) and in accordance with paragraph (2), until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall appropriate, but withhold from expenditure, 50 percent of the contributions of the United States to the regular assessed budget of the United Nations for a biennial period.

(2) AVAILABLE UNTIL EXPENDED.—The contributions appropriated but withheld from expenditure under paragraph (1) are authorized to remain available until expended.

(3) APPLICATION WITH RESPECT TO SECTION 11(B) OF THE UNITED NATION PARTICIPATION ACT OF 1945.—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), subsection (b) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) shall be administered as though such section reads as follows: ''The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculable under subsection (c).''.

(4) SECTION 11(D)(3) OF UNITED NATIONS PARTICIPATION ACT OF 1945.—

(A) SPECIAL RULE.—A certification under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) (relating to the 2008–2009 biennial period and subsequent biennial periods) shall not be required until such time as the United Nations makes its formal budget presentation for the 2008–2009 biennial period.

(B) APPLICATION.—If the Secretary does not submit a certification under such section, the 50 percent withholding described under paragraph (1) shall apply.

(c) RELEASE OF FUNDS.—At such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall transfer to the United Nations amounts appropriated but withheld from expenditure under subsection (b).

(d) ANNUAL REVIEWS.—

(1) IN GENERAL.—The Secretary shall conduct annual reviews, beginning one year after the date on which the Secretary submits the final certification (or alternate certification) in accordance with subsection (a), to determine if the United Nations continues to remain in compliance with all such certifications (or alternate certifications). Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.

(2) ACTION.—If during the course of any such review the Secretary determines that the United Nations has failed to remain in compliance with a certification (or an alternate certification) that was submitted in accordance with subsection (a), the 50 percent withholding described under subsection (b) shall re-apply with respect to United States contributions each fiscal year to the regular assessed budget of the United Nations beginning with the fiscal year immediately following such review and subsequent fiscal years until such time as all certifications (or alternate certifications) under subsection (a) have been submitted.

(e) EFFECTIVE DATE.—The certifications (or alternate certifications) specified under subsection (a) shall be required with respect to United States contributions towards payment of regular assessed dues of the United Nations for 2007 and subsequent years.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

The amendment attaches the Hyde United Nations Reform Act of 2005, passed by this Chamber on June 17 to H.R. 2601. The Hyde United Nations Reform Act addresses key areas such as streamlining the budget, strengthening accountability and oversight, restoring credibility and integrity to the United Nations human rights bodies, strengthening IAEA monitoring and compliance apparatus, addressing sexual abuse and exploitation scandals with U.N. peacekeepers and injustices toward Israel, areas that no one denies must be reformed.

From the debate that took place 4 weeks ago, there is no question that Members of this body agree the U.N. is in desperate need of reform. As discussed, corruption is rampant. Look no further than the ever-expanding Oil-for-Food scandal. U.N. peacekeepers have sexually abused children in Bosnia, Congo, Haiti, and Sierra Leone.

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A culture of concealment makes rudimentary oversight virtually impossible. A casual attitude toward conflict of interest rules undermines trust in the U.N.'s basic governance. If you recall, the debate focused very little on what the U.N. needs to do to reform itself and instead very much on how. We should ensure these reforms are actually implemented.

There was a lengthy exchange on the issue of withholding of dues, and I want to make it clear that Congress must take action to withhold dues if we truly want to see the U.N. reformed. To do less, to set forth aspirational suggestions or to cede total congressional authority of the power of the purse to the executive branch would send a clear message that Congress does not think the U.N. is doing too bad a job, that Congress does not really care how the U.N. spends taxpayer money, and the U.N. can continue operating under the status quo.

Let me also be clear: the withholdings called for are not immediate. The United Nations has 2 years to get its act together before certification kicks in; and then, if the U.N. implements 32 of the reforms, no funds are withheld. The U.N. has another year to accomplish the remaining 14 reforms before any withholdings would occur. That is a total of 3 years. A reasonable person would have to ask, is this not enough time? When is enough enough? Are we serious about U.N. reform, or not?

History shows that when Congress stands tough, when it says if you do not reform, we are not going to pay, then change occurs. Look at the Kassebaum-Solomon amendment in the mid-80s. That amendment eventually led to the implementation of consensus-based budgeting, a reform that no one said could be achieved.

What about UNESCO? We withdrew in protest. We stopped paying our assessed dues. Let me repeat, we stopped paying our assessed dues. Reforms of that agency were made, and we rejoined.

Does anyone remember the genesis of the Office of Internal Oversight Services in the middle 1990s? The U.S. threatened to withhold funding. Lo and behold, the U.N. created an oversight function.

Even with Helms-Biden, Congress leveraged the fact that in order for us to pay arrears the U.N. had to undertake certain reforms.

All of these requirements were legislated and directed actions which resulted in reforms that were actually implemented. Let the lesson be lost on no one: Congress taking action to withhold dues equals reform of the U.N.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, I rise in strong opposition to this amendment. I deeply regret that the majority has chosen to offer this amendment. If adopted, this amendment, which barely passed along partisan lines last month, will blight a very serious and bipartisan effort by the Committee on International Relations to create the authorization bill before us.

Let me state at the outset, Madam Chairman, that I share the passionate commitment of the gentleman from Illinois (Chairman HYDE) to meaningful and thorough reforms at the United Nations. This global institution must become more transparent and more accountable. Its employees must be held to the highest ethical and moral standards, and the abuses of the Oil-for-Food Program must never be repeated.

But, Madam Chairman, the deluge of stories of scandal at the United Nations has forced a long overdue recognition of a fundamental fact: the United Nations is a derivative reality, reflecting its less-than-perfect member states in a deeply flawed world.

I would like to remind all of my colleagues that there will be no quick fix for an organization composed of 191 member states that in varying degrees have their own shortcomings, injustices, flaws, and hypocrisies of all types. Because a quick fix is not to be expected, nor will a rigid and unbending punitive measure bring about long-term solution, I must oppose this amendment.

I want to tell my Republican colleagues that this Republican administration also opposes the Hyde amendment. It has stated unambiguously its strong opposition to the automatic withholding provisions of this measure.

Madam Chairman, the Lord gave us ten commandments, but the amendment before us gives us 46. What is worse, if the United Nations achieves 45 of those goals and only achieves half of the 46th requirement, this amendment will automatically cut off 50 percent of U.S. contribution to the United Nations. With such a mindlessly inflexible mechanism, this amendment is a guillotine on autopilot. It will force us to cut 50 percent of our dues to the U.N. even if that institution is moving quickly and effectively to implement meaningful reform.

The amendment would also be a death blow to peacekeeping. Immediately upon enactment, the United States would be forced to oppose any new or expanded mission until every single reform is implemented, many of which will take years to implement. Rwanda-style genocides could unfold before our eyes, and the United States would be paralyzed and would be incapable of acting.

Madam Chairman, this amendment will cause our Nation to go back into arrears at the United Nations without achieving its desired outcome. Given the important role the United Nations is currently playing in Afghanistan, in Darfur and elsewhere, I fail to see how our going into arrears will promote American national security interests. It will only force the United States to take on global responsibilities on a unilateral basis at a moment when our troops and our diplomats are already spread thin.

For these reasons, and because it would significantly undermine the underlying authorization act, which does reflect a unique bipartisan consensus about our Nation's foreign policy priorities, I strongly urge all of my colleagues to reject this amendment.

I particularly appeal to my Republican colleagues. During an earlier debate on this very issue, practically every single Democrat voted to approve a more flexible measure that would put the punitive power into the hands of our distinguished Secretary of State, not leave it on automatic pilot. I hope we will find a dozen Republicans who will put the national interests ahead of a partisan consideration. Certainly the administration has done so. The administration is on record opposing this amendment. Practically the

entire Democratic side of this body is opposed to this amendment. We trust that there will be a dozen Republicans who will listen to reason and will see the virtue of providing our distinguished Secretary of State with the discretion that she needs and will be fully prepared to use.

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, I just want to briefly respond to the comments of my dear friend, the gentleman from California (Mr. LANTOS), on the U.N. amendment. If you are serious about reforming the U.N., and we all say that we are, then you have to have some leverage over them.

More resolutions, we have endured a blizzard of resolutions and rhetoric about reform, but nothing ever happens. It just gets worse and worse. Look at Oil-For-Food. But the way to get reform is to threaten them with cutting off the money pipeline. It has worked in the past; it will work again.

Now, this does not mean that it is going to happen. This bill, if it goes anywhere, has to go through the other body, then through a conference. You go into those things with as much strength as you can, and it seems to me that we ought to do that with U.N. reform.

But if we do not cut off the money if they fail to get certifications on 46 points that we all agree are essentially reform, we do not dispute, the Democrats and Republicans, the need for reform nor the items of reform. The dispute is how to implement.

The gentleman from California (Mr. LANTOS) suggests to leave it up to the Secretary of State to have a waiver or not. My suggestion is, legislate the withholding if they do not live up to reform. What is more likely to get reform?

In any event, I hope that we will support the U.N. reform bill that puts some teeth into the implementation.

Madam Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Chairman, I thank my friend for yielding me time.

Madam Chairman, despite almost universal acknowledgment of the problems that exist within the U.N. human rights system and in its peacekeeping operations, there has been little reform, a lot of talk, but very little actual reform. This amendment is needed to help end this deplorable state of affairs.

Even U.N. officials like Kofi Annan have said, ''Unless we remake our human rights machinery, we may be unable to renew public confidence in the U.N. itself.'' No truer words have ever been spoken. It is a mess and it must be rectified.

But it is not just the Commission on Human Rights that is broken. Other U.N. bodies, especially the treaty bodies, have strayed from core mandates and failed to act against severe violations of human rights. Groups like CEDAW and others, without absolutely any mandate, promote a right to abortion, nothing mentioned about the unborn child. They promote violence against children and they call it a human right. Nowhere in their documents, including the CEDAW Convention, can that be found.

Let me also point out that the Hyde amendment mandates that countries that fail to uphold the Human Declaration of Human Rights should be ineligible for membership on the Human Rights Commission or any followup, like the Human Rights Council that is being proposed.

We will get rid of those items where Israel is singled out by itself at these Human Rights Commission meetings for all kinds of false charges and slander, and other countries like Sudan or the People's Republic of China get away unscathed.

The Hyde amendment also mandates that the Economic and Social Council, or ECOSOC, abolish secret voting, which has led to all kinds of abuse. Like I said, we would no longer allow members, rogue nations with despicable human rights records, to be a part of it.

The Hyde U.N. Reform Act also focuses on the area of peacekeeping. I would ask Members, look at this legislation that is pending before you, H.R. 2601. It doubles the amount of money available for U.N. peacekeeping, doubles it. I will give you the numbers if you would like to hear them. We go from $483 million to $1.035 billion. We are for peacekeeping. We want to assure that the kind of abuses that we have seen in Congo, in other countries are stopped, and hopefully this legislation will help to do that.

Every single reform that has been proposed is eminently doable, if and only if the political will is there to effectuate it.

We need to ensure accountability and transparency in the $1.2 billion in taxpayer money we spend on peacekeeping every year.

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The Hyde amendment does it. We need a U.N. that speaks strongly and clearly for the universal respect and observance of fundamental human rights and the dignity and the worth of every human person, the equal rights of men and women, as the foundation for freedom, justice, and peace. The Hyde amendment promotes that.

More high-sounding words will not help the U.N. reform itself. As the chairman said a moment ago, we have seen resolution upon resolution here, as well as in New York at the U.N., and what happens? It dies a slow and ceremonial death because it never gets acted upon. We are giving it a push, a real prod. This will not end peacekeeping as we know it. I think it will make it transparent and, hopefully, make it much more effective and stop the horrific abuses that have been committed by U.N. peacekeepers in places like Congo.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume. I briefly would like to respond to both of my good friends.

We are not offering a resolution. Our legislation is identical to the Republican legislation. The only difference is that your punitive provision is automatic; our punitive provision provides discretion to the Secretary of State to implement it or not. So please do not talk about resolutions. We are not talking about toothless resolutions. Our legislation is as binding as the Republican legislation is. We just do not put it on autopilot. The guillotine does not fall automatically; it is put in the hands of a singularly intelligent Secretary of State.

With respect to the long list of items that my good friend, the gentleman from New Jersey, outlined, every single one of them is part of our legislation. Every single one of them is part of our legislation. The only difference is that the Republican proposal, looking years ahead into the future, automatically mandates a 50 percent cut in funding if only one of 46 goals is not achieved. Our legislation allows the Secretary of State to implement that provision as she sees fit.

Madam Chairman, I reserve the balance of my time.

Mr. HYDE. Madam Chairman, I just want to say to my good friend that it is not on automatic pilot. There are 3 years over which there is time to comply, the U.N. can comply. So that is a pretty slow automatic.

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

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

I strongly urge all of my colleagues on both sides of the aisle to reject this amendment. This amendment serves only to divide this House, which is ready to pass an important State Department authorization bill practically on a unanimous basis. There is no earthly reason to have a divisive provision which we have debated and on which we have voted.

I urge all of my colleagues on both sides to reject this amendment and move on with the bipartisan authorization measure.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise to oppose the Hyde Amendment to add the text of H.R. 2745, the U.N. Reform Act of 2005 to the underlying bill. This legislation sends the signal to the world that our Nation has a disdain for the United Nations and I for one can not support that idea. There are many instances in which the U.N. has been instrumental in furthering U.S. foreign policy objectives. In the past year alone, the U.N. helped organize parliamentary elections in Iraq, reconstruction efforts following the Indian Ocean tsunami, and helped mediate the withdrawal of Syrian armed forces from Lebanon. A reformed U.N. could be even

more complementary to U.S. interests abroad, but only if the U.S. does not alienate other Member States and create animosity in the process. The inflexibility of the Hyde legislation would create resentment among Member States, and the automatic withholding of dues would cripple the institution.

Chairman HYDE's unilateral approach to U.N. reform promises to thwart the growing international consensus for reform, which will be addressed by at least 174 nations at the September Summit in New York. We need a more flexible approach which does not dictate unrealistic deadlines for changes or threaten automatic withholding of dues, will achieve U.S. goals without causing widespread resentment among Member States whose support we depend on.

The Hyde bill on U.N. reform contains many serious flaws which if implemented would not be welcome by the international community. Peacekeeping is one such area where this bill contains deeply flawed logic. The Hyde bill points to peacekeeping reforms that everyone agrees are needed. These reforms are in fact endorsed by the U.N. Department of Peacekeeping Operations and in most cases, these reforms are already underway to address recent concerns raised about sexual exploitation and abuse in peacekeeping missions. However, the Hyde bill says that starting this fall, the U.S. must prevent the expansion of existing missions or the creation of any new U.N. peacekeeping missions until all specified reforms are completed and certified by the Secretary of State. The truth is that some of these requirements simply cannot be met by the fall, true reform takes time. Reforms will require careful implementation at the U.N. as well as by the 100-plus troop contributing countries, and in some cases will require additional U.N. staff and funding which of course is not provided by this legislation. And yet, the Hyde bill will likely prevent Security Council resolutions to enable the creation or expansion of important U.N. missions in places like Darfur in Sudan, Haiti, Congo, and Afghanistan. We as the United States of America have always prided ourselves on helping those who can not help themselves, on aiding those who are being massacred simply because of who they are, but now this bill seeks for our nation to turn a blind eye to these people. We, as the 109th Congress can not allow ourselves to be the ones who cut off assistance to these desperate people.

Not only does the Hyde bill take a wrong approach to peacekeeping, but it will also create great problems with the budget at the United Nations. The Hyde bill claims to ''pursue a streamline, efficient, and accountable regular assessed budget of the United Nations,'' yet in reality the approach taken by the bill will wreak havoc on the U.N. budget process and will result in the automatic withholding of U.S. financial obligations to the U.N. regular budget. This flawed bill attempts to shift funding for 18 specific programs from assessed contributions to voluntary contributions. To achieve these goals, the bill mandates the withholding of up to $100 million in U.S. dues to the U.N. regular budget. While this idea may have merit, the U.S. should work with its allies to advance it through the Budget Committee at the U.N. instead of starting from the point of withholding dues, which should be our nation's last resort. Furthermore, the Hyde proposal links 50 percent of U.N. dues to a list of 39 conditions, not only at the U.N. Secretariat, but also at various U.N. specialized agencies over which the U.N. has no direct control. All of this will create a new U.S. debt at the U.N., since many of the conditions are so rigid and specific that they are not achievable. In the end, all that any of this will do is create resentment towards the United States in the international community. As the Washington Post editorialized, ''This is like using a sledgehammer to drive a nail into an antique table: Even if you're aiming at the right nail, you're going to cause damage.''

The Hyde bill also calls for certain steps supported by the U.N. and the U.S., such as the strengthening of the U.N.'s oversight functions, the creation of a Peacebuilding Commission, and reforms in U.N. peacekeeping. However, it calls for these reforms to be funded solely within existing resources. If the U.S. withholds dues as this bill calls for, even less funding will be available to support these reforms. This bill also calls for the creation of new positions in several departments, including the Office of Internal Oversight Services and the Department of Peacekeeping Operations, without allowing resources to fund these positions.

Clearly, too many of the provisions of the Hyde U.N. reform bill will only cause resentment against the United States in the international community. Achieving reform by consensus in a body with 191 members is difficult, but this is not in itself a reason by bypass the consensus building process. The more Member States that are engaged in achieving reform, the more legitimate and effective the changes will be. The U.S. should lead the way by actively promoting a tough reform agenda and retaining the threat of withholding dues as a last resort. Reform should not, however, be a crusade led by the U.S. against the institution and its Member States. Unfortunately, this bill on U.N. reform will not lead to reform, but only to the weakening of the United Nations. I urge support against the Hyde amendment.

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

The Acting CHAIRMAN (Mrs. CAPITO). The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

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

A recorded vote was ordered.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois (Mr. HYDE) will be postponed.

It is now in order to consider amendment No. 3A made in order under the rule.

AMENDMENT NO. 3A OFFERED BY MR. DREIER

Mr. DREIER. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3A offered by Mr. DREIER:

At the end of title II, add the following new section:

SEC. 217. ESTABLISHMENT OF THE ACTIVE RESPONSE CORPS.

(a) ESTABLISHMENT.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, is authorized to establish an Active Response Corps (referred to in this section as the ''Corps'') to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are in, are in transition from, or are likely to enter into, conflict or civil strife.

(b) COMPOSITION.—If the Corps is established in accordance with subsection (a), the Secretary and Administrator shall coordinate in the identification and training, and if necessary, in the recruitment and hiring, of necessary personnel. Such personnel shall be composed of employees of United States civilian agencies or non-Federal employees.

(c) USE OF ACTIVE RESPONSE CORPS.—The members of the Active Response Corps shall be available—

(1) if the President determines that it is in the national security interests of the United States to engage in stabilization and reconstruction activities in a country or region that is in, is in transition from, or is likely to enter into, conflict or civil strife; and

(2) if not engaged in such stabilization and reconstruction activities, for assignment in the United States, at diplomatic missions of the United States, and at missions of the United States Agency for International Development.

(d) TRAINING AND EDUCATION PROGRAMS.—

(1) IN GENERAL.—The Coordinator for Stabilization and Reconstruction is authorized to conduct and arrange for training and education of the Active Response Corps.

(2) EMPHASIS.—Training and education shall emphasize acquisition of general skills needed to operate in a post-conflict environment and training specific to the job skill set for which the member has been identified to participate in the Active Response Corps.

(3) CONTENTS.—Training and education may consist of—

(A) conducting inter-agency training, including training related to inter-agency decisionmaking, operational planning, and execution simulations, for mid-level government officials and managers to prepare such officials and managers to address stabilization and reconstruction operations;

(B) conducting advanced training related to stabilization and reconstruction operations for members of the Active Response Corps;

(C) conducting pre-deployment training related to stabilization and reconstruction operations for civilians and military-civil affairs personnel;

(D) conducting exercises related to stabilization and reconstruction operations for United States and international experts;

(E) developing a uniform set of operating procedures for stabilization and reconstruction operations; and

(F) conducting ongoing evaluations and after-action reviews of stabilization and reconstruction operations.

(e) FACILITIES.—Training and education programs should be coordinated with and utilize to the extent possible existing programs and facilities such as the George P. Shultz National Foreign Affairs Training Center (commonly referred to as the ''Foreign Service Institute''), the National Defense University, the Center for Stabilization and Reconstruction Studies at the Naval Postgraduate School, and the United States Institute for Peace.

(f) ADDITIONAL AUTHORITIES.—

(1) ESTABLISHMENT AND PURPOSE OF RESERVE COMPONENT OF ACTIVE RESPONSE CORPS.—The Secretary, in consultation with

the heads of other relevant Executive agencies, is authorized to establish and maintain a roster of personnel who are trained and available as needed to perform services necessary to carry out the purpose of the Corps under subsection (c). The personnel listed on the roster shall constitute a reserve component of the Active Response Corps.

(2) FEDERAL EMPLOYEES.—The reserve component may include employees of the Department of State, including Foreign Service Nationals, employees of the United States Agency for International Development, employees of any other Executive agency (as such term is defined in section 105 of title 5, United States Code), and employees from the legislative and judicial branches who—

(A) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities under this section; and

(B) have volunteered for deployment to carry out such stabilization and reconstruction activities.

(g) USE OF RESERVE COMPONENT.—The Secretary may deploy members of the reserve component in support of stabilization and reconstruction activities in a foreign country or region if the President makes a determination regarding a stabilization and reconstruction crisis. The Secretary is authorized to employ contractor personnel, nongovernmental organization personnel, and State and local government employees, who—

(1) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities under this section; and

(2) have volunteered to carry out such stabilization and reconstruction activities.

(h) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of efforts to establish the Active Response Corps. The report shall include recommendations—

(1) for any legislation necessary to implement subsection (a); and

(2) concerning the regulation and structure of the Active Response Corps, including recommendations related to pay and employment security for, and benefit and retirement matters related to, members of the Corps.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. DREIER) and a Member opposed each will control 5 minutes.

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

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

Let me begin by extending my hearty congratulations to the distinguished chairman of the committee, the gentleman from Illinois (Mr. HYDE), and my very dear friend and neighbor, the gentleman from California (Mr. LANTOS), not only for their fine work on this legislation, but for their support of the amendment that I am offering here.

I rise, Madam Chairman, to ask for my colleagues' support for this amendment which I have authored to improve our government's response to complex international conflict, and this amendment I hope will ultimately improve our ability to prevent the conflicts before they erupt.

The events of September 11 of 2001 have obviously taught all of us that we no longer have the luxury of ignoring state failure. At the turn of the millennium, the government of Afghanistan all too quickly collapsed, was replaced by the ruthless Taliban, and became a safe haven for al Qaeda. The attacks that our country suffered were a tragic wake-up call to the dangers that failed states pose to our national security.

Nearly 4 years later, too many countries remain beset by corruption, violence, resource scarcity, and literally no leadership. Scores of these governments could collapse at a moment's notice and be replaced by anarchy. These failing states represent a grave danger to the United States. Our government must be prepared to stabilize where we can and reconstruct what we must in order to prevent a devastating vacuum of lawlessness from developing, which allows terrorists and rogue leaders to flourish.

The President and Congress have already taken a strong first step in addressing this challenge. The establishment of the Office for the Coordinator for Reconstruction and Stabilization created a central interagency coordination point for international stabilization and reconstruction operations. The office, headed by Ambassador Carlos Pascual, will monitor political and economic stability worldwide and prepare plans for stabilization missions for the most dire of cases.

But more must be done. Madam Chairman, one of the President's top priorities for this new office is to create a civilian ''rapid response'' unit to deploy on short notice to sites of international instability. The goal is to mitigate any potential conflict and, if possible, prevent it.

The amendment that I am offering would today authorize the creation of an Active Response Corps comprised of U.S. Government personnel who have the skills necessary for such missions.

The amendment also will expand the use of civilian volunteers from outside the government who have the right talents and are willing to serve in stabilization reconstruction missions overseas. There are many Americans who have the skills and desire to serve the country by preventing conflict and expanding democracy, as we heard today from Prime Minister Singh. Judges, law enforcement officers, civil administrators, constitutional experts, engineers, linguists, and many other individuals are needed to address the challenges posed by failing states. This amendment gives the State Department the mechanism it needs to identify and rapidly deploy these volunteers who come from all walks of life.

Madam Chairman, it is the top priority of every Member of this body to protect the national security of the United States of America. Fortress America is a thing of the past, and we can no longer comfortably ignore weak and failing states just because they sit halfway across the globe. When our government deems it necessary to initiate a stabilization or reconstruction operation, it must have the tools to do the job.

This amendment provides the President with those tools. By deploying early with the most appropriate personnel, the Active Response Corps will save lives by stabilizing countries and preventing the spread of conflict and civil strife, thereby reducing the need for later military intervention.

For too many years, the United States has lacked the institutional civilian capacity to rapidly respond to failing states. We ignore the dangers of such states at our own peril. I am gratified to have the support, as I said, of the chairman and ranking minority member of the committee, and I ask my colleagues to join with us in support of this effort.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume. I want to commend my good friend, the gentleman from California (Mr. DREIER), for offering this very valuable and important amendment.

Since the end of the Cold War, the United States has undertaken numerous post-conflict reconstruction and stabilization operations in Bosnia, Kosovo, East Timor, Haiti, Somalia, and now in Afghanistan and Iraq. Given the dangerous and ever-changing world we live in, we will most surely have to undertake many more similar operations. Today, we witness numerous international crises that, if left ignored, will most certainly threaten not only the security of the United States, but the entire world.

We need to look no further than September 11, 2001, to understand why the failure to respond adequately to weak and failed states can have catastrophic consequences for our country.

In 2004, in response to the threat of failing and post-conflict states and our national and international security interests, the administration established the Office for the Coordinator for Reconstruction and Stabilization to enhance our Nation's institutional capability to respond to crises involving failing, failed, post-conflict countries, and complex emergencies.

The Dreier amendment will enhance our capacity to support reconstruction and stabilization activities in conflict and post-conflict countries by establishing an Active Response Corps. This will consist of United States Government personnel with the training and expertise to participate in stabilization and reconstruction activities, thereby improving our capacity to assist countries in recovering from conflict. It

will be a critically important weapon in our arsenal in supporting post-conflict countries. I urge all of my colleagues to support this amendment.

Madam Chairman, I yield the balance of my time to the gentleman from California (Mr. FARR).

Mr. FARR. Madam Chairman, I thank the gentleman for yielding me this time. I too rise, Madam Chairman, in strong support of the Dreier amendment.

I, as many of my colleagues know, was a Peace Corps volunteer in South America; and as a returned Peace Corps volunteer elected to Congress, I realized that what we needed was some activity in this country that would start educating people somewhere between the Peace Corps and the Work Corps. As the ranking member just mentioned, we have countries where we have been in with the military, but it is the ability to respond to the post-conflict issues that we need, a FEMA-type, a response-type corps of people who are linguistically capable of speaking that language, that know the country culture, can work with the nongovernmental organizations that are abroad, with military personnel that are still in the country, with the host country governments, with our United States USAID, with our United States Department of State. And where do you bring all of those people together to train them and educate them? That is what the Active Response Corps is: taking people with those skills and putting them together so that they can be rapidly deployable, U.S. citizens who are civilians, who are educated and trained in fostering the stability in a post-conflict situation.

I am very pleased that the first one of these activities is going to take place at the Naval Postgraduate School on August 1 with Ambassador Pascual coming out to California where, for the first time, the military, the civilians, the State Department and so on will all be together in developing this.

I look forward to this as one of the great new initiatives of this Congress and of this country to really give us the ability to respond to stabilization and respond to conflict reconstruction.

Mr. DREIER. Madam Chairman, will the gentleman yield?

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

□ 1445

Mr. DREIER. I thank the gentleman for yielding. And I would just like to congratulate him for the emphasis that he has had on the education aspect of this, along with training, as a very important part of our effort here. He has helped us modify the language in the measure and he represents the Navy Postgraduate School very, very well. And we look forward to seeing the success of this program due in large part to his efforts.

Mr. FARR. Madam Chairman, I thank the gentleman for his amendment and thank him for his active response corps. And I would just like to close by saying that Douglas Feith, who is the Under Secretary for Defense and Policy, recently stated that there is a strong argument that the United States should be intensifying its efforts to build partnership capacity with other countries to give them the capability to fight terrorism at home, not just law enforcement, not just military but also civilian administration and education.

Mr. DREIER. Madam Chairman, may I inquire how much time is remaining?

The Acting CHAIRMAN (Mrs. CAPITO). The gentleman has 1 minute remaining.

Mr. DREIER. Madam Chairman, I am very happy to yield the balance of my time to the gentleman from Illinois (Mr. HYDE), the very distinguished chairman of the Committee on International Relations.

Mr. HYDE. Madam Chairman, someone once said brevity is the soul of eloquence. I shall attempt to emulate that by saying we are happy to accept this excellent amendment.

Mr. DREIER. Madam Chairman, following the example of brevity, I urge my colleagues to support the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DREIER).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in part B of House Report 109–175.

AMENDMENT NO. 4 OFFERED BY MR. POE

Mr. POE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. POE:

Page 21, after line 21, insert the following new subsection:

(d) INTERNALLY DISPLACED PERSONS IN EASTERN BURMA.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated $3,000,000 for fiscal year 2006 and $3,000,000 for fiscal year 2007 for assistance to Thailand-based nongovernmental organizations operating along the border between Thailand and Burma to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

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

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

First of all, I want to say as one of the new Members of Congress and serving on the International Relations Committee, I appreciate the example that the chairman of the committee and ranking member set for all members of the International Relations Committee on how both sides of the committee can work together to achieve goals that are best for the United States. It would be my hope that other committees would work so well in getting the job done.

A brutal campaign of village burnings, destruction of rice supplies and killings by Burma's military regime has resulted in the forcible displacement of between 500,000 and 1 million innocent civilians in Eastern Burma.

Hundreds of thousands of these internal refugees that are called internally displaced peoples, or IDPs, they are persecuted for their strong commitment to democracy and their fervent belief in human rights. Regardless of what their religion may be, all of the IDP victims are being systematically hunted down by the evil military regime.

The Burmese Freedom and Democracy Act of 2003, which passed the United States Congress overwhelmingly, found that these acts add up to ethnic cleansing. Secretary of State Rice has rightfully called Burma one of the six outposts of tyranny in the world.

My fellow colleagues on both sides of the aisle have echoed this sentiment.

With all this said, virtually no humanitarian aid reaches those who have been driven from their homes in Eastern Burma. The Burmese military regime blocks all assistance. Shockingly, as a result of attacks and blocking this aid, child mortality and malnutrition rates are comparable to those recorded among the internally displaced population in the Horn of Africa.

Even worse, maternal mortality rates are well above emergency levels. Acute respiratory infections, diarrhea, malaria, anemia are serious problems in this region. This is a bona fide humanitarian crisis which we in the United States need to address.

I would like to thank the chairman and the ranking member of the International Relations Committee for their strong and bipartisan support of this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Madam Chairman, I yield myself such time as I may consume. I strongly support the amendment of the gentleman from Texas (Mr. POE). I urge all of my colleagues to do so as well.

Over half a million ethnic minorities have been forced from their homes in Eastern Burma. These minorities have left their homes because they have no other option. Burmese military forces are committing horrendous human rights abuses which give families living in Eastern Burma no option.

Ethnic minorities which remain in their homes in Eastern Burma face forced relocation, rape, village destruction and forced labor.

The half a million ethnic minorities who live life on the run in the jungles of Eastern Burma face horrendous conditions. They have no homes, no ability to grow their own food, no access to medical facilities or education for their children.

Exposed to ongoing state-sponsored violence and systematic human rights abuses, they lack protection from both the government and the international humanitarian community.

The Poe amendment would provide $3 million per year to established reputable NGOs working on the Thai-Burma border to provide direct humanitarian assistance to internally displaced persons inside Burma. It will be extremely difficult work, but it is imperative that the international community get aid to these ethnic minorities in Burma as soon as possible.

Again, Madam Chairman, I want to commend my friend from Texas, and I strongly urge all of my colleagues to vote for this amendment.

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

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

Mr. SMITH of New Jersey. Madam Chairman, will the gentleman yield?

Mr. POE. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I thank the gentleman for yielding. I want to commend my friend from Texas for a very constructive amendment which the committee supports. This provision seeks to alleviate the plight of hundreds of thousands of Burmese who have been forced to flee from their native villages by the repressive policies of the military dictatorship in Rangoon, the same dictatorship that represses Nobel Peace Prize winner Aung San Suu Kyi. This amendment would facilitate the provision of much needed food, medical and other humanitarian relief, and I thank the gentleman for offering it on the floor today.

Mr. POE. Madam Chairman, following the encouragement and example of the chairman of the committee to be brief, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

It is now in order to consider amendment No. 5 printed in part B of House Report 109–175.

AMENDMENT NO. 5 OFFERED BY MR. POE

Mr. POE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. POE:

At the end of title III (relating to the organization and personnel of the Department of State), add the following new section (and conform the table of contents accordingly):

SEC. 319. WORLDWIDE AVAILABILITY.

Section 301(b) of the Foreign Service Act of 1980 (22 U.S.C. 3491(b)) is amended by adding at the end the following new sentence: ''At the time of entry into the Service, each member of the Service must be worldwide available, as determined by the Secretary of State through appropriate medical examinations, unless the Secretary determines that a waiver of the worldwide availability requirement is required to fulfill a compelling Service need. The Secretary shall establish an internal administrative review process for medical ineligibility determinations.''.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

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

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

I rise today to offer an amendment which would clarify congressional intent regarding the medical clearance process for people wishing to work in the Foreign Service as a Foreign Service officer at one of our 263 embassy posts throughout the world.

If someone wants to work in one of our embassies, they must have worldwide availability. This means that someone must be able to work in any region of the world without having medical conditions that would put them at risk.

Many of the areas where these Foreign Service officers are placed do not have hospitals or medical facilities to treat many types of conditions that are treated here in the United States, including Type I diabetes, severe hypertension, cancer and various psychiatric disorders. These people would have to have several emergency medical evacuations per year from the region in which they are located back to the States. Each evacuation would cost an average of about $6,000.

Hiring people that do not meet this worldwide availability requirement is irresponsible. It puts that person's life at risk and it costs several tens of thousands of dollars extra to facilitate emergency treatments.

This amendment then would clarify the conditions for worldwide availability, create a new appeals process to ensure that every applicant is given fair consideration.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in part B of House Report 109–175.

AMENDMENT NO. 7 OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. BURTON of Indiana:

Page 241, after line 21, insert the following new section:

SEC. 947. TRANSFER OF MARINE PATROL AIRCRAFT TO THE GOVERNMENT OF COLOMBIA.

(a) TRANSFER AUTHORITY.—The Secretary of State, acting through the Assistant Secretary of the Bureau for International Narcotics and Law Enforcement Affairs, is authorized to procure for transfer to the Government of Colombia two tactical, unpressurized marine patrol aircraft for use by the Colombian Navy to interdict and disable drug trafficking vessels in and near the territorial waters of Colombia. Such transfers may be on a grant or lease basis, as appropriate.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $25,000,000 for fiscal year 2006.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. BURTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Madam Chairman, I yield myself such time as I may consume.

I want to thank Chairman HYDE and Ranking Member LANTOS for their exceptional work on this bill. I think they have done a great job and I think it is something that every Member of the House should support. This amendment is the first of two that I am going to offer today and we brought this up because it was a recommendation made by the House International Relations Committee itself. It would authorize the State Department's Bureau of International Narcotics and Law Enforcement to acquire and transfer to the Colombian Navy two tactical unpressurized DC–3 maritime patrol aircraft to carry out drug interdiction operations in or near the coastal waters of Colombia.

We were down in Colombia not too long ago and when we were done there our ambassador and the people who were working for the Colombian military and the Colombian national police indicated to us that they needed additional aircraft to be able to interdict drug trafficking that is starting in Colombia and ending in the United States of America. These two aircraft I think will help in the fight against drug interdiction. We have been successful the last couple of years doing a pretty good of job of interdicting drugs. We picked up a couple of hundred tons more of cocaine last year and the year before that than we did before that. And with these two additional aircraft I think we will be able to do an even better job.

So this is something I think that is not that controversial. It is an authorization. The cost would be between 10 and $20 million. It is something that is needed if we are going to continue the war against drugs. I urge my colleagues to support this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. LANTOS. Madam Chairman, I am not opposed to the amendment, but

I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Plan Colombia and its successive program, the Andean Counterdrug Initiative, are essential for strengthening the most viable democracy and the most loyal U.S. ally in the Andean region. The amendment offered by the two distinguished gentlemen from Indiana (Mr. BURTON) and (Mr. SOUDER) will aid the Colombian security forces in their effort to track the movement of narcotics traffickers in the air, and for that reason I will support the amendment.

I have one concern which I do want to register for the record. Colombia faces many challenges in addition to fighting narcotrafficking. Poverty is endemic in much of the countryside. The police, judges, prosecutors, doctors and teachers are often not present in many small towns because of the security situation and the lack of resources by the Colombian government.

□ 1500

We should seek to ensure that as we support the efforts of the Uribe administration to beat back the terrorists and their drug-dealing accomplices, we also provide resources to him so that he can extend basic government services to those most in need.

I was very disappointed that a provision seeking to ensure the maintenance of just such a balance in our approach to Colombia was rejected along party lines in our committee and in the Committee on Rules.

If the Souder amendment were to be adopted, the purchase of the two aircraft it mandates would represent approximately 20 percent of the amount budgeted this year for the development of all of Colombia under the Andean Counterdrug Initiative. This illustrates the point that a significant rebalancing of our assistance package to Colombia is in order.

Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, how much time is remaining?

The Acting CHAIRMAN (Mr. PUTNAM). The gentleman has 3 minutes.

Mr. MCGOVERN. Mr. Chairman, I rise in opposition to the Burton amendment because I simply do not believe we have enough accountability for current U.S. funding, training and equipment provided to Colombia, let alone for providing additional military aircraft.

Mr. Chairman, the Colombian Government has received over $4 billion in U.S. aid since 2000; $3.2 billion of that aid has been provided to Colombia's military and police. A significant amount of funding and equipment has been provided to Colombia's Navy in the Pentagon's budget and paid for by defense appropriations.

This includes counterdrug funding, equipment, training, aircraft and patrol boats under sections 1004 and 1033 through the transfer of excess defense equipment, and through the DOD Anti-Terrorism Assistance account. But $169 million in these defense accounts alone is going to be appropriate for Colombia in the FY 2006 defense appropriations bill.

For funds provided through the State Department, the House just approved $332 million in military aid for Colombia as part of the Andean Counterdrug Initiative and an additional $90 million in military aid under the Foreign Military Financing accounts. These funds provide military equipment, training and services for Colombia's antidrug programs, including interdiction, in the FY 2006 foreign operations bill which the House passed on June 28.

In addition, the foreign operations bill included another $21 million for the aircraft and technical assistance for the Air Bridge Denial Program, which the State Department describes as the cornerstone of our deterrence in narcotrafficking efforts in Colombia.

I find it hard to believe that these two marine patrol aircraft for the Colombian Navy cannot already be provided for under some of the existing Pentagon and State Department programs.

Mr. Chairman, there is precious little accountability for the U.S. tax dollars, equipment, and training that we already have provided to Colombia. I do not see why we should add to this lack of accountability additional aircraft, no matter what its purpose may be.

Before we send good money down after bad, let us demand a little accountability for the equipment, the training, the aircraft, the boats, the funding that we have already provided. Colombia is awash with U.S. military assistance, and there is no accountability.

There are some bad things happening in Colombia, not the least of which is the flawed demobilization process for right-wing paramilitaries that may very well let killers and narcotraffickers go unpunished. There is a new law in Colombia that may make null and void extradition warrants that the United States has out against narcotraffickers and killers and people who have done great harm to our people.

Today we should be having a comprehensive debate on U.S. policy in Colombia. Sadly, the Republican leadership denied us that opportunity. In light of the fact that there is no accountability, that we are having no real debate on Colombia, that the situation down there continues to be of great concern, I have no choice but to reluctantly vote ''no'' on the Burton amendment.

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman for yielding me time. I think he realizes that some of us who have met with leadership from Colombia recognize that there are multiple problems, and certainly the resources needed to interdict drug traffickers responds to a series of those problems. So I rise in support of the gentleman's amendment. But I hope as well in listening to my colleague and friend, the gentleman from Massachusetts (Mr. MCGOVERN), that we also emphasize the impoverishment of that area.

This week I met with the governor of the region that governs Afro-Colombians. It is a region very small, but well populated. In addition to these resources, they are, if you will, isolated by law enforcement to protect them against the drug cartels and violence. They are lacking in educational resources and health resources.

I hope that we will have the opportunity to acknowledge the needs of Afro-Colombians, those who are descendents of the continent of Africa and former slaves. They want to work with the Colombian Government, but they need more resources. We in the United States can give them the strength and also the backbone and pressure to ask Colombia to provide them with more resources.

Drug interdiction is needed and necessary, but we must stop the poverty for those who cannot survive.

Mr. Chairman, I rise in support of this amendment though not without reservation. Fighting the war on drugs is an important part of creating a safe and stable hemisphere and Mr. BURTON must be thanked for his efforts to assist the Colombian government in fighting drug trafficking.

Drug trafficking is the cause of many evils that befall upon our society. It creates violence and feeds off of the weakest members of society. We must take every effort to root out this heinous activity in all corners of the world.

The Burton amendment will help to wage the war on drugs and will make it more difficult for Colombian drug traffickers to export their products. I support this amendment for those reasons, yet acknowledge that there is an entire other part of the war on drugs that we must face.

Our anti-drug activities in the region must also take the shape of social development programs. We must insist that our actions in the war on drugs are not simply military programs, but social and economic as well. To truly win the war on drugs we must take action to help sectors of Colombian society most adversely affected. These communities; the poor, indigenous, and Afro-Colombians, are most often the worst affected from the violence associated with the drug trade. The social marginalization that these groups already face is exacerbated intensely by the conflict. In our course of action in the war on drugs we must be vigilant in maintaining support for the socially marginalized. We cannot accept the undue burden placed on these groups as an acceptable side effect of the Andean Counterdrug initiative.

The current situation in regions where these groups reside is unacceptable. Chocó, a province consisting of approximately 75 percent

Afro-Colombian inhabitants, is perhaps the most adversely affected region of Colombia as a result of the armed conflict. In 2003 the region had the highest number of internally displaced persons in the country. As the only province with access to both the Atlantic and the Pacific oceans it has been a highly desirable location for drug traffickers. With little or no government presence in the region, its inhabitants have had virtually no means to halt this invasion of drug traffickers.

I recently met with Mr. Julio Ibarguen, Governor of Chocó, and he could not emphasize enough the necessity of more assistance to the Afro-Colombian population. The Afro-Colombian population was already impoverished, marginalized, and discriminated against. Governor Ibarguen illustrated how the conflict worsened this already horrible situation. The Afro-Colombian community has literally been decimated by the armed conflict and has been forcibly dispersed through Colombia. Those who have remained in Chocó are faced with little or no access to healthcare, education, or law enforcement. Approximately 80 percent of Afro-Colombians live in extreme poverty.

In the war on drugs, Afro-Colombians have become the forgotten victims of the conflict. We must strive to ensure that their plight is not overshadowed by our efforts to eradicate drug trafficking. We must insist that the U.S. government provide more aid to Afro-Colombian regions. American resources must be used to help alleviate the pain and suffering on the part of Afro-Colombians and provide them access to a better, more stable, livelihood. Members of Congress should take an active role in working with their Colombian counterparts and must convince the Colombian government that the United States is interested in the well-being of Colombia's minority populations. During this time of conflict and distress for Afro-Colombians, the United States must be vigilant in providing support and assistance.

I support the Burton amendment because it assists the Colombian government in fighting the war on drugs. We must take our commitment to fight this war, and match it with a commitment to support the victims of the Colombian Conflict. Attention must be paid to Afro-Colombian populations so that they receive the aid they deserve. We must use our resources to fight drugs and poverty, corruption and racism, and insurgency and bigotry.

Mr. BURTON of Indiana. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentleman from Indiana (Mr. BURTON) has 2½ minutes remaining.

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

First of all, let me say there are a multitude of problems in Colombia. We have had the drug cartels. We have had the terrorist organizations down there, the FARC guerillas, the ELN. These are all problems that must be addressed. My colleagues on both sides of the aisle are well aware of that. And the poverty issue that was just raised by the gentlewoman from Texas (Ms. JACKSON-LEE) is also a very real issue. But the issue at hand right now is whether or not we are going to put these two additional aircraft down there to be able to track drug cartels in the distribution of cocaine and other narcotics that reach the shores of the United States that kill and maim young Americans.

It is extremely important that we do whatever is necessary right now. These two planes are a modest step in that direction. This additional equipment is asked for by our ambassador down there, by the Colombian National Police, by the Colombian military, our drug interdiction agencies, and everybody else who realizes how important this is.

I would urge my colleagues to take all of that into consideration and vote for this amendment. It is a modest step, but it is something that is very necessary in the war against drugs.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 109–175.

AMENDMENT NO. 8 OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. KENNEDY of Minnesota:

Page 201, after line 10, insert the following new section:

SEC. 907. REQUIREMENTS RELATING TO THE LARGEST EXPORTING AND IMPORTING COUNTRIES OF CERTAIN PRECURSOR CHEMICALS.

(a) REPORTING REQUIREMENTS.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)), as amended by sections 317(d) and 906 of this Act, is further amended by adding at the end the following new paragraph:

''(10)(A) A separate section that contains the following:

''(i) An identification of the five countries that exported the largest amount of pseudoephedrine, ephedrine, and phenylpropanolamine during the preceding calendar year.

''(ii) An identification of the five countries that imported the largest amount of precursor chemicals described in clause (i) during the preceding calendar year and have the highest rate of diversion of such precursor chemicals for use in the illicit production of methamphetamine.

''(iii) An economic analysis of the total worldwide production of the precursor chemicals described in clause (i) as compared to the legitimate demand for such precursor chemicals worldwide.

''(B) The identification of countries that imported the largest amount of precursor chemicals under subparagraph (A)(ii) shall be based on the following:

''(i) An economic analysis that estimates the legitimate demand for such precursor chemicals in such countries as compared to the actual or estimated amount of such chemicals that is imported into such countries.

''(ii) The best available data and other information regarding the production of methamphetamine in such countries and the diversion of such precursor chemicals for use in the production of methamphetamine.''.

(b) ANNUAL CERTIFICATION PROCEDURES.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is amended—

(1) in paragraph (1), by striking ''major illicit drug producing country or major drug-transit country'' and inserting ''major illicit drug producing country, major drug-transit country, or country identified under clause (i) or (ii) of section 489(a)(10)(A) of this Act''; and

(2) in paragraph (2), by inserting after ''(as determined under subsection (h))'' the following: ''or country identified under clause (i) or (ii) of section 489(a)(10)(A) of this Act''.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Minnesota (Mr. KENNEDY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if we understand the meth problem, we understand that it has brought a trail of destruction and misery across the country, from San Diego to the Shenandoah Valley.

My colleagues have heard me talk on this floor before about the tragic story of a young girl named Megan from a beautiful town in Minnesota. She was 13 in the seventh grade when she got started in meth. One of her friends offered her the drug and in her words she said she liked it so much she knew she would do it over and over again. But when she could not afford her addiction, she, like too many others, turned to prostitution to pay for the meth she craved so much.

After hitting rock bottom at age 18, she is now managing to pull her life back together after the 5 years that meth stole from her.

Mr. Chairman, I rise today because we want to make sure there are no more Megans in our communities that have gone through this by cutting off the international flow of meth precursors like pseudoephedrine.

In Minnesota and so many other States dealing with the meth problems, law enforcement spends roughly 80 percent of their time with small meth labs that produce 20 percent or so of meth on our streets. However, they lack the tools and resources to go after the source of the other 80 percent of meth, international superlabs.

Today we can give law enforcement a big helping hand by adopting this amendment to fully engage the State Department and our diplomats in this fight. Under our amendment, the State Department will have to report and certify that the five largest exporters and the five largest importers of pseudoephedrine are fully cooperating with U.S. law enforcement to prevent its misuse and diversion. If the State Department cannot certify their fully cooperation with U.S. law enforcement, then these countries would face consequences for their eligibility for U.S. bilateral and multilateral assistance under this act.

This amendment would put meth on the same footing as heroin and cocaine, which are regulated in a similar way. Such treatment is precisely what the State Department and the United Nations Drug and Crime Control Bureau agreed in Vienna.

Mr. Chairman, this amendment is trying for a true multinational approach towards fighting the spread of harmful drugs like methamphetamine. Our amendment will demonstrate to our friends and allies that we are serious about cutting off the flow of internationally produced meth. It will also show law enforcement officers that we stand with them in the fight against drugs and will work to give them every tool they need to be successful.

I urge my colleagues support the Kennedy-Hooley-Osborne-Souder amendment.

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

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment, and I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

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

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) and my good friend, the gentlewoman from Oregon (Ms. HOOLEY).

The scourge of methamphetamine addiction is overtaking our streets and ruining the lives of thousands of Americans. This amendment will identify the top five countries which export the precursor chemicals for methamphetamine as well as the top five importers. The amendment also threatens to withhold 50 percent of U.S. assistance from the top five exporters and importers of methamphetamines if they fail to cooperate with the United States in the war on illegal drugs. Hopefully, this threat will persuade them to cooperate fully with us to end this abhorrent trade.

I urge all of my colleagues to support this amendment.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Oregon (Ms. HOOLEY) for purposes of control.

The Acting CHAIRMAN. The gentlewoman from Oregon (Ms. HOOLEY) has 4 minutes remaining.

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

Mr. Chairman, I thank the gentleman from California (Mr. LANTOS) and my friend, the gentleman from Minnesota (Mr. KENNEDY), for putting this piece of legislation together.

In my 3 decades of public service, I do not think I have ever seen a problem as pervasive or damaging as the methamphetamine epidemic that is sweeping our country. While a number of States have enacted tough rules to control the availability of pseudoephedrine, this is not enough to solve the problem when the vast majority of meth consumed in this country is made in Mexico and smuggled into the U.S. by Mexican drug cartels.

If we are going to stop the flow of meth into this country, we must have better information about where the meth precursor chemicals are going, but we cannot do it alone. Foreign governments who import large quantities of meth precursors must take steps within their own countries to ensure these chemicals do not fall into the hands of meth producers and drug traffickers.

The spread of methamphetamine is a multifaceted problem ranging from the homemade mom and pop labs to the sophisticated illegal drug factories in foreign countries. This amendment represents an important step in dealing with the international meth production by preventing by diversion of precursor chemicals into the hands of meth producers.

I urge Members to support this amendment.

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

Mr. KENNEDY of Minnesota. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Minnesota (Mr. KENNEDY) has 2½ minutes remaining.

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Mr. Chairman, I want to thank the gentleman from Minnesota (Mr. KENNEDY), the gentlewoman from Oregon (Ms. HOOLEY), the gentleman from Nebraska (Mr. OSBORNE), and the others who have been working on this amendment and many others over the last few weeks on methamphetamines, a scourge that is sweeping our country, starting to hammer some of our major cities, and is going to be something that we have not seen for a long time in America unless we can get control of this.

Starting in Oklahoma, many States, including my home State of Indiana, have tried to regulate pseudoephedrine through drug stores and grocery stores by putting it behind the counter. But unless we control it internationally, it is irrelevant because what they will do is they will go to the Internet. These large trafficking organizations will bring it in. We have to get at it at the manufacturing level and the wholesale level.

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Laws like these at the State level may work for a year, but they are not a long-term solution. We have to address it from an international perspective.

In Mexico alone, the Mexican imports of pseudoephedrine, and these are coming from just a few countries in the world, with India having most of the plants, China, and one in Europe, they are estimating imports have risen from 100 tons to 224 tons and their demand is 70 tons. That means we have 150 new tons of pseudoephedrine pouring across the border from Mexico. We must get control of this from a national and international perspective.

Ms. HOOLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, methamphetamine abuse has become the Nation's leading drug problem, according to a survey of 500 sheriff's departments in 45 States. Meth is cheap to buy, it is easy to make, it is available everywhere, it is highly addictive, and often causes addiction after just one use. It is sweeping across the Nation replacing cocaine and heroin as the drug of choice for so many people.

This is where we were in 1990 in terms of drug labs, and this is where we are currently in this country in 2004, where at least 20 or more clandestine drug labs have been shown in those counties. But, of course, those small drug labs are not the main problem, it is mostly drugs coming out of Mexico through the superlabs, which have been replacing cocaine and heroin.

This drug has led to an increase in crime, child abuse, and prison and jail populations are soaring. Sixty to 85 percent of the meth used in this country comes from the superlabs in Mexico. Pseudoephedrine or ephedrine is the one ingredient necessary for the manufacture of meth. It is manufactured, as said earlier, in six or seven locations around the world.

The Kennedy-Hooley-Osborne-Souder amendment attempts to keep pseudoephedrine from meth manufacturers. It identifies and publicizes the five export countries and the five import countries which have the highest rate of diversion of pseudoephedrine to manufacturers of methamphetamine. The Department of State could then use its existing authority to reduce or eliminate U.S. foreign aid to those countries which are most contributing to the meth problem.

It is a good amendment. It gets to the source of the problem, and I urge support of the amendment because this is something that is critical to the welfare of our Nation.

Ms. HOOLEY. Mr. Chairman, how much time is remaining?

The Acting CHAIRMAN (Mr. PUTNAM). The gentlewoman from Oregon has 30 seconds remaining and the gentleman from Minnesota (Mr. KENNEDY) has 1½ minutes remaining.

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

Mr. KENNEDY of Minnesota. Mr. Chairman, I yield myself the balance of my time by thanking the gentlewoman from Oregon (Ms. HOOLEY), the gentleman from Nebraska (Mr. OSBORNE), and the gentleman from Indiana (Mr. SOUDER) for helping to advance this

very important cause. I thank also the chairman and the ranking member for their support, and I encourage my colleagues to support this amendment to end the scourge that is providing a poison across our communities and drawing in our children and putting them towards a life that will lead them down a road they should not go. Let us get them back on the path towards prosperity and hope for the future.

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

Ms. HOOLEY. Mr. Chairman, I yield myself the balance of my time and urge people to support this amendment. It is an important piece of legislation. It is time that we start dealing with this on an international level.

Again, I thank my cosponsor and all of the other people that have worked so hard on this legislation.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. KENNEDY of Minnesota. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) will be postponed.

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in part B of House Report 109–175.

AMENDMENT NO. 9 OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. HOOLEY:

Page 312, after line 8, insert the following new section:

SEC. 1110A. PREVENTION OF SMUGGLING OF METHAMPHETAMINE INTO THE UNITED STATES FROM MEXICO.

(a) IN GENERAL.—The Secretary of State, acting through the Assistant Secretary of the Bureau for International Narcotics and Law Enforcement Affairs, shall take such actions as are necessary to prevent the smuggling of methamphetamine into the United States from Mexico.

(b) SPECIFIC ACTIONS.—In carrying out subsection (a), the Secretary shall—

(1) improve bilateral efforts at the United States-Mexico border to prevent the smuggling of methamphetamine into the United States from Mexico;

(2) seek to work with Mexican law enforcement authorities to improve the ability of such authorities to combat the production and trafficking of methamphetamine, including by providing equipment and technical assistance, as appropriate; and

(3) encourage the Government of Mexico to take immediate action to reduce the diversion of pseudoephedrine by drug trafficking organizations for the production and trafficking of methamphetamine.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the implementation of this section for the prior year.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section not less than $4,000,000 for each of the fiscal years 2006 and 2007.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. Mr. Chairman, I yield myself 1½ minutes.

(Ms. HOOLEY asked and was given permission to revise and extend her remarks.)

Ms. HOOLEY. Mr. Chairman, my amendment represents a crucial step in the ongoing effort to stop the flow of methamphetamines into the United States. A cheap, easily manufactured drug that gives addicts an intense long-lasting high, meth has emerged as the drug of choice for users across this country. This amendment offers a solution to stopping this scourge by directing the State Department, through its Bureau of International Narcotics and Law Enforcement Affairs, to engage in bilateral efforts with our friend and ally, Mexico, to cut down on the importation of methamphetamine precursor chemicals into Mexico and cut down on the smuggling of methamphetamines into the United States.

This amendment directs the Bureau of International Narcotics and Law Enforcement Affairs to work with the Mexican government to take immediate action to reduce the amount of pseudoephedrine in the hands of drug cartels, to work with Mexican law enforcement to improve their abilities to fight the production and trafficking of meth, and to improve efforts at the U.S.-Mexican border to prevent the smuggling of methamphetamines into the United States.

I believe that this amendment will in fact help prevent the export of meth into the United States. By engaging our allies to stop the mass production of meth rather than solely focusing on its limited domestic manufacturing, we can create a broad-based strategy that will not only keep meth away from our communities and families, but limit production and use of this deadly drug worldwide.

I call on my colleagues to support the Hooley-Souder-Kennedy-Baird amendment.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, though I am not opposed to the amendment.

The Acting CHAIRMAN. Is there objection to the gentleman's claiming the time in opposition?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume, and I also rise in support of the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY), together with the gentleman from Washington (Mr. BAIRD), myself, the gentleman from Minnesota (Mr. KENNEDY), and many others, to H.R. 2601.

This amendment addresses the growing problem of meth production as we have talked about, in particular in Mexico. Like the amendment just offered by the gentleman from Minnesota (Mr. KENNEDY), this amendment is targeted at the superlabs in Mexico that produce most of the meth. Cooperative efforts with Mexico can work if they are vigorously pursued by the State Department and other Federal agencies.

For example, until only recently, Canada was the primary conduit for illegal pseudoephedrine tracking, largely because Canada has no internal regulation for the chemical, which obviously presents a problem as you go to the Internet and start to move this. But under pressure from the U.S., Canada adopted controls on the chemical. And that, combined with better joint law enforcement, helped dry up the U.S.-Canadian smuggling.

The gentlewoman from Oregon recently introduced, and the House adopted, an amendment to the fiscal year 2006 foreign operations appropriation bill that added $5 million to the State Department's Bureau for International Narcotics Control and Law Enforcement Affairs. This amendment was intended to help INL work much more closely with Mexican law enforcement officials to stem the tide of illegal diversion and superlab meth production.

This amendment would build on that approach by requiring INL to provide assistance to Mexico to prevent the production of methamphetamine in that country and to encourage Mexico to stop the illegal diversion of meth precursor chemicals. The amendment would authorize the use of $4 million of the $5 million for these purposes. The remaining funds would be available to help the State Department implement the amendment of the gentleman from Minnesota (Mr. KENNEDY).

Mr. Chairman, I want to again thank the gentlewoman from Oregon (Ms. HOOLEY) for her leadership, the gentleman from Minnesota (Mr. KENNEDY) for his leadership, and continuing to work with those of us who are committed to trying to tackle the scourge of methamphetamines before it overwhelms the United States.

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

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, I thank the gentlewoman from Oregon for yielding me this time, and for her leadership on this very important issue. This is a very important step to deal with what is said to be up to 80 percent of the source of methamphetamines in our country.

If you look at law enforcement, they are doing a wonderful job fighting the crime in their local communities. But this is something where they cannot reach beyond the borders. It is only us in the Federal Government that can do that. We need to have the State Department fully supportive, having the resources they need to go after the methamphetamines coming in from other countries.

This amendment will do that. It is an important step forward. I urge my colleagues to support this amendment. I thank again the gentlewoman for her leadership on this.

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

Ms. HOOLEY. Mr. Chairman, how much times remains on this side?

The Acting CHAIRMAN. The gentlewoman from Oregon has 3 minutes remaining.

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I thank my dear friend from Oregon for yielding me this time, and commend her for her leadership on this, along with the gentleman from Indiana (Mr. SOUDER) and the gentleman from Minnesota (Mr. KENNEDY).

My colleagues have defined for us what this amendment is about. Essentially, we are desperately trying to stem the tide of precursors from Mexico that are leading to the increase in methamphetamine on the streets. But let me put a human face on this, if I might, in the brief time I have.

Mr. Chairman, I try to visit every high school in my district every 2 years. Last fall, I spoke to a small rural high school about the dangers of meth. Having treated meth addicts as a psychologist before, I know a little about what I am speaking about. After talking to them for about 15 minutes, a young girl said to her classmates, you really need to listen to what he is saying. And I turned to her and kind of gently said, you must have some experience with this. And she said, I do. My mother died of methamphetamine 3 months ago.

A 16-year-old had lost her mother to this terrible drug. We must do everything in our power to stop this. The Hooley amendment we have all joined together with will help do that, and the other amendments offered earlier by the gentleman from Minnesota (Mr. KENNEDY) and others. I applaud their leadership on this and join wholeheartedly and urge passage of this important amendment.

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Chairman, I stand to offer my strong support for the Hooley-Souder-Baird amendment. The meth crisis is taken very seriously in Minnesota, and I am proud of the work our local law enforcement officials are doing. They know very well how difficult this problem is, both the local production of methamphetamine and the explosion in trafficking.

While I support efforts to attack local labs and local meth production, we all know it is not enough. The meth epidemic, as I said, is poisoning and polluting Minnesota, where as much as 80 percent of the methamphetamine is produced in superlabs trafficked by Mexican narcoterrorist gangs.

The Bush administration and Congress must work with Mexico and apply real pressure to the Mexican government to attack meth production and the trafficking on their side of the border. This amendment is a good start. While States like Minnesota continue to limit and ban pseudoephedrine, these superlabs operating outside of our boarders are continuing to put the chemicals that are destroying families on our streets.

Banning pseudoephedrine will not stop the problem, but banning meth in Mexico could.

Ms. HOOLEY. Mr. Chairman, I yield myself the balance of my time, and urge passage of this Hooley-Souder amendment, and I would like to thank my friends, the gentleman from Minnesota (Mr. KENNEDY) and the gentleman from Washington (Mr. BAIRD), for all their hard work. They have been tremendous working on this methamphetamine legislation.

This is like a great big huge pipeline with meth coming into the United States, and we are committed to making sure that every single valve is turned off.

Mr. TERRY. Mr. Chairman, I rise in support of the Kennedy-Hooley Amendment to H.R. 2601.

The U.S. Department of Justice estimates that 90 percent of the meth available in Nebraska is trafficked from superlabs operated by drug cartels in Mexico, California, and the southwestern states. Local law enforcement officers face that challenge of dismantling home-based meth labs while combating the flow of meth from international drug trafficking.

The Kennedy-Hooley amendment will help give local law enforcement officers the tools they need to combat meth. It requires the U.S. State Department to report and certify that countries heavily involved in the import or export of pseudoephedrine—a key meth ingredient—are cooperating with local law enforcement agencies to prevent its misuse and diversion. Countries that do not comply would be subject to consequences under the Foreign Assistance Act.

In Omaha, Nebraska, seven of nine law enforcement jurisdictions identify meth as the drug that most contributes to violent crime. Omaha policemen tell me that meth is now the drug of choice for gangs in North Omaha, replacing crack cocaine and heroin. Sixty percent of inmates in Nebraska jails have problems with meth, and the toll on families in Nebraska is incalculable.

I urge my colleagues to join me in voting for the Kennedy-Hooley amendment to help stop meth smuggling for Mexican drug cartels, and support our law enforcement officers.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. HOOLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon (Ms. HOOLEY) will be postponed.

It is now in order to consider amendment No. 10 printed in part B of House Report 109–175.

AMENDMENT NO. 10 OFFERED BY MR. SOUDER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. SOUDER:

At the end of title X (relating to reporting requirements), add the following new section:

SEC. 1027. EXTRADITIONS OF AFGHAN DRUG TRAFFICKERS AND DRUG KINGPINS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing all pending United States requests for extradition from Afghanistan of illicit drug traffickers and drug kingpins who are under indictment in the United States. Such report shall also include a description of the status and response to such requests from the Government of Afghanistan.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER) for 5 minutes.

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

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

Mr. SOUDER. Mr. Chairman, I rise to ask my colleagues' support for this amendment which seeks to obtain vital information necessary for congressional oversight of our policies in Afghanistan.

I first want to commend the gentleman from Illinois (Mr. HYDE) for his leadership in bringing this legislation before the House. Chairman HYDE has been a consistent champion in the fight against international drug trafficking, and I thank him for his tireless efforts in that regard.

This amendment is quite simple. It would require a report from the State Department identifying all requests made by the U.S. Government for extradition of drug traffickers from Afghanistan, the status of those requests, and the response of the Afghan government. This report will enable Congress to evaluate the level of cooperation from the Afghan government on this vital aspect of counterdrug activity.

The U.S. will not be able to take effective action against the heroin trade if the Afghan government refuses to apprehend and extradite major opium traffickers.

□ 1530

Mr. Chairman, extradition is one of the most important tools in the struggle against international narcoterrorism. We need to be very sure that tool is functioning properly in Afghanistan, the epicenter of the world's heroin trade. As we vote to keep our troops still in Afghanistan, they are not being shot at by missiles and bullets and guns bought by making microcomputers or by sales from their local Wal-Mart. It is coming from the heroin trade.

The men and women dying in Afghanistan are dying because of illegal narcotics and the heroin trade, which funded al Qaeda and the Taliban when they were in charge of Afghanistan and continues to fund those who are shooting at us. We have to understand, and the Afghan Government has to understand, the necessity of going after these traffickers aggressively. To do that, we need information here in Congress. Because of that, although I know that the committee supports this, I am going to ask for a rollcall vote because I believe it is important that we in a bipartisan way go on record and say we must pursue in Afghanistan, for the protection of our soldiers and families and workers all over the world, as heroin pours out of Afghanistan at three times the level of anything that ever happened under the Taliban. The greatest flow of heroin in world history is occurring now, and we have to get to the traffickers behind this.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIRMAN (Mr. PUTNAM). Is there objection to the request of the gentleman from Indiana?

There was no objection.

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

Mr. Chairman, I rise in support of this amendment. It is important the drug kingpins of Afghanistan who are the source of so much misery, corruption, and continued instability in that long-suffering nation come to fear that they will be brought to justice.

Unfortunately, there is as yet no functioning legal or penal system in Afghanistan, and there may not be one for some time to come. In many cases, extradition of these drug kingpins to the United States to face trial may be the only justice they will face.

This amendment requires our Secretary of State to submit a report describing all pending United States requests for extradition from Afghanistan of illicit drug traffickers and kingpins who are under indictment in the United States as well as the response from the government of Afghanistan.

This will be the first necessary step in determining how best we in Congress may address this issue with the government in Afghanistan, and I urge all of my colleagues to support this amendment.

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

Mr. SOUDER. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, on behalf of the majority, we welcome and support the amendment by the gentleman from Indiana (Mr. SOUDER). The links between drugs and terrorism and the overall future of a democratic Afghanistan are self-evident and important. It is critical that we take down and extradite to the United States those kingpins and warlords in the drug trade who are affecting our Nation here at home and poisoning the new democracy in Afghanistan and fueling terrorism at the same time.

The Souder amendment will let us know whether we are getting cooperation and support from the government of Afghanistan on this critical part in the fight against illicit drugs: extraditions.

According to DEA, there are four pending U.S. requests for extradition from the government of Afghanistan, including one major kingpin. We need to know if we are getting cooperation on these requests, and if not, why not. I support and strongly urge adoption of the Souder amendment.

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

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

Mr. Chairman, I want to again thank the gentleman from Illinois (Mr. HYDE) for his steadfast leadership against drug traffickers around the world, as well as the gentleman from New Jersey (Mr. SMITH). They have been yeomen in the fight against narcotics, human trafficking, terrorism, and in defense of international human rights.

I urge unanimous consent, if not an overwhelming majority, asking that these drug traffickers be extradited and we get adequate information from the State Department so we know what we are requesting because we have not been able to get that data.

Mr. TERRY. Mr. Chairman, I rise in support of the Hooley-Souder amendment to H.R. 2601. I ask unanimous consent to revise and extend my remarks.

This amendment will authorize $4 million in 2006 and 2007 to help prevent the smuggling of methamphetamine from Mexico to the United States. It authorizes the Secretary of State to work with Mexican government and law enforcement officials to improve their abilities to fight the production and trafficking of meth.

The U.S. Department of Justice estimates that 90 percent of the meth available in my home state of Nebraska is trafficked from Mexico, California and the southwestern states. Nationwide, 65 percent of available meth was smuggled into the U.S. by Mexican drug cartels and gangs.

During a routine traffic stop last January, the Douglas County Sheriff's Office in Nebraska seized five pounds of meth from two Mexican nationals who had concealed the drug inside a spare tire in the trunk. In March, an 8-month investigation culminated in the arrest of five Mexican and Hispanic drug cartel members. Law enforcement officials seized 12.5 pounds of meth being transported to Omaha from California.

Although 90 percent of the meth problem in Nebraska stems from international and intrastate drug trafficking, local law enforcement officers must spend the majority of their resources fighting home-based meth labs. Dismantling hundreds of "Mom and Pop" labs operated out of kitchen sinks and car trunks, and disposing of the highly toxic chemicals used to manufacture meth, is a timely and expensive process.

The Hooley-Souder amendment is critical to support our police officers on the front lines in the battle against meth. Reducing the amount of meth smuggled into the U.S. from Mexican super-labs will help our law enforcement officers protect families and children from this insidious drug that destroys lives and ruins communities. I urge my colleagues to join me in voting for the Hooley-Souder amendment today.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

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

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

It is now in order to consider amendment No. 11 printed in part B of House Report 109–175.

AMENDMENT NO. 11 OFFERED BY MR. SOUDER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. SOUDER:

In subtitle B of title XI, redesignate sections 1111 through 1126 as sections 1121 through 1136, respectively.

In subtitle A of title XI, add at the end the following new section:

SEC. 1111. ACQUISITION OF MARITIME REFUELING SUPPORT VESSEL FOR UNITED STATES DRUG INTERDICTION EFFORTS IN THE EASTERN PACIFIC MARITIME TRANSIT ZONE.

(a) FINDINGS.—Congress finds the following:

(1) The Department of Defense and Department of Homeland Security report that narcotics smuggling organizations continue to avoid United States drug interdiction efforts by transiting deep into the Eastern Pacific, well beyond the capabilities of United States ships.

(2) Drug trafficking organizations have already adapted to these long transit routes by

employing logistical support vessels (LSVs) to refuel drug laden boats on the high seas.

(3) United States drug interdiction forces currently do not have this at-sea refueling capability.

(4) On June 29, 2005, the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform of the House of Representatives held a hearing entitled ''Interrupting Narco-Terrorist Threats on the High Seas: Do We Have Enough Wind in Our Sails?''.

(5) During the hearing, the acting United States Interdiction Coordinator (USIC), Ralph Utley, spoke of the substantial benefits to be gained if a maritime ''oiler'' ship were employed to support interdiction activities in the Eastern Pacific maritime transit zone.

(6) The Subcommittee was very interested to see that all witnesses representing the Department of Defense, the Office of National Drug Control Policy (ONDCP), the United States Coast Guard, Customs and Border Protection, and the Drug Enforcement Administration testified that they believe the employment of a maritime oiler vessel would be an immediate improvement to United States interdiction operations in the transit zone.

(7) On any given day, United States and Allied forces seize an average of 100 kilograms of cocaine per ship when patrolling in the Eastern Pacific maritime transit zone.

(8) Each year, the United States Coast Guard estimates it loses 100 ''ship-days'' due to lengthy refueling trips to Central and South American countries. The United States Navy also faces similar refueling challenges.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $25,000,000 for fiscal year 2006 and $25,000,000 for fiscal year 2007 for the Bureau for International Narcotics and Law Enforcement Affairs (INL) of the Department of State to purchase or lease a maritime refueling support vessel that is capable of refueling United States and allied warships and vessels employed in support of United States drug interdiction duties in the Eastern Pacific maritime transit zone.

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

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

I ask my colleagues for their support on this amendment which would authorize new resources for our drug interdiction efforts. I again want to commend the gentleman from Illinois (Mr. HYDE) for his assistance in getting this much-needed help for drug interdiction throughout the world.

The amendment I propose seeks to build on the efforts of the gentleman from Illinois (Chairman HYDE) by authorizing the State Department's Bureau for International Narcotics and Law Enforcement Affairs, INL, to acquire a refueling vessel for the benefit of the U.S. and allied drug interdiction activities, such as the U.S. Coast Guard and Navy, operating in the eastern Pacific region. That would be the area on the west side of Mexico and as you come down through Central America.

According to testimony provided by the Coast Guard, Department of Defense, Office of National Drug Control Policy, and other agencies to the Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources, which I chair, drug traffickers have increasingly pushed their routes into that area further and further west from landfall. U.S. vessels have no refueling capability in that area, often coming from San Diego, and thus cannot operate for any significant length of time.

The traffickers, by contrast, have developed their own sophisticated refueling system and can now simply bypass our interdiction forces. Today we face an almost unique situation in drug interdiction history. We now have more intelligence about drug trafficking than assets to act on it, meaning that we have to watch helplessly while some shipments of poisonous narcotics are brought to the U.S.

The testimony provided to the subcommittee by Federal agencies has indicated that the acquisition of a refueling vessel would be of significant benefit in stopping this gaping hole. By allowing Coast Guard and other ships to carry out longer patrols in the eastern Pacific region, we will no longer be at such major logistical disadvantage vis-a-vis the drug kingpins.

Moreover, although the amendment authorizes up to $25 million for the refueler, it also authorizes INL to purchase or lease the vessel, thus allowing INL to obtain this vital asset at the lowest cost.

Again, I thank the gentleman from Illinois (Mr. HYDE) for his leadership and support in the fight against drug trafficking, and I urge my colleagues to support this amendment.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, I rise in support of the amendment. It is of critical importance that the United States not be outgunned or outmaneuvered by narcotics traffickers either in the streets of our towns or on the high seas.

It is very disturbing to learn that drug traffickers are in fact developing their own navies with at-sea refueling capabilities for their drug cargo vessels, yet our own Coast Guard is not similarly equipped when it hunts and pursues these deep water vessels in the eastern Pacific.

This amendment will authorize $50 million for the next two fiscal years to the Department of State International Narcotics and Law Enforcement Bureau to purchase or lease a maritime refueling support vessel to refuel U.S. Coast Guard and other drug interdiction vessels in the eastern Pacific. In the drug war, unilateral disarmament is the worst position to be in. I urge all of my colleagues to support this amendment.

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

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume to engage in a colloquy with the gentleman from New Jersey (Mr. SMITH).

Mr. CHAIRMAN, I would like to seek the support of the chairman in acquiring three cables from the State Department: one cable from the U.S. Embassy in Kabul describing the lack of assistance from the Afghan government on heroin trade, and two cables from the U.S. Embassy in Bogota regarding lack of U.S. support thus far for the demobilization program.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I want to assure the gentleman that the committee stands ready to work with the gentleman from Indiana (Mr. SOUDER) to ensure that he gets the cables he has requested. It is an important part of the gentleman's work and our Congressional oversight function. We will work very closely with the gentleman on this.

Mr. SOUDER. Mr. Chairman, I thank the gentleman from New Jersey.

Mr. Chairman, I thank the gentleman from Illinois (Mr. HYDE) again, the gentleman from New Jersey (Mr. SMITH), and the gentleman from California (Mr. LANTOS) for their support on these amendments. It is important that we have a bipartisan effort to send a message, whether it is to methamphetamine traffickers, pseudoephedrine, cocaine traffickers around the world, or heroin traffickers in Afghan. The fact is we lose 20,000 to 30,000 Americans every year to drug deaths. Because they do not happen on the same day at the same place, it is not as dramatic as what happened on 9/11, but they are still dead.

I thank the leadership of the committee for their support on these important amendments so we can, in a bipartisan way, make a dent in this terrible scourge, drug use.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The amendment was agreed to.

The CHAIRMAN. The Committee will rise informally to receive a message.

The SPEAKER pro tempore (Mr. MANZULLO) assumed the Chair.

MESSAGES FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

The Committee resumed its sitting.

The CHAIRMAN. It is now in order to consider amendment No. 12 printed in part B of House Report 109–175.

AMENDMENT NO. 12 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. SMITH of New Jersey:

Page 191, line 8, insert ''repair and rehabilitation'' before ''activities''.

Page 191, beginning line 14, insert the following new clause (and redesignate subsequent clauses accordingly):

''(ii) increased access for women to emergency obstetrical care, including increased access to skilled birth attendants and care facilities.''.

Page 191, beginning line 21, insert the following new subparagraph (and redesignate the subsequent subparagraphs accordingly):

''(D) Each center established pursuant to subparagraph (A) may carry out the following prevention activities:''.

Page 191, line 21, redesignate clause (iii) as clause (i).

Page 192, line 10, strike ''(i) and (ii)'' and insert ''(i), (ii), and (iii)''.

Page 192, strike lines 1 through 5, and insert the following new clause:

''(ii) Activities to expand abstinence education, postponement of marriage and childbearing until after the teenage years, and activities to expand access to family planning services for the prevention of pregnancies among women whose age or health status place them at high risk of prolonged or obstructed childbirth.''.

Page 192, beginning line 23, strike ''$5,000,000 for each such fiscal year'' and insert ''$5,000,000 for fiscal year 2006 and $7,500,000 for fiscal year 2007''.

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from New Jersey (Mr. SMITH) and the gentleman from New York (Mr. CROWLEY) each will control 5 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, for several years now I have pushed USAID and the Congress to establish a program to assist women who suffer from obstetric fistula. According to the USAID, an estimated 2 million women suffer needlessly from fistula and from 50,000 to 100,000 new cases are added every year, mostly in Africa.

Fistula occurs during obstetric labor, which sometime damages soft tissues. The destroyed tissues leave a hole or fistula in the pelvic floor area which causes incontinence. Tragically, the constant leaking of urine and feces leads to sickness, desertion by husbands and family, extreme social isolation, and poverty. Who are vulnerable, according to the USAID, very young mothers, women experiencing their first birth, women whose growth has been stunted due to malnutrition or illness, and poor women who lack access to the most basic of obstetric services.

My amendment and the underlying language in H.R. 2601, section 901, that I put into the bill, establishes 12 centers for the treatment and prevention of obstetric fistula. Funding is authorized at $5 million in 2006, and the amendment increases the authorization by $2.5 million to $7.5 million in fiscal year 2007.

Amazingly, for $150 to a couple hundred dollars, a woman victimized by fistula can obtain a surgical repair that gives her back her life. No woman should be denied this minimal, life-saving surgical repair. My amendment requires that the centers include increased access for women to emergency obstetrical care, including increased access to skilled birth attendants and care facilities.

My amendment states that the centers may include activities to expand abstinence education, postponement of marriage and child bearing until after the teenage years, and access to family-planning services.

□ 1545

During markup, an amendment was offered to exclude, and this would be the result of that language, certain faith-based health care providers who, while deeply committed to mitigating the pain of fistula, would be barred from receiving funds. I have been in contact with Dr. Kent Hill, the Acting Assistant Administrator for Global Health at USAID, and he concurs that my amendment is preferable and balanced because it permits inclusion of family planning programs, gives USAID the flexibility to get the job done, and is consistent with the conscience clause we secured through an amendment I inserted in Mr. HYDE's $15 billion HIV/AIDS law.

Section 901 is a modest $5 million in 2006, $7.5 million in 2007, and we need to begin in earnest to give women who suffer the tragedy of fistula the basic care that they need.

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

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

Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, women who develop fistula as a result of childbirth are often abandoned by their husbands, rejected by their communities, and forced to live in an isolated existence. For that reason I am very pleased that the State bill contains $5 million for treatment of women with obstetric fistula and for fistula prevention services. The fistula prevention section of the bill was added in committee by an amendment that I sponsored that had enjoyed unanimous support, including support of the gentleman from New Jersey (Mr. SMITH).

Because the fistula provision enjoyed strong bipartisan support in committee, I am disappointed that my friend has chosen to offer this amendment. The Smith amendment establishes two tiers of fistula services to be carried out by clinics supported by the United States. Fistula repair and rehabilitation services are ''mandatory,'' while fistula prevention services, including the provision of contraception, is considered ''discretionary.'' Also, references to ''contraceptives'' have been removed.

Mr. Chairman, the most effective way to decrease the incidence of fistula is to ensure that 12-year-old girls in rural Africa and other young high-risk women do not get pregnant in the first place. For the life of me, I fail to understand why we would want to downgrade the attention paid in this bill to fistula prevention and remove any discussion of contraceptives. I understand the concerns raised by the gentleman from New Jersey that some faith-based hospitals do not wish, as a matter of conscience, to distribute contraceptives. I have no problem with that exemption.

But in order to deal with the faith-based hospitals, the entire fistula prevention section of the bill, which I authored in committee and, again, had the support of every member of the Committee International Relations, was accepted, including the gentleman from New Jersey (Mr. SMITH), it is a shame, Mr. Chairman, that this amendment is offered, and I therefore oppose this amendment.

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

Mr. SMITH of New Jersey. Mr. Chairman, I reserve the balance of my time.

Mr. CROWLEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, I thank the gentleman for yielding me this time and for his leadership.

It was absolutely everyone's understanding that this legislation to help prevent fistula would proceed with the language added in committee by the gentleman from New York (Mr. CROWLEY) to expand access to contraception. It seems that the gentleman from New Jersey (Mr. SMITH) is intentionally eliminating all mention of contraception in this bill. What is going on? Why is he against birth control?

In the same week the House Press Secretary refuses to say, when asked publicly in a press conference, whether the President is opposed to contraception, the gentleman from New Jersey offers an amendment to delete birth control from the list of fistula preventative services. All of this while some pharmacists are denying women their birth control prescription. There is only one answer: Some Members on the other side of the aisle simply oppose access to birth control. And I just would like to ask my colleagues, what do they have against birth control?

This amendment will undermine one of the most effective methods of fistula

prevention, helping to delay pregnancy among married young women whose bodies have not fully developed. We are talking about 11, 10, 9, 12, 13, 14, very young women. And it is important that contraception be used to prevent them from getting pregnant and having fistula, from having a child too young. In many countries where the use of birth control is very low, fistula is very, very common. The underlying bill recognizes the critical role that birth control can play in preventing this condition.

I oppose the amendment.

The underlying bill recognizes the critical role that birth control can play in preventing this horrific condition.

Two years ago, I put in the first bill to call attention to the need for American support for fistula prevention and treatment. Fistula is a problem we can address, and I was happy to be able to support the language in the bill as reported by the Committee.

But, this amendment will effectively gut the prevention section of the fistula program and all because of what seems like ideological opposition to birth control.

I hope my colleagues will oppose it.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself the balance of my time.

Just to make the very clear point to my colleagues, this section 901 creates a brand new program that, until this legislation is enacted, has not existed. I authored section 901, and the emphasis is on surgical repair. We have 2 million women who are in dire need of repair—the walking wounded—and it takes a very modest amount of money to effectuate the repair of their damaged bodies so, again, they can get their lives back.

Secondly, the gentleman from New York's (Mr. CROWLEY) amendment, wittingly or unwittingly, will preclude a number of faith-based hospitals—language that he added that at first blush looked okay but upon further scrutiny and study, we found that it was a major problem. There are at least four hospitals, one in Uganda, Congo, Ethiopia, and in Bangladesh, that would be denied fistula funding, because under Crawley, inclusion of contraception is absolutely mandatory. It should be discretionary. These are proposed fistula centers pursuant to AID's plan to role out and to implement. So we are talking about those who could provide fistula services being told they cannot have the money.

Let me also point out to my friends and colleagues that the U.S. spends about $450 million in overseas family planning per year in the budget. Nobody is touching that. That will go forward in FY '06. Some of that money can be used to try to prevent and repair fistula and to incorporate the two. But let me point out to my colleagues, that my language says the centers may include: ''Activities to expand abstinence education, postponement of marriage'' and ''expand access to family planning services.'' That is my amendment. Expand access to family planning services. It is discretionary however. I would suspect that some—maybe most—of the fistula centers will do just that. But there are faith-based health centers for which that is a problem, and we want to get this fistula repair program out to as many women as humanly possible.

Let me just tell my colleagues as well if they vote against this amendment, they are also voting against $2.5 million in addition to what is in the bill to expand surgical repairs for these women.

Mr. CROWLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I rise in complete opposition to the Smith amendment.

This amendment guts, it guts the prevention section of our fistula prevention efforts and is a direct assault on birth control and comprehensive family planning. Comprehensive family planning includes any measure that saves a woman's life, especially in the event of prolonged, life-threatening labor which occurs in the case of obstetric fistula.

We are all fighting to prevent and treat obstetric fistula, a condition that tears apart the lives of young women whose bodies are not fully developed and obstructed prolonged labor occurs. But I am very disappointed that the bipartisan compromise that was brokered in committee in preventing obstetric fistula and providing medical treatment for its survivors is now being dismantled. We have to be realistic, and we must put our politics aside and put women and their babies first. Making birth control more available and accessible is one of the most effective ways to give women the ability to prevent high-risk pregnancies and to reduce the incidence of fistula.

The Smith amendment is a direct assault on birth control and comprehensive family planning. The Smith amendment is unacceptable, and I urge my colleagues to oppose this amendment.

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

Once again I have to express my disappointment that we find ourselves here now in final passage of this bill when we had an amicable agreement in the committee and the gentleman from New Jersey (Mr. SMITH) and I, somewhat working together in the committee, agreed to this initial amendment to include my language.

I will just say for the record it says in the underlying text of the bill: ''Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable.'' It is not mandatory. It does not say they have to do this. Shall ''carry out the following activities,'' and included in that is contraception.

My question for the gentleman from New Jersey (Mr. SMITH) is, is contraception included in family planning?

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. CROWLEY. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, it is very obvious that family planning includes contraception, and our language makes that very clear.

Mr. CROWLEY. Mr. Chairman, it is not clear to me. It is again unfortunate we find ourselves here at this point. And I stand, again, in opposition to this amendment.

Mr. CROWLEY. Mr. Chairman, I rise in opposition to the Smith amendment on fistula.

While we are similarly concerned about preventing fistula and the impact it has on women's lives in the developing world, I must rise in opposition to this specific language as it does not expressly support contraception as a means of preventing fistula.

While this may sound like nit picking to some, it goes to the heart of preventing this horrific tragedy in women.

Mr. SMITH and I were in agreement in Committee on my original language on fistula prevention, and I appreciated your initial comments about this language on our plan to prevent fistulas from occurring by focusing on prevention of pregnancy through contraception.

May amendment, which was universally accepted by the committee, expressly called for support of contraception because this is often the only way girls, young women, and women whose bodies are not prepared for pregnancy-contraception is often the only way they can protect themselves.

This language takes out contraception—which is the best way to prevent fistula.

It would be nice to imagine that all young girls in the developing world—who are especially vulnerable to fistula—would delay their first pregnancy. But that is simply not the reality that many young girls face.

As such, we must include contraception in this bill when we talk about fistula. Otherwise we are—

In fact, I recently met with a physician who repairs fistulas in Nigeria. He said that Nigeria sees 20,000 new fistulas cases per year and—to use his words—''we can't only treat these cases, we have to prevent them.''

And how do we prevent them—the answer is clear. Contraception.

But for millions of girls and women who in the developing world—fistula is an all too real part of their everyday existence.

I am pleased that the base bill addresses the fistula issue, by providing funding for fistula treatment. And I applaud this committee for including language on fistula.

However, we need to do both prevention and treatment. Unless the incidence of fistula can be reduced through prevention activities, women and girls in the developing world will face a never-ending cycle of despair. And the backlog of women needing surgical repair will never be erased.

But for many, the simplest and best answer is to make family planning

available to those who want to use it. In fact, one estimate finds access to family planning—including contraception—would reduce maternal disability and death by at least 20%.

To be sure, we need to address the larger social issues that contribute to the problem—girls' education, general access to healthcare, and women's economic development and empowerment are all an important part of confronting the fistula tragedy.

And that must include contraception. It is as simple as life and death. It is as important as the humanity that unites all of us.

If we understand fistula to be as tragic as it truly is, then the best response must include steps to prevent women and girls from ever having to face it in the first place.

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 ayes appeared to have it.

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. SMITH) will be postponed.

The CHAIRMAN. It is now in order to consider amendment No. 13 printed in part B of House report 109–175.

AMENDMENT NO. 13 OFFERED BY MR. HYDE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. HYDE:

After title VIII of the bill, insert the following new title:

TITLE IX—EAST ASIA SECURITY ACT OF 2005

SEC. 901. SHORT TITLE.

This title may be cited as the ''East Asia Security Act of 2005''.

SEC. 902. STATEMENTS OF POLICY.

Congress—

(1) previously expressed its strong concerns in House Resolution 57 of February 2, 2005, and Senate Resolution 91 of March 17, 2005, with the transfer of armaments and related technology to the People's Republic of China by member states of the European Union, which increased eightfold from 2001 to 2003, and with plans to terminate in the near future the arms embargo they imposed in 1989 following the Tiananmen Square massacre;

(2) welcomes deferral of a decision by the European Council to terminate its arms embargo following adoption of those Resolutions, the President's visit to Europe, and growing concern among countries in the regions and the general public on both sides of the Atlantic;

(3) welcomes the decision by the European Parliament on April 14, 2005, by a vote of 421 to 85, to oppose the lifting of the European Union's arms embargo on the People's Republic of China, and resolutions issued by a number of elected parliamentary bodies in Europe also opposing the lifting of the arms embargo;

(4) also welcomes the onset of a strategic dialogue between the European Commission and the Government of the United States on the security situation in East Asia, through which it is hoped a greater understanding will emerge of the consequences of European assistance to the military buildup of the People's Republic of China for peace and stability in that region, to the security interests of the United States and its friends and allies in the region, and, in particular, to the safety of United States Armed Forces whose presence in the region has been a decisive factor in ensuring peace and prosperity since the end of World War II;

(5) hopes that a more intensive dialogue with Europe on this matter will clarify for United States friends and allies in Europe how their ''non-lethal'' arms transfers improve the force projection of the People's Republic of China, are far from benign, and enhance the prospects for the threat or use of force in resolving the status of Taiwan, a troubling prospect made more ominous by recent adoption of a new law by the Chinese National People's Congress expressly authorizing the use of force;

(6) also hopes that this dialogue will result in an important new consensus between the United States and its European partners on the need for coordinated policies which encourage the development of democracy in the People's Republic of China and which discourage, not assist, China's unjustified military buildup and pursuit of weapons that threaten its neighbors;

(7) however, deeply regrets that none of the European friends and allies of the United States who have been transferring arms to the People's Republic of China has announced a cessation or even a temporary halt to those transfers while this new dialogue with the United States ensues, and notes with concern that such European friends and allies have provided little, if any, transparency to the United States Government into the full range and capabilities of all of the armaments and related technology that they have transferred to date and continue even now to do so;

(8) is further troubled by public reports describing well known European companies as suppliers to weapons programs of the People's Republic of China, who are also participants in numerous sensitive United States Government weapons programs, and the increased risks of diversion of United States weapons technology to China inherent in such an undesirable situation; and

(9) in view of the gravity of European arms sales to the People's Republic of China, which have not abated, believes it is necessary to make provision for greater scrutiny and oversight with respect to those areas of international armament cooperation that present increased levels of risk to the security interests of the United States and to authorize appropriate measures which the President may draw on in deterring foreign support for China's military buildup in order to safeguard the national security interests of the United States and peace and security in East Asia.

SEC. 903. REPORT ON FOREIGN MILITARY EXPORTS TO CHINA.

(a) REPORT.—The President shall, at the times specified in subsection (b), transmit to the appropriate congressional committees a report that identifies every person of a member country of the European Union, and any other foreign person the President may consider appropriate, with respect to whom there is credible information indicating that the person, on or after January 1, 2005, exported to—

(1) the People's Republic of China any item on the Wassenaar Munitions List of July 12, 1996, and subsequent revisions; or

(2) the military, intelligence, or other security forces of the People's Republic of China—

(A) any item on the Wassenaar List of Dual Use Goods and Technologies of July 12, 1996, and subsequent revisions; or

(B) any other dual use item if the item is intended, entirely or in part, for use with an item described in paragraph (1).

(b) TIMING OF REPORT.—The report required under subsection (a) shall be transmitted not later than 180 days after the date of the enactment of this Act and not later than the end of each 12-month period thereafter.

(c) EXCEPTIONS.—A foreign person is not required to be identified in a report required under subsection (a) if the person—

(1) was identified in a previous report transmitted under subsection (a) on account of a particular export, except to the extent that the export may have continued, involved additional transfers, or was larger, more significant, or different in nature than described in the previous report;

(2) was engaged solely in an export on behalf of, or in concert with, the Government of the United States; or

(3) was engaged in an export which, as determined by the President, would be exempt from the restrictions of section 902(a) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246; 22 U.S.C. 2151 note), if the export were subject to the jurisdiction of the United States, by reason of the issuance of a report under section 902(b) of such Act.

(d) FORM.—If the President considers it appropriate, reports transmitted under subsection (a), or appropriate parts thereof, may be transmitted in classified form.

SEC. 904. REPORT ON CHINA ARMS TRANSFER POLICIES OF COUNTRIES PARTICIPATING IN UNITED STATES DEFENSE COOPERATIVE PROJECTS; CERTAIN LICENSE REQUIREMENTS.

(a) STATEMENT OF POLICY.—Congress is concerned with the significant additional risk of unlawful use and diversion of sensitive United States weapons system research, design, and development arising from cooperative research and development projects with foreign governments and foreign persons who may also transfer arms and related technology to the People's Republic of China.

(b) REPORT.—The President shall, at the times specified in subsection (c), transmit to the appropriate congressional committees a report that—

(1) identifies every foreign government with respect to which the United States is carrying out a cooperative project described in subsection (d) and whose policies or practices, on or after the date of the enactment of this Act, permit the export of any item described in paragraph (1), or subparagraph (A) or (B) of paragraph (2), of section 903(a); and

(2) describes the cooperative projects and policies or practices referred to in paragraph (1) of every foreign government identified under such paragraph.

(c) TIMING OF REPORT.—The report required under subsection (b)—

(1) shall be transmitted not later than 180 days after the date of the enactment of this Act and not later than the end of each 12-month period thereafter; and

(2) may be included in the report required under section 903, as the President determines appropriate.

(d) COOPERATIVE PROJECTS.—The cooperative projects referred to in subsection (b) are projects carried out under section 27 of the Arms Export Control Act (22 U.S.C. 2767) or section 2350a, 2358, or a memorandum of understanding under section 2531 of title 10, United States Code.

(e) LICENSE REQUIREMENTS.—

(1) REQUIREMENT.—Notwithstanding any other provision of law, a license under section 38 of the Arms Export Control Act (22 U.S.C. 2778) shall be required for the export of defense articles or defense services by any person who is not an officer or employee of the Government of the United States in furtherance of a cooperative project described in subsection (d) with a country identified in a report transmitted under subsection (b).

(2) CONGRESSIONAL NOTIFICATION.—The issuance of a license pursuant to paragraph (1) shall be subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) (without regard to the dollar amount requirements relating to contracts contained in such section), including the transmittal of information and the application of congressional review procedures in accordance with such section.

(3) EXCEPTIONS.—The Secretary of State shall not be required to apply the license requirement of paragraph (1)—

(A) in the case of contracts or subcontracts in effect on the date of the enactment of this Act, including the exercise of options for production quantities to satisfy United States operational military requirements;

(B) if the Secretary determines in writing that the person or other entity to which the export of defense articles or defense services would be made is a sole source supplier of the articles or services, that the articles or services are essential, and that the articles or services are not readily or reasonably available;

(C) in the case of routine servicing and maintenance, to products or services provided under contracts entered into before transmittal of the report required under subsection (b), if the Secretary determines in writing that alternative sources are not readily or reasonably available; or

(D) with respect to other defense articles or defense services, the export of which without a license the Secretary determines in writing is essential to the national security of the United States and provides written notification thereof to the appropriate congressional committees.

(4) PUBLICATION IN THE FEDERAL REGISTER.—The Secretary of State shall publish in the Federal Register each determination made under paragraph (3).

SEC. 905. CERTAIN FOREIGN OWNERSHIP AND CONTROL OF DEFENSE ARTICLES IN THE UNITED STATES.

(a) STATEMENT OF POLICY.—Congress determines that special care should be taken by the United States with respect to foreign persons who sell arms and related technology to the People's Republic of China, while simultaneously seeking ownership of United States defense articles or defense services, including the results of United States Government funded defense research and development, through the acquisition or control of United States defense firms, directly or through their subsidiaries and affiliates based in the United States.

(b) LICENSE REQUIREMENTS.—

(1) REQUIREMENT.—The President shall require a license pursuant to regulations issued under section 38(g)(6) of the Arms Export Control Act (22 U.S.C. 2778(g)(6)) for the transfer of ownership or control of United States defense articles or defense services arising from the acquisition or control of a person required to be registered under section 38(b)(1) of such Act (22 U.S.C. 2778(b)(1)), or any subsidiary, division, affiliate or other entity thereof, whenever the person gaining acquisition or control is—

(A) a foreign national of the People's Republic of China or a foreign person otherwise subject to the jurisdiction, ownership, or control of the People's Republic of China;

(B) a foreign person identified in a report transmitted under section 903 or having its principal place of business in a country described in a report transmitted under section 904; or

(C) a United States person owned or controlled by a foreign person, including a subsidiary or affiliate of a foreign person described in subparagraph (B).

(2) ADDITIONAL REQUIREMENT.—A license under section 38(g)(6) of the Arms Export Control Act for a person described in paragraph (1)(A) shall not be issued until 30 days after the date on which the President transmits a report that contains a determination of the President that—

(A) the Government of the People's Republic of China meets the requirements of section 902(b)(1) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246; 22 U.S.C. 2151 note); or

(B) it is in the national interest of the United States to issue the license.

(c) CONGRESSIONAL NOTIFICATION.—The issuance of a license pursuant to subsection (b) shall be subject to the same requirements as are applicable to the export of items described in section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) (without regard to the dollar amount requirements relating to contracts contained in such section), including the transmittal of information and the application of congressional review procedures in accordance with such section.

(d) EXCEPTION.—The issuance of a license pursuant to subsection (b) shall not be required in the case of an amendment to a munitions license or a change in registration arising from a sale or transfer of ownership or control of United States defense articles or defense services to a person described in subparagraph (A), (B), or (C) of subsection (b)(1) that was approved prior to the date of enactment of this Act unless the President determines that it is in the national security interests of the United States to require the issuance of a new license pursuant to subsection (b).

SEC. 906. CHINESE MILITARY END USE OF DUAL USE EXPORTS.

(a) STATEMENT OF POLICY.—Congress welcomes the understanding reached at the Wassenaar Arrangement's December 2003 plenary meeting to require governmental authorization for the transfer of non-listed dual use items intended for military end use in a destination subject to any relevant regional arms embargo or to any United Nations Security Council resolution.

(b) REPORTS.—

(1) REPORT TO SECRETARY OF COMMERCE.—As prescribed in regulations issued under the Export Administration Act of 1979 (as continued in effect under the International Emergency Economic Powers Act), a United States person who exports an item described in subparagraph (A) or (B) of section 903(a)(2) for military end use shall, not later than 15 days after the item is exported, submit to the Secretary of Commerce a report that contains a description of all shipment information, including a description of the item and the quantity, value, port of exit, and end user.

(2) REPORT TO CONGRESS.—Not later than 60 days after the end of each calendar quarter, the Secretary of Commerce shall submit to the appropriate congressional committees a written report that contains a compilation all of information submitted in each report to the Secretary under paragraph (1) for the prior calendar quarter.

(c) DEFINITION.—In this section, the term ''military end use'' means, with respect to an item, the item is or may be intended, entirely or in part, for use in conjunction with an item described on the Wassenaar Munitions List of July 12, 1996, and subsequent revisions.

SEC. 907. APPLICATION OF MEASURES TO CERTAIN FOREIGN PERSONS.

(a) APPLICATION OF MEASURES.—Subject to sections 908 and 909, the President may apply with respect to any foreign person (including a foreign government) identified in a report transmitted under section 903, and shall apply with respect to any foreign person (including a foreign government) identified in more than one report transmitted under section 903, any or all of the following measures:

(1) RESEARCH AND DEVELOPMENT.—Denial of participation in existing and new cooperative research and development programs and projects under section 27 of the Arms Export Control Act (22 U.S.C. 2767) or sections 2350a, 2358, or a memorandum of understanding under 2531 of title 10, United States Code.

(2) CONTROL OF UNITED STATES DEFENSE FIRMS.—Prohibition of ownership and control of any business organization required to be registered with the United States Government as a manufacturer or exporter of defense articles or defense services under section 38(b)(1) of the Arms Export Control Act (22 U.S.C. 2778(b)(1)).

(3) SECURITY ASSISTANCE.—Prohibition on participation in any foreign military sales under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) or any design and construction sales under chapter 2A of such Act (22 U.S.C. 2769).

(4) MUNITIONS LIST APPROVALS.—Prohibition on licenses and other forms of approval under section 38 of the Arms Export Control Act (22 U.S.C. 2778) for the export of any item on the United States Munitions List as in effect on August 8, 1995.

(b) APPLICATION OF ADDITIONAL MEASURES.—Subject to sections 908 and 909, and notwithstanding any other provision of law, the President may, with respect to any foreign person (including a foreign government) identified in a report transmitted under section 903, and shall, with respect to any foreign person (including a foreign government) identified in more than one report transmitted under section 903—

(1) suspend the use of any license exemption and expedited license procedure established in the International Traffic in Arms Regulations or other provisions of law for the export or temporary import of defense articles and defense services;

(2) require the execution of a non-transfer and end use certificate for the export of any defense articles and defense services; and

(3) require, as a condition of issuance of any license for the export of defense articles and defense services, United States access to and verification of the items after the export of the items or alternative measures to ensure compliance with restrictions on the transfer of the items to third-parties.

(c) EFFECTIVE DATE OF MEASURES.—Measures applied pursuant to subsection (a) or (b) shall be effective with respect to a foreign person (including a foreign government) no later than—

(1) 30 days after the report identifying the foreign person is transmitted, if the report is transmitted on or before the date required by section 903(b); or

(2) on the date that the report identifying the foreign person is transmitted, if the report is transmitted more than 30 days after the date required by section 903(b).

(d) DURATION OF MEASURES.—Measures applied pursuant to subsection (a) shall be for a period of 2 years or longer, as the President determines appropriate. Measures applied pursuant to subsection (b) shall be, at a minimum, consistent with the duration of the license and the normal requirements for

record keeping established in the International Traffic in Arms Regulations or longer, as the President determines appropriate.

(e) PUBLICATION IN FEDERAL REGISTER.—The application of measures to a foreign person pursuant to subsection (a) or (b) shall be announced by notice published in the Federal Register, except if the President determines that doing so would be inconsistent with the protection of classified information.

SEC. 908. PROCEDURES IF DISCRETIONARY MEASURES ARE NOT APPLIED.

(a) REQUIREMENT TO NOTIFY CONGRESS.—If the President does not exercise the authority of subsection (a) or (b) of section 907 to apply any or all of the discretionary measures described in such subsection with respect to a foreign person identified in a report transmitted under section 903, the President shall so notify the appropriate congressional committees not later than the effective date under section 907(c) for measures with respect to that person.

(b) WRITTEN JUSTIFICATION.—Any notification transmitted by the President under subsection (a) shall include a written justification describing in detail the facts and circumstances relating specifically to the foreign person identified in a report transmitted under section 903 that support the President's decision not to exercise the authority of subsection (a) or (b) of section 907 with respect to that person.

(c) FORM.—If the President considers it appropriate, the notification of the President under subsection (a), and the written justification under subsection (b), or appropriate parts thereof, may be transmitted in classified form.

SEC. 909. DETERMINATIONS EXEMPTING FOREIGN PERSONS FROM MANDATORY MEASURES.

(a) WAIVER.—Any mandatory measure described in section 907 shall not apply with respect to a foreign person if the President transmits to the appropriate congressional committees a report that contains a determination of the President that—

(1) on the basis of information provided by that person or the foreign government having primary jurisdiction over the person, the person did not, on or after January 1, 2005, knowingly export to the People's Republic of China the item the apparent export of which caused the person to be identified in a report transmitted under section 903; or

(2) the foreign government having primary jurisdiction over the person has entered into a written agreement with the United States which—

(A) is binding under international law;

(B) prohibits further exports of any item described in paragraph (1), or subparagraph (A) or (B) of paragraph (2), of section 903(a) by any person subject to its jurisdiction;

(C) is supported by the foreign government's adoption of policies and procedures providing for credible implementation of the requirements in subparagraphs (A) and (B);

(D) does not constrain the President's authority to impose measures under this act in the event of a future export of concern by the same or other persons subject to the jurisdiction of the foreign government party to the agreement; and

(E) is submitted to the appropriate congressional committees 30 days prior to its entry into force.

(b) ADDITIONAL WAIVER.—Any mandatory measure described in section 907 shall not apply to a foreign person if the President determines that it is important to the counterterrorism, nonproliferation, or other national security interests of the United States and transmits to the appropriate congressional committees a report in writing that contains such determination.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) strengthen international coordination and execution of arms export policy through the development of bilateral and multilateral agreements under subsection (a)(2), particularly with member states of the North Atlantic Treaty Organization (NATO), Japan, Australia and New Zealand, and exercise the waivers provided under this section in all appropriate instances that further this objective; and

(2) whenever the President determines that the measures described in section 907 should be applied, that the measures be applied comprehensively with respect to the affected foreign person's affiliates and subsidiaries, wherever located, in order to deter to the fullest extent possible a recurrence or continuation of the export giving rise to the President's determination.

(d) FORM.—If the President considers it appropriate, the determination and report of the President under subsection (a), or appropriate parts thereof, may be transmitted in classified form.

SEC. 910. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

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

(2) DEFENSE ARTICLES AND DEFENSE SERVICES.—The term ''defense articles and defense services'' has the meaning given the term in section 47(7) of the Arms Export Control Act (22 U.S.C. 2794 note).

(3) DUAL USE.—The term ''dual use'' means, with respect to goods or technology, those goods or technology that are specifically designed or developed for civil purposes but which also may be used or deployed in a military or proliferation mode. Such term does not include purely commercial items.

(4) EXPORT.—The term ''export'' has the meaning given that term in section 120.17 of the International Traffic in Arms Regulations, and includes re-exports, transfers, and retransfers by any means.

(5) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' means those regulations contained in sections 730 through 774 of title 15, Code of Federal Regulations (or successor regulations).

(6) FOREIGN GOVERNMENT.—The term ''foreign government'' has the meaning given the term in section 38(g)(9)(B) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(B)).

(7) FOREIGN PERSON.—The term ''foreign person'' has the meaning given the term in section 38(g)(9)(C) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(C)).

(8) GOOD.—The term ''good'' has the meaning given the term in section 16(3) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(3)).

(9) INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.—The term ''International Traffic in Arms Regulations'' means those regulations contained in sections 120 through 130 of title 22, Code of Federal Regulations (or successor regulations).

(10) ITEM.—The term ''item'' means any good or technology, defense article or defense service subject to the export jurisdiction of the United States under law or regulation.

(11) LICENSE.—The term ''license'' means an official written document of the United States Government issued pursuant to the Export Administration Regulations or the International Traffic in Arms Regulations, as the case may be, authorizing a specific export.

(12) OTHER FORMS OF APPROVAL.—The term ''other forms of approval'' includes any authorization, rule or exemption contained in any statute or regulation that permits an export without a license.

(13) OWNERSHIP OR CONTROL.—The term ''ownership or control'' has the meaning given the term in section 122.2(c) of the International Traffic in Arms Regulations.

(14) PERSON.—The term ''person'' has the meaning given the term in section 38(g)(9)(E) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(E)).

(15) TECHNOLOGY.—The term ''technology'' has the meaning given the term in section 16(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(4)).

(16) UNITED STATES MUNITIONS LIST.—The term ''United States Munitions List'' means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Illinois (Mr. HYDE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

When H.R. 3100, the East Asia Security Act of 2005, fell short last week of the two-thirds' majority required under suspension of the rules, it was a welcome development for the People's Republic of China. It was also good news for European firms seeking ever more lucrative arms contracts with China. Since the vote took place on July 14, Bastille Day, it was a very good day for the French, who had been championing European arms sales to China as a way of balancing U.S. influence. But, most assuredly, it was the wrong outcome for U.S. national security, and that is why I am bringing this matter up again today as an amendment to the State Department bill.

I am very honored to be joined on this amendment by the gentleman from California (Mr. LANTOS), the ranking Democratic member of the committee, and the gentleman from California (Mr. HUNTER), chairman of the Committee on Armed Services. I am also delighted that the gentleman from Illinois (Mr. MANZULLO), chairman of the Committee on Small Business, now joins in cosponsoring the East Asia Security Act. Certain changes have been made to make it abundantly clear that its purpose and provisions relate to international transfers of armaments and associated technology to China, and not to normal commercial trade involving the civilian economy.

Some Members may believe the bill could be stronger, and no doubt it could be stronger, and it may become necessary to do that in future years. But for now, I am persuaded the legislation does what is needed to reflect the profound concerns we have about European arms technology in China's growing arsenal. It also provides a legislative framework for managing this issue, which a majority of both parties can strongly endorse.

The right outcome for our national security interests is to add the East Asia Security Act to the State bill by adopting this amendment.

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This will send a strong message to European companies that their arms sales to China must stop. It will let China know it must cease its unjustified and threatening military buildup. Most importantly, it will assure our Armed Forces deployed in East Asia that their security is not subordinate to any commercial interest, foreign or domestic.

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

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment. I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, I rise in strong support of the Hyde-Lantos amendment, the East Asia Security Act of 2005, to stop the transfer of sophisticated arms and military technology to China. At the outset I want to pay tribute to my good friend and colleague, the gentleman from Illinois (Chairman HYDE), for his leadership on this issue.

Mr. Chairman, one day, which we all hope will never come, tens of thousands of American troops may be called upon to help in the defense of Taiwan against Chinese aggression. China is vastly increasing its military power, especially its ability to utilize high-tech weaponry to quickly overwhelm Taiwan's defenses. China is actively seeking Western arms and high technology to further this goal, and, unfortunately, some European companies and some European countries are all too willing to sell them whatever they wish. In 2003 alone, France, Italy, Germany and the Czech Republic sold some half a billion dollars worth of high-tech military equipment to China.

Earlier this year, Mr. Speaker, we faced a very serious problem in this body when the European Union announced its intention to lift the arms embargo on the sale of sophisticated weapons to China.

In February of this year, this House adopted H. Res. 57, sponsored by the gentleman from Illinois (Chairman HYDE) and myself. That resolution called upon the Europeans to maintain their embargo on arms sales to China. Our resolution was adopted by a vote of 411 to 3. The European countries received the message and the effort to lift the embargo was quietly dropped. I welcomed that action by the European Union.

However, it is no longer enough just to maintain a paper embargo. Europe must give up any plans to engage in this dangerous trade, which could be potentially devastating, and the Hyde-Lantos amendment provides the President with the necessary tools to deal with the issue.

Our amendment covers any nation whose policies permit the export of dangerous military technology to China. At the President's discretion, he can publicize the activities of any country that is transferring militarily sensitive goods and technology to the People's Republic of China, and the President will have the authority to impose sanctions if he chooses.

Our amendment is important to persuade all other countries that there will be severe consequences if they fail to respect the security interests of their most important ally, the United States of America. I urge all of my colleagues to support the bill.

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

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. HUNTER), the chairman of the Committee on Armed Services.

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

Mr. Chairman, this amendment is as important as spending bills in the defense appropriations measures or the defense authorization measures, because this will give the President the tools that he needs to make sure that we do not see Western technology, either from the United States or our allies, moving ultimately to battlegrounds in the future on some unfortunate date when that technology, developed by American allies, may end up being used to kill young Americans on the battlefield. It is a very, very important amendment. I hope all Members will vote for it.

I salute the authors, the gentleman from California (Mr. LANTOS) and the gentleman from Illinois (Mr. HYDE). I have watched the gentleman from Illinois (Mr. HYDE) for 20-some years standing up on this floor during the Cold War, during the Contra wars. When the Berlin Wall fell, it did not fall simply under the forceful leadership of Ronald Reagan, but also the great eloquence and eloquent leadership of the gentleman from Illinois (Mr. HYDE) over the last many years.

So, again, both gentleman have answered the call of our country to national security, and I would hope that every Member votes for this amendment.

Mr. LANTOS. Mr. Chairman, I am delighted to yield the balance of my time to the distinguished gentleman from Oregon (Mr. BLUMENAUER), a member of the Committee on International Relations.

The CHAIRMAN. The gentleman from Oregon is recognized for 1½ minutes.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy and the work going on here.

Mr. Chairman, earlier we had a flurry of activity, because this is a complex and controversial area. I appreciate my other friend from Illinois helping spotlight some of the potential problems that we have potentially of overreaching in terms of what we want to do dealing with export controls and dual-use technology.

This is an area that if we are not careful, if it is not carefully crafted, could potentially boomerang against American interests. It could actually undermine what we want and in fact encourage the flow of business away from the United States and actually encourage other countries to step in and accelerate their development.

I think there has been a lot of hard work done to sort of try and hit the sweet spot here, to try and deal with some very real concerns about proliferation of sensitive technology, but to also be sensitive to the needs of American technology-based industries.

We have had conversations in our committee in the past. Some of what we have done I think needs to catch up with where technology has gone.

There is probably more technology at home in the bedroom of Emily Ann in my house than the United States had when it developed the atomic bomb in terms of computer technology. We need to be I think sensitive to making sure that we do not put a stranglehold on American interests and that we are able to move forward to deal with our legitimate interests.

I hope that as we move forward with this, that there is an opportunity for us to have a broader conversation about dual-use applications, about export controls, and be able to move forward in the future with the sophistication that it deserves.

Mr. HYDE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Illinois (Mr. MANZULLO), the chairman of the Committee on Small Business.

Mr. MANZULLO. Mr. Chairman, I rise in strong support of the Hyde-Lantos-Hunter-Manzullo amendment and associate myself with the remarks of the gentleman from Oregon (Mr. BLUMENAUER) that sometimes we all are headed in the same direction, but it is extremely important to craft the legislation in order to achieve its intended purpose.

The issue came up last week. It did not pass on a suspension. Mostly because of my activity on the floor, it failed at that point. Our staffs subsequently got together and came up with an amendment that makes sure that the Chinese army does not receive sensitive information from our allies and, at the same time, it does not hinder the export of our valuable manufacturing.

So I want to commend the gentleman from Illinois (Chairman HYDE), the gentleman from California (Chairman HUNTER) and the gentleman from California (Mr. LANTOS) for coming up with an excellent resolution, all aimed towards making sure that we preserve our manufacturing base, and at the same time we do not give any technology to the People's Liberation

Army. I urge a yes vote on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 14 printed in part B of House Report 109–175.

AMENDMENT NO. 14 OFFERED BY MR. ACKERMAN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. ACKERMAN:

Page 16, strike lines 1 through 4 and insert the following new paragraph:

(6) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—

(A) For ''Protection of Foreign Missions and Officials'', $15,000,000 for fiscal year 2006 and $15,000,000 for fiscal year 2007.

(B) In addition to amounts authorized to be appropriated under subparagraph (A), there are authorized to be appropriated $19,580,000 for ''Protection of Foreign Missions and Officials'' only to reimburse the City of New York for necessary expenses incurred since 2002 for the protection of foreign missions and officials.

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from New York (Mr. ACKERMAN) and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, the Department of State pays for services to protect foreign missions and officials in the U.S. In New York City, the city lays out the money and gets reimbursed. Under this program, it is the New York City Police Department that protects foreign missions and officials, including meetings at the United Nations such as the General Assembly.

Over the past several years, Congress has authorized and appropriated approximately $10 million per year for this program. However, the cost of providing these services has increased substantially, as we can imagine, since September 11, 2001, while the authorizing appropriated level for the program has remained the same. This has led to an accumulation of State Department debt which was approved but remains unpaid to the City of New York.

While New York is not the only city where such services are called for by the State Department, Los Angeles and Chicago occasionally, among others, provide these services as well, New York is the only city owed money by the State Department.

The amendment raises the authorized level for the program to $15 million in each year for fiscal years 2006 and 2007, and also authorizes the State Department to pay $19.58 million in back payments for expenses incurred since 2002.

Mr. Chairman, in New York City the State Department has found a flexible and consistent partner willing to front the money as well as a cost-effective solution to address an important security concern when leaders from around the world gather at the United Nations or elsewhere in New York. The least we can do is authorize the program at a level that allows the State Department to pay its bills in a timely way.

I want to thank the gentleman from Illinois (Chairman HYDE) and the ranking member, the gentleman from California (Mr. LANTOS), for their support and cooperation and leadership and help, and to thank the gentleman from New York (Mr. KING), who is the cosponsor of this amendment, for his great work in solving and resolving the issue.

I urge all of our colleagues to support the amendment.

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

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the amendment, but I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, while H.R. 2601 funds the protection of foreign missions operations' account at the administration's request of $9.39 million, there are ongoing recurrent high expenses for the protection of foreign missions and officials, especially in New York, that make this amendment necessary. In addition, the Department of State agrees that the City of New York is owed $19.58 million in back payments for security work the city has done in relation to the United Nations.

This amendment authorizes the necessary funds to pay what we owe to New York for protection services already provided and covers projected costs in the next two fiscal years. The majority accepts and supports the amendment.

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

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

Mr. LANTOS. Mr. Chairman, I want to thank my friend from New York for yielding me time.

Mr. Chairman, I rise in strong support of the amendment offered by my distinguished colleague on the Committee on International Relations. For many years now, the City of New York has provided invaluable services to the Federal Government by providing protection on behalf of the Department of State in New York to the U.N. and to the permanent missions of its member states.

The State Department's representatives have recently informed our committee that they are in full agreement with the City of New York that the Federal Government owes some $20 million to the city for services provided.

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The Ackerman amendment would provide the authority to the Secretary of State to make good on this debt, and it will provide new resources to the protection of foreign missions as we move forward to ensure that further arrearages to the City of New York will be avoided.

I commend the gentleman on his amendment, and I urge all of my colleagues to vote for it.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ACKERMAN).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 15 printed in part B of House Report 109–175.

AMENDMENT NO. 15 OFFERED BY MR. BLUNT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. BLUNT:

In subtitle B of title XI, redesignate sections 1111 through 1126 as sections 1121 through 1136, respectively.

At the end of subtitle A of title XI, add the following new section:

SEC. 1111. STATEMENT OF POLICY RELATING TO INTERNATIONAL TAXATION.

(a) POLICY.—It is the policy of the United States to use the voice, vote, and influence of the United States to vigorously oppose any international or global tax that is or may be considered or promoted by the United Nations, its specialized or affiliated agencies, its Member States, or United Nations-recognized nongovernmental organizations.

(b) EFFORTS.—United States representatives at the United Nations shall—

(1) use the voice, vote, and influence of the United States to vigorously oppose any effort by the United Nations or any of its specialized or affiliated agencies to fund, approve, advocate, or promote any proposal concerning the imposition of a tax or fee on any United States person in order to raise revenue for the United Nations or any such agency; and

(2) declare that a United States person shall not be subject to any international tax and shall not be required to pay such tax if such tax is levied against such person.

(c) EXCEPTION.—The policy described in subsection (a) shall not apply to fees for publications or other kinds of fees that are not tantamount to a tax on a United States person.

(d) PERSON DEFINED.—For purposes of this section, the term ''person'' has the meaning given such term in section 7701(a)(1) of the Internal Revenue Code of 1986 (26 U.S.C. 7701(a)(1)).

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Missouri (Mr. BLUNT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Missouri (Mr. BLUNT).

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

Mr. Chairman, what this amendment does is it opposes the creation of any international or global tax by the U.N. or its affiliate agencies. Global taxes imposed by leaders of foreign governments on United States citizens are clearly at odds with the Constitution and the tradition of our country. The Constitution says: ''The Congress shall have the power to lay and collect taxes, duties, imposts, and excises.'' It is our responsibility as the elected representatives of the people to ensure that no outside entity can ever collect revenue directly from U.S. citizens.

This concept of global taxation is not as unimaginable as it may seem. In fact, it is being actively advocated now. A new book, ''Innovative Sources of Development Finance,'' which is widely cited by U.N. bureaucrats, raises the specter of such taxes. Some estimates suggest that if fully implemented, the taxes could levy as much as $13 trillion a year. According to the book I just cited and the staffers at the U.N., the global taxation project is being coordinated by the U.N. Department of Economic and Social Affairs and the U.N. University's World Institute for Development Economics. Even a figure as prominent as George Soros supports global taxation on the American people, stating support recently for an international tax ''not only on currency transactions, but also on all financial transactions.''

Let me just give my colleagues a few examples, Mr. Chairman. The U.N. Convention on the Law of the Sea, which the United States Senate has wisely refused to ratify for 25 years, contains provisions requiring U.S. companies that would eventually engage in deep sea mineral extraction within our own coastal waters to pay a ''mandatory royalty'' to an international entity.

Shortly before this year's G–8 Summit in Scotland, several European leaders, including President Jacques Chirac of France, suggested the creation of an ''international airline tax'' that would raise revenue from airline passengers to help finance global development projects.

In the most disturbing effort of all, this September the U.N. plans to hold a plenary meeting to close a $65 billion annual gap in its budget. A senior U.N. staffer to Kofi Annan recently suggested the most effective way to close this gap would be to generate revenue through a global tax.

As these examples clearly show, the international community through the U.N. could very easily move in this direction.

This amendment, Mr. Chairman, just says that no one representing our country, no one spending money on behalf of our country could advocate or support in any way taxes levied in these ways, and I think it is an important addition to the bill.

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

The CHAIRMAN. Does any Member seek time in opposition to the Blunt amendment?

Mr. BLUNT. Mr. Chairman, I yield 1 minute to my friend, the gentleman from Indiana (Mr. SODREL).

Mr. SODREL. Mr. Chairman, I thank the gentleman from Missouri for yielding me this time.

The American people have given the United States Congress the sole authority to levy taxes for the support of our national government. They have not given any constitutional authorization to any global organization to tax them, either directly or indirectly. It is important that we make perfectly clear to the United Nations that any effort towards international or global taxation is entirely unacceptable.

We are currently paying almost 25 percent of the U.N.'s $2 billion annual budget. Many of my constituents already question whether that money is well spent. The Oil-For-Food questions have done little to instill confidence in the U.N. on the part of the American taxpayer.

I urge my colleagues to support this amendment. We do not want any misunderstanding on the part of the U.N. as to our position on the issue of international or global taxation.

I thank the gentleman for this amendment.

Mr. BLUNT. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Chairman, I thank the gentleman for yielding me this time; and more importantly, I thank him for his leadership on the Blunt amendment. Sometimes one has to go to Missouri to state the obvious. The Blunt amendment does just that, but it does it with real teeth.

Like many of the reforms in this legislation that we will seek to move today, the Blunt amendment not only requires every representative of the United States on every U.N. body to oppose the creation of an international tax, but it also clearly states that United States citizens and corporations are exempt from any taxation that is imposed on the United Nations.

This is the kind of show-me clarity that the American people have come to expect from Missourans. I am grateful for the Blunt amendment. What you tax you get less of. What you subsidize you get more of. We have subsidized the United Nations as an experiment in a world forum, but we must not permit the United Nations to become an entity of taxation on the American people or for our part the world.

Mr. BLUNT. Mr. Chairman, we have no other speakers. I look forward to this amendment being included in the legislation, and I am certainly grateful to our good friend, the gentleman from Illinois (Chairman HYDE), for bringing this legislation to the floor.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. BLUNT).

The amendment was agreed to.

MODIFICATION TO AMENDMENT NO. 2 OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, I ask unanimous consent that amendment No. 2 be modified by the form I have placed at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 2 offered by Mr. HYDE:

After page 6, insert the following:

(c) UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.—Section 11 of the United Nations Participation Act of 1945 (22 U.S.C. 287e–3) is amended to read as follows:

''SEC. 11. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

''(a) POLICY OF THE UNITED STATES RELATING TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—

''(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to—

''(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

''(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (2) of subsection (c) from the regular assessed budget to voluntarily funded programs.

''(2) UNITED STATES CONTRIBUTIONS.—It shall be the policy of the United States to—

After page 20 insert the following:

tions, each specialized agency has developed a standardized methodology for the evaluation of the programs of the agency, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of such evaluations, identifying programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.

(D) SUNSET OF PROGRAMS.—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each specialized agency has established and is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.

After page 82, insert the following:

been trained concerning the requirements of the Code of Conduct and each has been given a personal copy of the Code, translated into the national language of such personnel.

(C) All personnel, regardless of category or rank, are required to sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code, and that each understands the consequences of violating the Code, including the immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of the appointment to such operation.

(D) All peacekeeping operations have designed and implemented educational outreach programs to reach local communities where peacekeeping personnel of such operations are based to explain prohibited acts on the part of United Nations peacekeeping personnel and to identify the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

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

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

There was no objection.

The CHAIRMAN. Without objection, the modification is agreed to.

There was no objection.

The text of the amendment, as modified, is as follows:

Redesignate title XI as title XII and redesignate sections 1101 through 1126 as sections 1201 through 1226, respectively (and conform the table of contents accordingly).

Insert after title X the following new title (and conform the table of contents accordingly):

TITLE XI—HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

SECTION 1101. SHORT TITLE.

This title may be cited as the ''Henry J. Hyde United Nations Reform Act of 2005''.

SEC. 1102. DEFINITIONS.

In this title:

(1) EMPLOYEE.—The term ''employee'' means an individual who is employed in the general services, professional staff, or senior management of the United Nations, including contractors and consultants.

(2) GENERAL ASSEMBLY.—The term ''General Assembly'' means the General Assembly of the United Nations.

(3) MEMBER STATE.—The term ''Member State'' means a Member State of the United Nations. Such term is synonymous with the term ''country''.

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

(5) SECRETARY GENERAL.—The term ''Secretary General'' means the Secretary General of the United Nations.

(6) SECURITY COUNCIL.—The term ''Security Council'' means the Security Council of the United Nations.

(7) SPECIALIZED AGENCIES AND SPECIALIZED AGENCIES OF THE UNITED NATIONS.—The terms ''specialized agencies'' and ''specialized agencies of the United Nations'' mean—

(A) the Food and Agriculture Organization (FAO);

(B) the International Atomic Energy Agency (IAEA);

(C) the International Civil Aviation Organization (ICAO);

(D) the International Fund for Agricultural Development (IFAD);

(E) the International Labor Organization (ILO);

(F) the International Maritime Organization (IMO);

(G) the International Telecommunication Union (ITU);

(H) the United Nations Educational, Scientific, and Cultural Organization (UNESCO);

(I) the United Nations Industrial Development Organization (UNIDO);

(J) the Universal Postal Union (UPU);

(K) the World Health Organization (WHO) and its regional agencies;

(L) the World Meteorological Organization (WMO); and

(M) the World Intellectual Property Organization (WIPO).

SEC. 1103. STATEMENT OF CONGRESS.

Congress declares that, in light of recent history, it is incumbent upon the United Nations to enact significant reform measures if it is to restore the public trust and confidence necessary for it to achieve the laudable goals set forth in its Charter. To this end, the following Act seeks to reform the United Nations.

Subtitle A—Mission and Budget of the United Nations

SEC. 1111. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

(a) STATEMENTS OF POLICY.—

(1) IN GENERAL.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—

(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (4) from the regular assessed budget to voluntarily funded programs.

(2) UNITED STATES CONTRIBUTIONS.—It shall be the policy of the United States to—

(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):

(i) Public Information.

(ii) General Assembly affairs and conference services.

(3) FUTURE BIENNIUM BUDGETS.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that future biennial budgets of the United Nations, as agreed to by the General Assembly, reflect the shift in funding mechanisms described in paragraph (1)(B) and the redirection of funds described in paragraph (2).

(4) CERTAIN ORGANIZATIONAL PROGRAMS.—The organizational programs referred to in paragraph (1)(B) are the following:

(A) Economic and social affairs.

(B) Least-developed countries, landlocked developing countries and small island developing States.

(C) United Nations support for the New Partnership for Africa's Development.

(D) Trade and development.

(E) International Trade Center UNCTAD/WTO.

(F) Environment.

(G) Human settlements.

(H) Crime prevention and criminal justice.

(I) International drug control.

(J) Economic and social development in Africa.

(K) Economic and social development in Asia and the Pacific.

(L) Economic development in Europe.

(M) Economic and social development in Latin America and the Caribbean.

(N) Economic and social development in Western Asia.

(O) Regular program of technical cooperation.

(P) Development account.

(Q) Protection of and assistance to refugees.

(R) Palestine refugees.

(b) AUTHORIZATION WITH RESPECT TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—Subject to the amendment made by subsection (c), the Secretary of State is authorized to make contributions toward the amount assessed to the United States by the United Nations for the purpose of funding the regular assessed budget of the United Nations.

(c) UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.—Section 11 of the United Nations Participation Act of 1945 (22 U.S.C. 287e–3) is amended to read as follows:

''SEC. 11. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

''(a) POLICY OF THE UNITED STATES RELATING TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—

''(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to—

''(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

''(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (2) of subsection (c) from the regular assessed budget to voluntarily funded programs.

''(2) UNITED STATES CONTRIBUTIONS.—It shall be the policy of the United States to—

''(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

''(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):

''(i) Public Information.

''(ii) General Assembly affairs and conferences services.

''(3) FUTURE BIENNIUM BUDGETS.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the shifting of funding mechanisms under paragraph (1)(B) and redirecting of contributions under paragraph (2) be reflected in future resolutions agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium. To achieve the policies described in paragraphs (1) and (2), the United States Permanent Representative to the United Nations shall withhold the support of the United States for a consensus for such budget until such time as such budget is reflective of such policies.

''(b) 22 PERCENT LIMITATION.—In accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, the Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under subsection (c).

''(c) ANNUAL DUES.—

''(1) IN GENERAL.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in subsection (b) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for a current biennial period, as agreed to by resolution of the General Assembly.

''(2) CALCULATION WITH RESPECT TO CERTAIN ORGANIZATIONAL PROGRAMS FOR REDIRECTION.—The percentage specified in subsection (b) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for a current biennial period for the following certain organizational programs:

''(A) Economic and social affairs.

''(B) Least-developed countries, landlocked developing countries and small island developing States.

''(C) United Nations support for the New Partnership for Africa's Development.

''(D) Trade and development.

''(E) International Trade Center UNCTAD/WTO.

''(F) Environment.

''(G) Human settlements.

''(H) Crime prevention and criminal justice.

''(I) International drug control.

''(J) Economic and social development in Africa.

''(K) Economic and social development in Asia and the Pacific.

''(L) Economic development in Europe.

''(M) Economic and social development in Latin America and the Caribbean.

''(N) Economic and social development in Western Asia.

''(O) Regular program of technical cooperation.

''(P) Development account.

''(Q) Protection of and assistance to refugees.

''(R) Palestine refugees.

''(3) REDIRECTION OF FUNDS.—Of amounts appropriated for contributions towards payment of regular assessed dues to the United Nations for 2008 and each subsequent year, if the funding mechanisms of one or more of the organizational programs of the United Nations specified in paragraph (2) have not been shifted from the regular assessed budget to voluntarily funded programs in accordance with subsection (a)(1), the Secretary shall ensure that such amounts in each such fiscal year that are specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium are redirected from payment of the assessed amount for the regular assessed budget as follows:

''(A) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend an amount, not to exceed 40 percent of the amount specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium, as a contribution to an eligible organizational program specified in paragraph (4).

''(B) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend the remaining amounts under this paragraph to voluntarily funded United Nations specialized agencies, funds, or programs.

''(4) ELIGIBLE ORGANIZATIONAL PROGRAMS.—The eligible organizational programs referred to in paragraph (3)(A) for redirection of funds under such paragraph are the following:

''(A) Internal oversight.

''(B) Human rights.

''(C) Humanitarian assistance.

''(D) An organizational program specified in subparagraphs (A) through (P) of paragraph (2), subject to paragraph (5).

''(5) EXPENDITURE OF REMAINING AMOUNTS TO CERTAIN ORGANIZATION PROGRAMS.—

''(A) VOLUNTARY CONTRIBUTION.—Subject to not less than 30 days prior notification to Congress and the limitation specified under subparagraph (B), the Secretary is authorized to make a voluntary contribution to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) of any amounts not contributed in a fiscal year to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4).

''(B) 10 PERCENT LIMITATION.—A voluntary contribution under subparagraph (A) to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) may not exceed 10 percent of the total contribution made under paragraph (3)(A).

''(d) FURTHER CALCULATION WITH RESPECT TO BUDGETS FOR PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—

''(1) 22 PERCENT LIMITATION.—The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under paragraph (2).

''(2) ANNUAL DUES EACH FISCAL YEAR.—

''(A) IN GENERAL.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in paragraph (1) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for a current biennial period, as agreed to by resolution of the General Assembly.

''(B) CALCULATION WITH RESPECT TO PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—With respect to such United States annual dues, the percentage specified in paragraph (1) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for the 2004–2005 biennial period for the following organizational programs:

''(i) Public Information.

''(ii) General Assembly affairs and conferences services.

''(C) REDIRECTION OF FUNDS.—

''(i) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) for 2007 by 10 percent against the budgets of such organizational programs for the 2004–2005 biennial period. If the budgets of such organizational programs are not so reduced, 20 percent the amount determined under subparagraph (B) for contributions towards payment of regular assessed dues for 2007 shall be redirected from payment for the amount assessed for United States annual contributions to the regular assessed budget of the United Nations.

''(ii) SPECIFIC AMOUNTS.—The Secretary shall make the amount determined under clause (i) available as a contribution to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4) of subsection (c).

''(3) POLICY WITH RESPECT TO 2008–2009 BIENNIAL PERIOD AND SUBSEQUENT BIENNIAL PERIODS.—

''(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) of paragraph (2) for the 2008–2009 biennial period and each subsequent biennial period by 20 percent against the budgets of such organizational programs for the 2004–2005 biennial period.

''(B) CERTIFICATION.—In accordance with section 1171 of the Henry J. Hyde United Nations Reform Act of 2005, a certification shall be required that certifies that the reduction in budgets described in subparagraph (A) has been implemented.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall take effect and apply beginning on October 1, 2006.

(e) LIMITATION ON UNITED STATES CONTRIBUTIONS TO UNRWA.—The Secretary of State may not make a contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in an amount greater than the highest contribution to UNRWA made by an Arab country, but may not exceed 22 percent of the total budget of UNRWA. For purposes of this subsection, an Arab country includes the following: Algeria, Bahrain, Comoros, Dijibouti, Egypt, Iran, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates, Iraq, and Yemen.

(f) POLICY RELATING TO ZERO NOMINAL GROWTH.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to make every effort to enforce zero nominal growth in all assessed dues to the regular budget of the United Nations, its specialized agencies, and its funds and programs.

(g) 5.6 Rule.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to actively enforce the 5.6 rule at the United Nations, requiring the Secretariat to identify low-priority activities in the budget proposal. The United Nations should strengthen the 5.6 rule by requiring that managers identify the lowest priority activities equivalent to 15 percent of their budget request or face an across the board reduction of such amount.

(h) ANNUAL PUBLICATION.—It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to ensure the United Nations is annually publishing a list of all subsidiary bodies and their functions, budgets, and staff.

(i) SCALE OF ASSESSMENTS.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the difference between the scale of assessments for the five permanent members of the Security Council is not greater than five times that of any other permanent member of the Security Council.

(2) DENIAL OF USE OF VETO.—If the Secretary of State determines that a permanent member of the Security Council with veto power is not in compliance with the requirement described in paragraph (1), the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to deny to such permanent member the use of the veto power of such permanent member until such time as such permanent member satisfies the requirement of such paragraph.

SEC. 1112. WEIGHTED VOTING.

It shall be the policy of the United States to actively pursue weighted voting with respect to all budgetary and financial matters in the Administrative and Budgetary Committee and in the General Assembly in accordance with the level of the financial contribution of a Member State to the regular assessed budget of the United Nations.

SEC. 1113. BUDGET CERTIFICATION REQUIREMENTS.

(a) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the conditions described in subsection (b) have been satisfied.

(b) CONDITIONS.—The conditions under this subsection are the following:

(1) NEW BUDGET PRACTICES FOR THE UNITED NATIONS.—The United Nations is implementing budget practices that—

(A) require the maintenance of a budget not in excess of the level agreed to by the General Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus and do not exceed ten percent; and

(B) require the identification of expenditures by the United Nations by functional

categories such as personnel, travel, and equipment.

(2) PROGRAM EVALUATION.—

(A) EXISTING AUTHORITY.—The Secretary General and the Director General of each specialized agency have used their existing authorities to require program managers within the United Nations Secretariat and the Secretariats of the specialized agencies to conduct evaluations in accordance with the standardized methodology referred to in subparagraph (B) of—

(i) United Nations programs approved by the General Assembly; and

(ii) programs of the specialized agencies.

(B) DEVELOPMENT OF EVALUATION CRITERIA.—

(i) UNITED NATIONS.—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(ii) SPECIALIZED AGENCIES.—Patterned on the work of the Office of Internal Oversight Services of the United Nations, each specialized agency has developed a standardized methodology for the evaluation of the programs of the agency, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of such evaluations, identifying programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.

(D) SUNSET OF PROGRAMS.—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each specialized agency has established and is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.

SEC. 1114. ACCOUNTABILITY.

(a) CERTIFICATION OF CREATION OF INDEPENDENT OVERSIGHT BOARD.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of an Independent Oversight Board (IOB) have been adopted by the United Nations:

(1) An IOB is established from existing United Nations budgetary and personnel resources. Except as provided in this subsection, the IOB shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations.

(2) The head of the IOB shall be a Director, who shall be nominated by the Secretary General and who shall be subject to Security Council approval by a majority vote. The IOB shall also consist of four other board members who shall be nominated by the Secretary General and subject to Security Council approval by a majority vote. The IOB shall be responsible to the Security Council and the Director and board members shall each serve terms of six years, except that the terms of the initial board shall be staggered so that no more than two board members' terms will expire in any one year. No board member may serve more than two terms. An IOB board member may be removed for cause by a majority vote of the Security Council. The Director shall appoint a professional staff headed by a Chief of Staff and may employ contract staff as needed.

(3) The IOB shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources, and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(4) While the IOB shall have the authority to evaluate all operations of the United Nations, the primary mission of the IOB is to oversee the Office of Internal Oversight Services and the Board of External Auditors. The IOB may direct the Office of Internal Oversight Services or the Board of External Auditors to initiate, abandon, or modify the scope of an investigation. Every three months or more frequently when appropriate, the IOB shall submit, as appropriate, to the Secretary General, the Security Council, the General Assembly, or the Economic and Social Council a report on its activities, relevant observations, and recommendations relating to its audit operations, including information relating to the inventory and status of investigations by the Office of Internal Oversight Services.

(5) In extraordinary circumstances and with the concurrence of the Secretary General or the Security Council by majority vote, the IOB may augment the Office of Internal Oversight Services with a special investigator and staff consisting of individuals who are not employees of the United Nations, to investigate matters involving senior officials of the United Nations or of its specialized agencies when allegations of serious misconduct have been made and such a special investigation is necessary to maintain public confidence in the integrity of the investigation. A special investigator and staff shall comply with all United Nations financial disclosure and conflict of interest rules, including the filing of an individual Annual Financial Disclosure Form in accordance with subsection (c).

(6) The IOB shall recommend annual budgets for the Office of Internal Oversight Services and the Board of External Auditors.

(7)(A) The IOB shall review the Final Report of the Independent Inquiry Committee (IIC) into the United Nations Oil for Food Program (OFF). The IOB's review should focus on the adequacy of the IIC's Final Report or any subsequent reports of the IIC or of any possible successor to the IIC. The IOB's review of the IIC's Final Report should address the Final Report's treatment of and adequacy in the following areas—

(i) OFF's operations from inception through the transfer of power from the Coalition Provisional Authority to the interim Iraqi government;

(ii) claims of oil smuggling, illegal surcharges on oil and commissions on commodity contracts, illegal kick-backs, use of oil allocations to influence foreign government officials and international people of influence, and use of funds for military purposes;

(iii) the involvement, directly or indirectly, of any entity, bureau, division, department, specialized agency, or employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations or any employee or officer of the Secretariat;

(iv) the IIC's findings, discovery and use of evidence, and investigation practices; and

(v) the extent of cooperation by the United Nations with requests by Congress for testimony, interviews, documents, correspondence, reports, memoranda, books, papers, accounts, or records related to the Oil for Food Program.

(B) Subsequent to the IOB's review, the IOB shall determine in a written report whether the IIC investigation is incomplete or inadequate in any respects and whether any additional investigation is justified. If the IOB determines that additional investigation is warranted, it shall appoint, in accordance with paragraph (5), a special investigator and staff consisting of individuals who are not employees of the United Nations and to identify specific areas within the OFF to investigate.

(b) CERTIFICATION OF UNITED NATIONS REFORMS OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the Office of Internal Oversight Services (OIOS) have been adopted by the United Nations:

(1) The OIOS is designated as an independent entity within the United Nations. The OIOS shall not be subject to budget authority or organizational authority of any entity within the United Nations except as provided in this section.

(2) The regular assessed budget of the United Nations shall fully fund the Internal Oversight Budget from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(3) All United Nations officials, including officials from any entity, bureau, division, department, or specialized agency of the United Nations, may—

(A) make a recommendation to the OIOS to initiate an investigation of any aspect of the United Nations; or

(B) report to the OIOS information or allegations of misconduct or inefficiencies within the United Nations.

(4) The OIOS may, *sua sponte*, initiate and conduct an investigation or audit of any entity, bureau, division, department, specialized agency, employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations, or contractor or consultant for the United Nations or its specialized agencies.

(5) At least every three months and more frequently when appropriate, the OIOS shall submit to the IOB a report containing an inventory and status of its investigations.

(6) The OIOS shall establish procedures for providing ''whistle-blower'' status and employment protections for all employees of the United Nations, including employees of the specialized agencies of the United Nations, who provide informational leads and testimony related to allegations of wrongdoing. Such procedures shall be adopted throughout the United Nations. Such status and protection may not be conferred on the Secretary General.

(7) The OIOS shall annually publish a public report determining the proper number, distribution, and expertise of auditors within the OIOS necessary to carry out present and future duties of the OIOS, including assessing the staffing requirements needed to audit United Nations contracting activities throughout the contract cycle from the bid process to contract performance.

(8) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Specialized Agencies and Funds and Programs who shall be responsible for supervising the OIOS liaison or oversight duties for each of the specialized agencies and funds and programs of the United Nations. With the concurrence of the Director, the Associate Director of OIOS for Specialized Agencies and Funds and Programs may, from existing levels of United Nations budgetary and personnel resources,

hire and appoint necessary OIOS staff, including staff serving within and located at specialized agencies and funds and programs permanently or as needed to liaison with existing audit functions within each specialized agency and fund and program.

(9) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Peacekeeping Operations, who shall be responsible for the oversight and auditing of the field offices attached to United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or peacekeeping troops or regarding inefficiencies associated with United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall be responsible for initiating, conducting, and overseeing investigations within peacekeeping operations.

(10) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Procurement and Contract Integrity, who shall be responsible for auditing and inspecting procurement and contracting win the United Nations, including within the specialized agencies. The Associate Director of OIOS for Procurement and Contract Integrity shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or regarding inefficiencies associated with United Nations procurement or contracting activities. The Associate Director of OIOS for Procurement and Contract Integrity shall be responsible for initiating, conducting, and overseeing investigations of procurement and contract activities. Not later than 12 months after the establishment of the position of Associate Director of OIOS for Procurement and Contract Integrity, the Director, with the assistance of the Associate Director of OIOS for Procurement and Contract Integrity, shall undertake a review of contract procedures to ensure that practices and policies are in place to ensure that—

(A) the United Nations has ceased issuing single bid contracts except for such contracts issued during an emergency situation that is justified by the Under Secretary General for Management;

(B) the United Nations has established effective controls to prevent conflicts of interest in the award of contracts; and

(C) the United Nations has established effective procedures and policies to ensure effective and comprehensive oversight and monitoring of United Nations contract performance.

(c) CERTIFICATION OF ESTABLISHMENT OF UNITED NATIONS OFFICE OF ETHICS.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of a United Nations Office of Ethics have been adopted by the United Nations:

(1) A United Nations Office of Ethics (UNOE) is established. The UNOE shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations. The UNEO shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of United Nations and its specialized agencies. The UNEO shall also be responsible for providing such employees with annual training related to such code. The head of the UNEO shall be a Director who shall be nominated by the Secretary General and who shall be subject to Security Council approval by majority vote. The UNOE shall promulgate ethics rules, including the following:

(A) No employee of any United Nations entity, bureau, division, department, or specialized agency may be compensated while participating in the domestic politics of the country of such employee, except for voting or acting as part of a Security Council, General Assembly, or legitimately authorized United Nations mission or assignment.

(B) No United Nations entity, bureau, division, department, or specialized agency may hire an individual convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union for any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury.

(C) The employment of an employee of any United Nations entity, bureau, division, department, or specialized agency who is convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union of any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury shall be subject to termination.

(D) If an employee of any United Nations entity, bureau, division, department, or specialized agency has contact regarding the disposition of ongoing internal United Nations operations or decisions with an individual who is not an employee or official of the government of a Member State (or a similarly situated individual), with an individual who is not officially employed by any United Nations entity, bureau, division, department, or specialized agency, or with an individual who is not a working member of the media, a memorandum of such contact shall be prepared by such employee and, upon request, be made available to Member States.

(2) The UNEO shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(3) The Director of the UNEO shall, not later than six months after the date of its establishment, publish a report containing proposals for implementing a system for the filing and review of individual Annual Financial Disclosure Forms by each employee of the United Nations, including by each employee of its specialized agencies, at the P–5 level and above and by all contractors and consultants compensated at any salary level. Such system shall be in place and operational not later than six months after the date of the publication of the report. Such completed forms shall be made available to the Office of Internal Oversight Services at the request of the Director of the Office of Internal Oversight Services. Such system shall seek to identify and prevent conflicts of interest by United Nations employees and shall be comparable to the system used for such purposes by the United States Government. Such report shall also address broader reforms of the ethics program for the United Nations, including—

(A) the effect of the establishment of ethics officers throughout all organizations within the United Nations;

(B) the effect of retention by the UNEO of Annual Financial Disclosure Forms;

(C) proposals for making completed Annual Financial Disclosure Forms available to the public on request through their Member State's mission to the United Nations;

(D) proposals for annual disclosure to the public of information related to the annual salaries and payments, including pension payments and buyouts, of employees of the United Nations, including employees of its specialized agencies, and of consultants;

(E) proposals for annual disclosure to the public of information related to per diem rates for all bureaus, divisions, departments, or specialized agencies within the United Nations;

(F) proposals for disclosure upon request by the Ambassador of a Member State of information related to travel and per diem payments made from United Nations funds to any person; and

(G) proposals for annual disclosure to the public of information related to travel and per diem rates and payments made from United Nations funds to any person.

(d) CERTIFICATION OF UNITED NATIONS ESTABLISHMENT OF POSITION OF CHIEF OPERATING OFFICER.—In accordance with section 1171, a certification shall be required that certifies that the following reforms related to the establishment of the position of a Chief Operating Officer have been adopted by the United Nations:

(1) There is established the position of Chief Operating Officer (COO). The COO shall report to the Secretary General.

(2) The COO shall be responsible for formulating general policies and programs for the United Nations in coordination with the Secretary General and in consultation with the Security Council and the General Assembly. The COO shall be responsible for the daily administration, operation and supervision, and the direction and control of the business of the United Nations. The Chief Operating Officer shall also perform such other duties and may exercise such other powers as from time to time may be assigned to the COO by the Secretary General.

(e) CERTIFICATION OF ACCESS BY MEMBER STATES TO REPORTS AND AUDITS BY BOARD OF EXTERNAL AUDITORS.—In accordance with section 1171, a certification shall be required that certifies that Member States may, upon request, have access to all reports and audits completed by the Board of External Auditors.

(f) WAIVER OF IMMUNITY.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the Secretary General exercises the right and duty of the Secretary General under section 20 of the Convention on the Privileges and Immunities of the United Nations to waive the immunity of any United Nations official in any case in which such immunity would impede the course of justice. In exercising such waiver, the Secretary General is urged to interpret the interests of the United Nations as favoring the investigation or prosecution of a United Nations official who is credibly under investigation for having committed a serious criminal offense or who is credibly charged with a serious criminal offense.

(g) CERTIFICATION OF UNITED NATIONS COOPERATION RELATING TO OIL-FOR-FOOD PROGRAM.—

(1) ACTIONS.—In accordance with section 1171, a certification shall be required that certifies that the following actions relating to the oil-for-food program have been taken by the United Nations:

(A) The United Nations Secretary General has authorized the release to a law enforcement authority of any Member State (upon request by the permanent representative to the United Nations of such Member State on behalf of such law enforcement authority) or to a national legislative authority authentic copies of any document in the possession of the United Nations, including any document in the possession of a person who was engaged on a contract basis to provide goods or

services to the United Nations, that in the judgment of such requesting law enforcement authority or national legislative authority directly or indirectly concerns the oil-for-food program or a sanction imposed on Iraq related to the oil-for-food program.

(B) The United Nations has waived any immunity enjoyed by any United Nations official from the judicial process in the United States for any civil or criminal acts or omissions under Federal or State law that may have transpired within the jurisdiction of the United States in connection with the oil-for-food program.

(2) DEFINITION.—As used in this subsection, the term ''oil-for-food program'' means the program established and administered pursuant to United Nations Security Council Resolution 986 (April 14, 1995) and subsequent United Nations resolutions to permit the sale of petroleum products exported from Iraq and to use the revenue generated from such sale for humanitarian assistance.

SEC. 1115. TERRORISM AND THE UNITED NATIONS.

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to work toward adoption by the General Assembly of—

(1) a definition of terrorism that builds upon the recommendations of the Secretary General's High-Level Panel on Threats, Challenges, and Change, and includes as an essential component of such definition any action that is intended to cause death or serious bodily harm to civilians with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act; and

(2) a comprehensive convention on terrorism that includes the definition described in paragraph (1).

SEC. 1116. UNITED NATIONS TREATY BODIES.

The United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended with respect to a United Nations human rights treaty monitoring body or committee that was established by—

(1) a convention (without any protocols) or an international covenant (without any protocols) to which the United States is not party; or

(2) a convention, with a subsequent protocol, if the United States is a party to neither.

SEC. 1117. EQUALITY AT THE UNITED NATIONS.

(a) INCLUSION OF ISRAEL IN WEOG.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to expand the Western European and Others Group (WEOG) in the United Nations to include Israel as a permanent member with full rights and privileges.

(2) NOTIFICATION TO CONGRESS.—Not later than six months after the date of the enactment of this Act and every six months thereafter for the next six years, the Secretary of State shall notify the appropriate congressional committees concerning the treatment of Israel in the United Nations and the expansion of WEOG to include Israel as a permanent member.

(b) DEPARTMENT OF STATE REVIEW AND REPORT.—

(1) IN GENERAL.—To avoid duplicative efforts and funding with respect to Palestinian interests and to ensure balance in the approach to Israeli–Palestinian issues, the Secretary shall, not later than 60 days after the date of the enactment of this Act—

(A) conduct an audit of the functions of the entities listed in paragraph (2); and

(B) submit to the appropriate congressional committees a report containing recommendations for the elimination of such duplicative entities and efforts.

(2) ENTITIES.—The entities referred to in paragraph (1) are the following:

(A) The United Nations Division for Palestinian Rights.

(B) The Committee on the Exercise of the Inalienable Rights of the Palestinian People.

(C) The United Nations Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority.

(D) The NGO Network on the Question of Palestine.

(E) The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

(F) Any other entity the Secretary determines results in duplicative efforts or funding or fails to ensure balance in the approach to Israeli-Palestinian issues.

(c) IMPLEMENTATION BY PERMANENT REPRESENTATIVE.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the implementation of the recommendations contained in the report required under subsection (b)(1).

(2) WITHHOLDING OF FUNDS.—Until such recommendations have been implemented, the United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended for such entities.

(d) GAO AUDIT.—The Comptroller General of the United States of the Government Accountability Office shall conduct an audit of—

(1) the status of the implementation of the recommendations contained in the report required under subsection (b)(1); and

(2) United States actions and achievements under subsection (c).

SEC. 1118. REPORT ON UNITED NATIONS REFORM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall submit to the appropriate congressional committees a report on United Nations reform since 1990.

(b) CONTENTS.—The report required under paragraph (1) shall describe—

(1) the status of the implementation of management reforms within the United Nations and its specialized agencies;

(2) the number of outputs, reports, or other items generated by General Assembly resolutions that have been eliminated;

(3) the progress of the General Assembly to modernize and streamline the committee structure and its specific recommendations on oversight and committee outputs, consistent with the March 2005 report of the Secretary General entitled ''In larger freedom: towards development, security and human rights for all'';

(4) the status of the review by the General Assembly of all mandates older than five years and how resources have been redirected to new challenges, consistent with such March 2005 report of the Secretary General;

(5) the continued utility and relevance of the Economic and Financial Committee and the Social, Humanitarian, and Cultural Committee, in light of the duplicative agendas of those committees and the Economic and Social Council; and

(6) whether the United Nations or any of its specialized agencies has contracted with any party included on the Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs.

SEC. 1119. REPORT ON UNITED NATIONS PERSONNEL.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report—

(1) concerning the progress of the General Assembly to modernize human resource practices, consistent with the March 2005 report of the Secretary General entitled ''In larger freedom: towards development, security and human rights for all''; and

(2) containing the information described in subsection (b).

(b) CONTENTS.—The report shall include—

(1) a comprehensive evaluation of human resources reforms at the United Nations, including an evaluation of—

(A) tenure;

(B) performance reviews;

(C) the promotion system;

(D) a merit-based hiring system and enhanced regulations concerning termination of employment of employees; and

(E) the implementation of a code of conduct and ethics training;

(2) the implementation of a system of procedures for filing complaints and protective measures for work-place harassment, including sexual harassment;

(3) policy recommendations relating to the establishment of a rotation requirement for nonadministrative positions;

(4) policy recommendations relating to the establishment of a prohibition preventing personnel and officials assigned to the mission of a Member State to the United Nations from transferring to a position within the United Nations Secretariat that is compensated at the P–5 level and above;

(5) policy recommendations relating to a reduction in travel allowances and attendant oversight with respect to accommodations and airline flights; and

(6) an evaluation of the recommendations of the Secretary General relating to greater flexibility for the Secretary General in staffing decisions to accommodate changing priorities.

SEC. 1120. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.

Not later than one year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report on United States contributions to the United Nations. Such report shall examine assessed, voluntary, in-kind, and all other United States contributions.

SEC. 1121. UNITED NATIONS SECURITY COUNCIL AND LEBANON.

(a) RESOLUTION 1559.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the Security Council is undertaking the necessary steps to secure the implementation of Security Council Resolution 1559, including—

(1) deploying United Nations inspectors to verify and certify to the Security Council that—

(A) all foreign forces, including intelligence, security, and policing forces, have been withdrawn from Lebanon; and

(B) all militias in Lebanon have been permanently disarmed and dismantled and their weapons have been decommissioned; and

(2) continuing the presence of United Nations elections monitoring teams in Lebanon to verify and certify to the Security Council that—

(A) citizens of Lebanon are not being targeted for assassination by foreign forces, in particular by foreign forces of Syria, or by their proxies, as a means of intimidation and coercion in an effort to manipulate the political process in Lebanon;

(B) elections in Lebanon are being conducted in a fair and transparent manner and are free of foreign interference; and

(C) that such foreign forces, or their proxies, are not seeking to infringe upon the territorial integrity or political sovereignty of Lebanon.

(b) UNITED STATES ACTION.—If the steps described in paragraphs (1) and (2) of subsection (a) have not been verified and certified to the Security Council by July 31, 2005, or by the date that is not later than 30 days after the date of the enactment of this Act, whichever is sooner, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to secure the adoption of a resolution in the Security Council imposing punitive measures on the governments of countries whose forces remain in Lebanon in violation of Security Council Resolution 1559 and who directly, or through proxies, are infringing upon the territorial integrity or political sovereignty of Lebanon.

SEC. 1122. POLICY WITH RESPECT TO EXPANSION OF THE SECURITY COUNCIL.

It shall be the policy of the United States to use the voice, vote, and influence of the United States at the United Nations to oppose any proposals on expansion of the Security Council if such expansion would—

(1) diminish the influence of the United States on the Security Council;

(2) include veto rights for any new members of the Security Council; or

(3) undermine the effectiveness of the Security Council.

SEC. 1123. GENOCIDE AND THE UNITED NATIONS.

(a) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure the formal adoption and implementation of mechanisms to—

(1) suspend the membership of a Member State if it is determined that the government of such Member State is engaged in or complicit in, either by commission or omission, acts of genocide, ethnic cleansing, or crimes against humanity;

(2) impose an arms and trade embargo and travel restrictions on, and freeze the assets of, all groups and individuals responsible for committing or allowing such acts of genocide, ethnic cleansing, or crimes against humanity to occur;

(3) deploy a United Nations peacekeeping operation or authorize and support the deployment of a peacekeeping operation from an international or regional organization to the Member State with a mandate to stop such acts of genocide, ethnic cleansing, or crimes against humanity;

(4) deploy monitors from the United Nations High Commissioner for Refugees to the area in the Member State where such acts of genocide, ethnic cleansing, or crimes against humanity are occurring; and

(5) authorize the establishment of an international commission of inquiry into such acts of genocide, ethnic cleansing, or crimes against humanity.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the mechanisms described in subsection (a) have been adopted and implemented.

SEC. 1124. ANTI-SEMITISM AND THE UNITED NATIONS.

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) ensure the issuance and implementation of a directive by the Secretary General or the Secretariat, as appropriate, that—

(A) requires all employees of the United Nations and its specialized agencies to officially and publicly condemn anti-Semitic statements made at any session of the United Nations or its specialized agencies, or at any other session sponsored by the United Nations;

(B) requires employees of the United Nations and its specialized agencies to be subject to punitive action, including immediate dismissal, for making anti-Semitic statements or references;

(C) proposes specific recommendations to the General Assembly for the establishment of mechanisms to hold accountable employees and officials of the United Nations and its specialized agencies, or Member States, that make such anti-Semitic statements or references in any forum of the United Nations or of its specialized agencies; and

(D) develops and implements education awareness programs about the Holocaust and anti-Semitism throughout the world, as part of an effort to combat intolerance and hatred;

(2) work to secure the adoption of a resolution by the General Assembly that establishes the mechanisms described in paragraph (1)(C); and

(3) continue working toward further reduction of anti-Semitic language and anti-Israel resolutions in the United Nations and its specialized agencies.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the requirements described in subsection (a) have been satisfied.

Subtitle B—Human Rights and the Economic and Social Council (ECOSOC)

SEC. 1131. HUMAN RIGHTS.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that a credible and respectable Human Rights Council or other human rights body is established within the United Nations whose participating Member States uphold the values embodied in the Universal Declaration of Human Rights.

(b) HUMAN RIGHTS REFORMS AT THE UNITED NATIONS.—The President shall direct the United States Permanent Representative to the United Nations to ensure that the following human rights reforms have been adopted by the United Nations:

(1) A Member State that fails to uphold the values embodied in the Universal Declaration of Human Rights shall be ineligible for membership on any United Nations human rights body.

(2) A Member State shall be ineligible for membership on any United Nations human rights body if such Member State is—

(A) subject to sanctions by the Security Council; or

(B) under a Security Council-mandated investigation for human rights abuses.

(3) A Member State that is currently subject to an adopted country specific resolution, in the principal body in the United Nations for the promotion and protection of human rights, relating to human rights abuses perpetrated by the government of such country in such country, or has been the subject of such an adopted country specific resolution in such principal body within the previous three years, shall be ineligible for membership on any United Nations human rights body. For purposes of this subsection, an adopted country specific resolution shall not include consensus resolutions on advisory services.

(4) A Member State that violates the principles of a United Nations human rights body to which it aspires to join shall be ineligible for membership on such body.

(5) No human rights body has a standing agenda item that relates only to one country or region.

(6) The practice of considering in the principal body in the United Nations for the promotion and protection of human rights country specific resolutions relating to human rights abuses perpetrated by the government of a Member State within such Member State shall not be eliminated.

(c) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the human rights reforms described under subsection (b) have been adopted by the United Nations.

(d) PREVENTION OF ABUSE OF ''NO ACTION'' MOTIONS.—The United States Permanent Representative shall work to prevent abuse of ''no action'' motions, particularly as such motions relate to country specific resolutions.

(e) OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS.—

(1) STATEMENT OF POLICY.—It shall be the policy of the United States to continue to strongly support the Office of the United Nations High Commissioner for Human Rights.

(2) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the Office of the United Nations High Commissioner for Human Rights has been given greater authority in field operation activities, such as in the Darfur region of Sudan and in the Democratic Republic of Congo, in furtherance of the purpose and mission of the United Nations.

(f) PROHIBITION ON CONTACT WITH MEMBER STATES SUBJECT TO SANCTIONS.—An employee from of any United Nations entity, bureau, division, department, or specialized agency may not have unauthorized contact, including business contact, with a Member State that is subject to United Nations sanctions.

SEC. 1132. ECONOMIC AND SOCIAL COUNCIL (ECOSOC).

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—

(1) abolish secret voting in the Economic and Social Council (ECOSOC);

(2) ensure that, until such time as the Commission on Human Rights of the United Nations is abolished, only countries that are not ineligible for membership on a human rights body in accordance with paragraphs (1) through (4) of section 1131(b) shall be considered for membership on the Commission on Human Rights; and

(3) ensure that after candidate countries are nominated for membership on the Commission on Human Rights, the Economic and Social Council conducts a recorded vote to determine such membership.

(b) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the policies described in subsection (a) have been implemented by the Economic and Social Council.

SEC. 1133. UNITED NATIONS DEMOCRACY FUND.

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) establish a Democracy Fund at the United Nations to be administered by Member States of the United Nations Democracy Caucus;

(2) secure political and financial support for the Democracy Fund from Member States of the United Nations Democracy Caucus; and

(3) establish criteria that limits recipients of assistance from the Democracy Fund to Member States that—

(A) are not ineligible for membership on any United Nations human rights body, in accordance with paragraphs (1) through (4) of section 1131(b); and

(B) are determined by the Secretary of State to be emerging democracies or democracies in transition.

(b) POLICY RELATING TO FUNDING FOR THE DEMOCRACY FUND.—It shall be the policy of the United States to shift contributions of the United States to the regularly assessed budget of the United Nations for a biennial period to initiate and support the Democracy Fund referred to in subsection (a).

(c) CERTIFICATION.—In accordance with section 1171, a certification shall be required that certifies that the requirements described in subsection (a) have been satisfied.

Subtitle C—International Atomic Energy Agency

SEC. 1141. INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) ENFORCEMENT AND COMPLIANCE.—

(1) OFFICE OF COMPLIANCE.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to International Atomic Energy Agency (IAEA) to use the voice, vote, and influence of the United States at the IAEA to establish an Office of Compliance in the Secretariat of the IAEA.

(B) OPERATION.—The Office of Compliance shall—

(i) function as an independent body composed of technical experts who shall work in consultation with IAEA inspectors to assess compliance by IAEA Member States and provide recommendations to the IAEA Board of Governors concerning penalties to be imposed on IAEA Member States that fail to fulfill their obligations under IAEA Board resolutions;

(ii) base its assessments and recommendations on IAEA inspection reports; and

(iii) shall take into consideration information provided by IAEA Board Members that are one of the five nuclear weapons states as recognized by the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the ''Nuclear Nonproliferation Treaty'' or the ''NPT'').

(C) STAFFING.—The Office of Compliance shall be staffed from existing personnel in the Department of Safeguards of the IAEA or the Department of Nuclear Safety and Security of the IAEA.

(2) SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to establish a Special Committee on Safeguards and Verification.

(B) RESPONSIBILITIES.—The Special Committee shall—

(i) improve the ability of the IAEA to monitor and enforce compliance by Member States of the IAEA with the Nuclear Nonproliferation Treaty and the Statute of the International Atomic Energy Agency; and

(ii) consider which additional measures are necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.

(3) PENALTIES WITH RESPECT TO THE IAEA.—

(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations has its privileges suspended, including—

(i) limiting its ability to vote on its case;

(ii) being prevented from receiving any technical assistance; and

(iii) being prevented from hosting meetings.

(B) TERMINATION OF PENALTIES.—The penalties specified under subparagraph (A) shall be terminated when such investigation is concluded and such Member State is no longer in such breach or noncompliance.

(4) PENALTIES WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is found to be in breach of, in noncompliance with, or has withdrawn from the Nuclear Nonproliferation Treaty shall return to the IAEA all nuclear materials and technology received from the IAEA, any Member State of the IAEA, or any Member State of the Nuclear Nonproliferation Treaty.

(b) UNITED STATES CONTRIBUTIONS.—

(1) VOLUNTARY CONTRIBUTIONS.—Voluntary contributions of the United States to the IAEA should primarily be used to fund activities relating to Nuclear Safety and Security or activities relating to Nuclear Verification.

(2) LIMITATION ON USE OF FUNDS.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to—

(A) ensure that funds for safeguards inspections are prioritized for countries that have newly established nuclear programs or are initiating nuclear programs; and

(B) block the allocation of funds for any other IAEA development, environmental, or nuclear science assistance or activity to a country—

(i) the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism and the government of which the Secretary has determined has not dismantled and surrendered its weapons of mass destruction programs under international verification;

(ii) that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations; or

(iii) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(3) DETAIL OF EXPENDITURES.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to secure, as part of the regular budget presentation of the IAEA to Member States of the IAEA, a detailed breakdown by country of expenditures of the IAEA for safeguards inspections and nuclear security activities.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to block the membership on the Board of Governors of the IAEA for a Member State of the IAEA that has not signed and ratified the Additional Protocol and—

(A) is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations; or

(B) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(2) CRITERIA.—The United States Permanent Representative to the IAEA shall make every effort to modify the criteria for Board membership to reflect the principles described in paragraph (1).

(d) SMALL QUANTITIES PROTOCOL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure that the IAEA changes the policy regarding the Small Quantities Protocol in order to—

(1) rescind and eliminate the Small Quantities Protocol;

(2) require that any IAEA Member State that has previously signed a Small Quantities Protocol to sign, ratify, and implement the Additional Protocol, provide immediate access for IAEA inspectors to its nuclear-related facilities, and agree to the strongest inspections regime of its nuclear efforts; and

(3) require that any IAEA Member State that does not comply with paragraph (2) to be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State and subject to the penalties described in subsection (a)(3).

(e) NUCLEAR PROGRAM OF IRAN.—

(1) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure the adoption of a resolution by the IAEA Board of Governors that makes Iran ineligible to receive any nuclear material, technology, equipment, or assistance from any IAEA Member State and ineligible for any IAEA assistance not related to safeguards inspections or nuclear security until the IAEA Board of Governors determines that Iran—

(A) is providing full access to IAEA inspectors to its nuclear-related facilities;

(B) has fully implemented and is in compliance with the Additional Protocol; and

(C) has permanently ceased and dismantled all activities and programs related to nuclear-enrichment and reprocessing.

(2) PENALTIES.—If an IAEA Member State is determined to have violated the prohibition on assistance to Iran described in paragraph (1) before the IAEA Board of Governors determines that Iran has satisfied the conditions described in subparagraphs (A) through (C) of such paragraph, such Member State shall be subject to the penalties described in subsection (a)(3), shall be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State, and shall be ineligible to receive any IAEA assistance not related to safeguards inspections or nuclear security until such time as the IAEA Board of Governors makes such determination with respect to Iran.

(f) REPORT.—Not later than six months after the date of the enactment of this Act and annually for two years thereafter, the President shall submit to the appropriate congressional committees a report on the implementation of this section.

SEC. 1142. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA.

It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Governors should recommend, and the General Conference should adopt, a resolution incorporating the Nuclear Security Action Plan into the regular budget of the IAEA.

Subtitle D—Peacekeeping

SEC. 1151. SENSE OF CONGRESS REGARDING REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It is the sense of Congress that—

(1) although United Nations peacekeeping operations have contributed greatly toward the promotion of peace and stability for the past 57 years and the majority of peacekeeping personnel who have served under the United Nations flag have done so with honor and courage, the record of United Nations peacekeeping has been severely tarnished by operational failures and unconscionable acts of misconduct; and

(2) if the reputation of and confidence in United Nations peacekeeping operations is to be restored, fundamental and far-reaching reforms, particularly in the areas of planning, management, training, conduct, and discipline, must be implemented without delay.

SEC. 1152. STATEMENT OF POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It shall be the policy of the United States to pursue reform of United Nations peacekeeping operations in the following areas:

(1) PLANNING AND MANAGEMENT.—

(A) GLOBAL AUDIT.—As the size, cost, and number of United Nations peacekeeping operations have increased substantially over the past decade, an independent audit of each such operation, with a view toward ''right-sizing'' operations and ensuring that such operations are cost effective, should be conducted and its findings reported to the Security Council.

(B) REVIEW OF MANDATES AND CLOSING OPERATIONS.—In conjunction with the audit described in subparagraph (A), the United Nations Department of Peacekeeping Operations should conduct a comprehensive review of all United Nations peacekeeping operation mandates, with a view toward identifying objectives that are practical and achievable, and report its findings to the Security Council. In particular, the review should consider the following:

(i) Activities that fall beyond the scope of traditional peacekeeping activities should be delegated to a new Peacebuilding Commission, described in paragraph (3).

(ii) Long-standing operations that are static and cannot fulfill their mandate should be downsized or closed.

(iii) Where there is legitimate concern that the withdrawal from a country of an otherwise static United Nations peacekeeping operation would result in the resumption of major conflict, a burden-sharing arrangement that reduces the level of assessed contributions, similar to that currently supporting the United Nations Peacekeeping Force in Cyprus, should be explored and instituted.

(C) LEADERSHIP.—As peacekeeping operations become larger and increasingly complex, the Secretariat should adopt a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and current senior leaders and managers who do not meet those standards should be removed or reassigned.

(D) PRE-DEPLOYMENT TRAINING.—Pre-deployment training on interpretation of the mandate of the operation, specifically in the areas of use of force, civilian protection and field conditions, the Code of Conduct, HIV/AIDS, and human rights should be mandatory, and all personnel, regardless of category or rank, should be required to sign an oath that each has received and understands such training as a condition of participation in the operation.

(E) GRATIS MILITARY PERSONNEL.—The General Assembly should lift restrictions on the utilization at the headquarters in New York, the United States, of the Department of Peacekeeping Operations of gratis military personnel by the Department so that the Department may accept secondments from Member States of military personnel with expertise in mission planning, logistics, and other operational specialties.

(2) CONDUCT AND DISCIPLINE.—

(A) ADOPTION OF A UNIFORM CODE OF CONDUCT.—A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, should be promulgated, adopted, and enforced.

(B) UNDERSTANDING THE CODE OF CONDUCT.—All personnel, regardless of category or rank, should receive training on the Code of Conduct prior to deployment with a peacekeeping operation, in addition to periodic follow-on training. In particular—

(i) all personnel, regardless of category or rank, should be provided with a personal copy of the Code of Conduct that has been translated into the national language of such personnel, regardless of whether such language is an official language of the United Nations;

(ii) all personnel, regardless of category or rank, should sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code of Conduct, and that each understands the consequences of violating the Code of Conduct, including immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of appointment to such operation; and

(iii) peacekeeping operations should conduct educational outreach programs to reach local communities where peacekeeping personnel of such operations are based, including explaining prohibited acts on the part of United Nations peacekeeping personnel and identifying the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

(C) MONITORING MECHANISMS.—Dedicated monitoring mechanisms, such as the Personnel Conduct Units already deployed to support United Nations peacekeeping operations in Haiti, Liberia, Burundi, and the Democratic Republic of Congo, should be present in each operation to monitor compliance with the Code of Conduct, and—

(i) should report simultaneously to the Head of Mission, the United Nations Department of Peacekeeping Operations, and the Associate Director of OIOS for Peacekeeping Operations (established under section 1114(b)(9)); and

(ii) should be tasked with designing and implementing mission-specific measures to prevent misconduct, conduct follow-on training for personnel, coordinate community outreach programs, and assist in investigations, as OIOS determines necessary and appropriate.

(D) INVESTIGATIONS.—A permanent, professional, and independent investigative body should be established and introduced into United Nations peacekeeping operations. In particular—

(i) the investigative body should include professionals with experience in investigating sex crimes, as well as experts who can provide guidance on standards of proof and evidentiary requirements necessary for any subsequent legal action;

(ii) provisions should be included in a Model Memorandum of Understanding that obligate Member States that contribute troops to a peacekeeping operation to designate a military prosecutor who will participate in any investigation into an allegation of misconduct brought against an individual of such Member State, so that evidence is collected and preserved in a manner consistent with the military law of such Member State;

(iii) the investigative body should be regionally based to ensure rapid deployment and should be equipped with modern forensics equipment for the purpose of positively identifying perpetrators and, where necessary, for determining paternity; and

(iv) the investigative body should report directly to the Associate Director of OIOS for Peacekeeping Operations, while providing copies of any reports to the Department of Peacekeeping Operations, the Head of Mission, and the Member State concerned.

(E) FOLLOW-UP.—A dedicated unit, similar to the Personnel Conduct Units, staffed and funded through existing resources, should be established within the headquarters of the United Nations Department of Peacekeeping Operations and tasked with—

(i) promulgating measures to prevent misconduct;

(ii) coordinating allegations of misconduct, and reports received by field personnel; and

(iii) gathering follow-up information on completed investigations, particularly by focusing on disciplinary actions against the individual concerned taken by the United Nations or by the Member State that is contributing troops to which such individual belongs, and sharing such information with the Security Council, the Head of Mission, and the community hosting the peacekeeping operation.

(F) FINANCIAL LIABILITY AND VICTIMS ASSISTANCE.—Although peacekeeping operations should provide immediate medical assistance to victims of sexual abuse or exploitation, the responsibility for providing longer-term treatment, care, or restitution lies solely with the individual found guilty of the misconduct. In particular, the following reforms should be implemented:

(i) The United Nations should not assume responsibility for providing long-term treatment or compensation by creating a ''Victims Trust Fund'', or any other such similar fund, financed through assessed contributions to United Nations peacekeeping operations, thereby shielding individuals from personal liability and reinforcing an atmosphere of impunity.

(ii) If an individual responsible for misconduct has been repatriated, reassigned, redeployed, or is otherwise unable to provide assistance, responsibility for providing assistance to a victim should be assigned to the Member State that contributed the troops to which such individual belonged or to the manager concerned.

(iii) In the case of misconduct by a member of a military contingent, appropriate funds shall be withheld from the troop contributing country concerned.

(iv) In the case of misconduct by a civilian employee or contractor of the United Nations, appropriate wages shall be garnished from such individual or fines shall be imposed against such individual, consistent with existing United Nations Staff Rules.

(G) MANAGERS AND COMMANDERS.—The manner in which managers and commanders handle cases of misconduct by those serving under them should be included in their individual performance evaluations, so that managers and commanders who take decisive action to deter and address misconduct are rewarded, while those who create a permissive environment or impede investigations are penalized or relieved of duty, as appropriate.

(H) DATA BASE.—A centralized data base should be created and maintained within the United Nations Department of Peacekeeping Operations to track cases of misconduct, including the outcome of investigations and subsequent prosecutions, to ensure that personnel who have engaged in misconduct or other criminal activities, regardless of category or rank, are permanently barred from participation in future peacekeeping operations.

(I) WELFARE.—Peacekeeping operations should assume responsibility for maintaining a minimum standard of welfare for mission personnel to ameliorate conditions of service, while adjustments are made to the discretionary welfare payments currently provided to Member States that contribute troops to offset the cost of operation-provided recreational facilities.

(3) PEACEBUILDING COMMISSION.—

(A) ESTABLISHMENT.—Consistent with the recommendations of the High Level Panel Report, the United Nations should establish a Peacebuilding Commission, supported by a Peacebuilding Support Office, to marshal the efforts of the United Nations, international financial institutions, donors, and non-governmental organizations to assist countries in transition from war to peace.

(B) STRUCTURE AND MEMBERSHIP.—The Commission should—

(i) be a subsidiary body of the United Nations Security Council, limited in size to ensure efficiency;

(ii) include members of the United Nations Security Council, major donors, major troop contributing countries, appropriate United Nations organizations, the World Bank, and the International Monetary Fund; and

(iii) invite the President of ECOSOC, regional actors, Member States that contribute troops, regional development banks, and other concerned parties that are not already members, as determined appropriate, to consult or participate in meetings as observers.

(C) RESPONSIBILITIES.—The Commission should seek to ease the demands currently placed upon the Department of Peacekeeping Operations to undertake tasks that fall beyond the scope of traditional peacekeeping, by—

(i) developing and integrating country-specific and system-wide conflict prevention, post-conflict reconstruction, and long-term development policies and strategies; and

(ii) serving as the key coordinating body for the design and implementation of military, humanitarian, and civil administration aspects of complex missions.

(D) RESOURCES.—The establishment of the Peacebuilding Commission and the related Peacebuilding Support Office, should be staffed within existing resources.

SEC. 1153. CERTIFICATION.

(a) NEW OR EXPANDED PEACEKEEPING OPERATIONS CONTINGENT UPON PRESIDENTIAL CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—

(1) NO NEW OR EXPANDED PEACEKEEPING OPERATIONS.—

(A) CERTIFICATION.—Except as provided in subparagraph (B), until the Secretary of State certifies that the requirements described in paragraph (2) have been satisfied, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to oppose the creation of new, or expansion of existing, United Nations peacekeeping operations.

(B) EXCEPTION AND NOTIFICATION.—The requirements described under subparagraphs (F) and (G) of paragraph (2) may be waived until January 1, 2007, if the President determines that such is in the national interest of the United States. If the President makes such a determination, the President shall, not later than 15 days before the exercise of such waiver, notify the appropriate congressional committees of such determination and resulting waiver.

(2) CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—The certification referred to in paragraph (1) is a certification made by the Secretary to the appropriate congressional committees that the following reforms, or an equivalent set of reforms, related to peacekeeping operations have been adopted by the United Nations Department of Peacekeeping Operations or the General Assembly, as appropriate:

(A) A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, has been adopted by the General Assembly and mechanisms have been established for training such personnel concerning the requirements of the Code and enforcement of the Code.

(B) All personnel, regardless of category or rank, serving in a peacekeeping operation have been trained concerning the requirements of the Code of Conduct and each has been given a personal copy of the Code, translated into the national language of such personnel.

(C) All personnel, regardless of category or rank, are required to sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code, and that each understands the consequences of violating the Code, including the immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of the appointment to such operation.

(D) All peacekeeping operations have designed and implemented educational outreach programs to reach local communities where peacekeeping personnel of such operations are based to explain prohibited acts on the part of United Nations peacekeeping personnel and to identify the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

(E) A centralized data base has been created and is being maintained in the United Nations Department of Peacekeeping Operations that tracks cases of misconduct, including the outcomes of investigations and subsequent prosecutions, to ensure that personnel, regardless of category or rank, who have engaged in misconduct or other criminal activities are permanently barred from participation in future peacekeeping operations.

(F) A Model Memorandum of Understanding between the United Nations and each Member State that contributes troops to a peacekeeping operation has been adopted by the United Nations Department of Peacekeeping Operations that specifically obligates each such Member State to—

(i) designate a competent legal authority, preferably a prosecutor with expertise in the area of sexual exploitation and abuse, to participate in any investigation into an allegation of misconduct brought against an individual of such Member State;

(ii) refer to its competent national or military authority for possible prosecution, if warranted, any investigation of a violation of the Code of Conduct or other criminal activity by an individual of such Member State;

(iii) report to the Department of Peacekeeping Operations on the outcome of any such investigation;

(iv) undertake to conduct on-site court martial proceedings relating to allegations of misconduct alleged against an individual of such Member State; and

(v) assume responsibility for the provision of appropriate assistance to a victim of misconduct committed by an individual of such Member State.

(G) A professional and independent investigative and audit function has been established within the United Nations Department of Peacekeeping Operations and the OIOS to monitor United Nations peacekeeping operations.

SEC. 1154. RULE OF CONSTRUCTION RELATING TO PROTECTION OF UNITED STATES OFFICIALS AND MEMBERS OF THE ARMED FORCES.

Nothing in this subtitle shall be construed as superseding the Uniform Code of Military Justice or operating to effect the surrender of United States officials or members of the Armed Forces to a foreign country or international tribunal, including the International Criminal Court, for prosecutions arising from peacekeeping operations or other similar United Nations-related activity, and nothing in this subtitle shall be interpreted in a manner inconsistent with the American Servicemembers' Protection Act of 2002 (title II of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States; Public Law 107–206).

TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 1161. POSITIONS FOR UNITED STATES CITIZENS AT INTERNATIONAL ORGANIZATIONS.

The Secretary of State shall make every effort to recruit United States citizens for positions within international organizations.

SEC. 1162. BUDGET JUSTIFICATION FOR REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.

(a) DETAILED ITEMIZATION.—The annual congressional budget justification shall include a detailed itemized request in support of the assessed contribution of the United States to the regular assessed budget of the United Nations.

(b) CONTENTS OF DETAILED ITEMIZATION.—The detailed itemization required under subsection (a) shall—

(1) contain information relating to the amounts requested in support of each of the various sections and titles of the regular assessed budget of the United Nations; and

(2) compare the amounts requested for the current year with the actual or estimated amounts contributed by the United States in previous fiscal years for the same sections and titles.

(c) ADJUSTMENTS AND NOTIFICATION.—If the United Nations proposes an adjustment to its regular assessed budget, the Secretary of State shall, at the time such adjustment is presented to the Advisory Committee on Administrative and Budgetary Questions (ACABQ), notify and consult with the appropriate congressional committees.

SEC. 1163. REVIEW AND REPORT.

Not later than six months after the date of the enactment of this Act, the Secretary of

State shall conduct a review of programs of the United Nations that are funded through assessed contributions and submit to the appropriate congressional committees a report containing—

(1) the findings of such review; and

(2) recommendations relating to—

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded, other than those specified in subparagraphs (A) through (R) of subsection (c)(2) of section 11 of the United Nations Participation Act of 1945, as amended by section 1111(c) of this title.

SEC. 1164. GOVERNMENT ACCOUNTABILITY OFFICE.

(a) REPORT ON UNITED NATIONS REFORMS.—Not later than 12 months after the date of the enactment of this Act and again 12 months thereafter, the Comptroller General of the United States of the Government Accountability Office shall submit to the appropriate congressional committees a report on the status of the 1997, 2002, and 2005 management reforms initiated by the Secretary General and on the reforms mandated by this title.

(b) REPORT ON DEPARTMENT OF STATE CERTIFICATIONS.—Not later than six months after each certification submitted by the Secretary of State to the appropriate congressional committees under this title and subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title), the Comptroller General shall submit to the appropriate congressional committees a report on each such certification. The Secretary shall provide the Comptroller General with any information required by the Comptroller General to submit any such report.

(c) UNITED NATIONS CONSTRUCTION AND CONTRACTING.—Not later than six months after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report describing the costs associated with the contracting for and construction of the Geneva, Switzerland, buildings of the World Meteorological Organization (WMO) and the World Intellectual Property Organization (WIPO). The report shall include analyses of the procurement procedures for each such building and shall specifically address issues of any corrupt contracting practices that are discovered, such as rigged bids and kickbacks, as well as other improprieties. The report shall also include an identification of other credible allegations of corrupt contracting at United Nations construction projects that involve major construction on a scale comparable to the WMO and WIPO construction projects, and a description of the results of an investigation into each such credible allegation.

Subtitle F—Certifications and Withholding of Contributions

SEC. 1171. CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS.

(a) CERTIFICATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (3), the certifications required under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) and section 1113, sections 1114(a) through 1114(e), section 1114(g), section 1123, section 1124, sections 1131(c) and 1131(e), section 1132, and section 1133 of this title are certifications submitted to the appropriate congressional committees by the Secretary of State that the requirements of each such section have been satisfied with respect to reform of the United Nations.

(2) ALTERNATE CERTIFICATION MECHANISM.—

(A) IN GENERAL.—Except as provided in paragraph (3), in the event that the Secretary is unable to submit a certification in accordance with paragraph (1), the Secretary may submit to the appropriate congressional committees, in accordance with subparagraph (B), an alternate certification that certifies that the requirements of the section to which the original certification applies have been implemented through reforms that are substantially similar to the requirements of such section or accomplish the same purposes as the requirements of such section.

(B) EQUIVALENCY.—Reforms are substantially similar or accomplish the same purposes if—

(i) such reforms are formally adopted in written form by the entity or committee of the United Nations or of its specialized agency that has authority to enact or implement such reforms or are issued by the Secretariat or the appropriate entity or committee in written form; and

(ii) such reforms are not identical to the reforms required by a particular certification but in the determination of the Secretary will have the same, or nearly the same effect, as such reforms.

(C) WRITTEN JUSTIFICATION AND CONSULTATION.—

(i) WRITTEN JUSTIFICATION.—Not later than 30 days before submitting an alternate certification in accordance with subparagraph (A), the Secretary shall submit to the appropriate congressional committees a written justification explaining in detail the basis for such alternate certification.

(ii) CONSULTATION.—After the Secretary has submitted the written justification under clause (i), but no later than 15 days before the Secretary exercises the alternate certification mechanism described under subparagraph (A), the Secretary shall consult with the appropriate congressional committees regarding such exercise.

(3) LIMITED EXCEPTION FOR SUBSTANTIAL COMPLIANCE.—

(A) SUBSTANTIAL COMPLIANCE.—Subject to subparagraph (B), if at least 32 of the 46 reforms represented by the 14 certifications specified under paragraph (1) have been implemented, all such reforms (including the unimplemented reforms) so represented shall be deemed to have been implemented for the year in which the Secretary submits such certifications.

(B) MANDATORY IMPLEMENTATION OF CERTAIN REFORMS.—

(i) IN GENERAL.—The provisions of subparagraph (A) shall not apply unless the reforms under the following sections have been implemented for the year to which subparagraph (A) applies:

(I) Subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title).

(II) Section 1113(b)(1)(A).

(III) Section 1113(b)(2)(D).

(IV) Section 1114(a)(1).

(V) Section 1114(a)(6).

(VI) Section 1114(b)(1).

(VII) Section 1114(b)(2).

(VIII) Section 1114(c)(1).

(IX) Section 1131(b)(1).

(X) Section 1131(b)(2).

(XI) Section 1131(b)(3).

(XII) Section 1131(b)(5).

(XIII) Section 1131(b)(6).

(XIV) Section 1132(a)(1).

(XV) Section 1132(a)(2).

(ii) FULL COMPLIANCE IN SUCCEEDING YEAR.—If the unimplemented reforms under subparagraph (A) are not implemented in the year succeeding the year to which subparagraph (A) applies, the provisions of subsection (b) shall apply for such succeeding year.

(b) WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (4) and in accordance with paragraph (2), until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall appropriate, but withhold from expenditure, 50 percent of the contributions of the United States to the regular assessed budget of the United Nations for a biennial period.

(2) AVAILABLE UNTIL EXPENDED.—The contributions appropriated but withheld from expenditure under paragraph (1) are authorized to remain available until expended.

(3) APPLICATION WITH RESPECT TO SECTION 11(B) OF THE UNITED NATION PARTICIPATION ACT OF 1945.—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), subsection (b) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) shall be administered as though such section reads as follows: ''The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculable under subsection (c).''.

(4) SECTION 11(D)(3) OF UNITED NATIONS PARTICIPATION ACT OF 1945.—

(A) SPECIAL RULE.—A certification under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 1111(c) of this title) (relating to the 2008–2009 biennial period and subsequent biennial periods) shall not be required until such time as the United Nations makes its formal budget presentation for the 2008–2009 biennial period.

(B) APPLICATION.—If the Secretary does not submit a certification under such section, the 50 percent withholding described under paragraph (1) shall apply.

(c) RELEASE OF FUNDS.—At such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall transfer to the United Nations amounts appropriated but withheld from expenditure under subsection (b).

(d) ANNUAL REVIEWS.—

(1) IN GENERAL.—The Secretary shall conduct annual reviews, beginning one year after the date on which the Secretary submits the final certification (or alternate certification) in accordance with subsection (a), to determine if the United Nations continues to remain in compliance with all such certifications (or alternate certifications). Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.

(2) ACTION.—If during the course of any such review the Secretary determines that the United Nations has failed to remain in compliance with a certification (or an alternate certification) that was submitted in accordance with subsection (a), the 50 percent withholding described under subsection (b) shall re-apply with respect to United States contributions each fiscal year to the regular assessed budget of the United Nations beginning with the fiscal year immediately following such review and subsequent fiscal years until such time as all certifications (or alternate certifications) under subsection (a) have been submitted.

(e) EFFECTIVE DATE.—The certifications (or alternate certifications) specified under subsection (a) shall be required with respect to

United States contributions towards payment of regular assessed dues of the United Nations for 2007 and subsequent years.

AMENDMENT NO. 16 OFFERED BY MR. LANTOS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. LANTOS: Page 53, after line 20, insert the following new section:

SEC. 319. TREATMENT OF TERRITORIES AND POSSESSIONS AS PART OF THE GEOGRAPHIC UNITED STATES FOR PURPOSES OF TRANSFER ALLOWANCES.

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

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. LANTOS) and a Member opposed each will control 5 minutes.

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

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

I offer amendment No. 16 as provided under the rule on behalf of my distinguished colleagues, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Guam (Ms. BORDALLO).

Mr. Chairman, the purpose of this amendment is very simple. It extends the same rights and privileges regarding transfer allowances to State Department employees who are residents of the United States territories and possessions that are accorded to State Department employees residing in the 50 States. My understanding is that this provision is a very modest one that will affect very few State Department employees with little cost to the government. In the interest of providing fair and equitable treatment to all U.S. citizens who are employees of our Department of State, regardless of their domicile, I strongly urge all of my colleagues to support this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LANTOS).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 17 printed in part B of House Report 109–175.

AMENDMENT NO. 17 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 No. 17 offered by Mr. BURTON of Indiana:

At the end of title X (relating to reporting requirements), add the following new section:

SEC. 1027. ALIEN SMUGGLING AND TRAFFICKING IN PERSONS FROM ECUADOR.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report, based on a cost-benefit analysis, that examines and describes the most effective use, across all responsible Federal departments and agencies, of United States security assistance (including assistance under chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.; relating to international narcotics control)) to Ecuador, including the use of intelligence gathering and surveillance, to establish mechanisms to—

(1) prevent and interdict alien smuggling, including trafficking in persons, from Ecuador, either at land points of assembly, or later at sea;

(2) prevent potential concealment of terrorists attempting to enter the United States within the smuggled group; and

(3) identify and prosecute individuals or organizations that engage in or promote such alien smuggling.

(b) COOPERATION IN PREPARATION.—The Secretary shall prepare the report referred to in subsection (a) in cooperation with the Secretary of Homeland Security, who shall specifically address the roles and impacts of alien smuggling from Ecuador on United States air and surface assets assigned to counternarcotics missions in the eastern Pacific Ocean.

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Indiana (Mr. BURTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

A number of the staff members of the Committee on International Relations recently got back from Ecuador where they talked with government officials and our government officials down there, and they found that there is a terrible problem with smuggling of people, illegal aliens, illegal immigrants into the United States from Ecuador. You can actually go to the seashore of Ecuador and see them making the boats within which they are going to put these people, women and children, send them out to sea, send them up the coast to Mexico, and then they are smuggled across the Mexican-American border into the United States of America.

The problem is obvious. First of all, it is going to cause a lot of problems to the taxpayers of the United States paying for the benefits for these people when they come into the United States; and even more importantly, it is a national security risk.

Right now, terrorists can get in those boats, come up the coast, come through Mexico into the United States, and become a threat to the security of this country. So it is extremely important we do something about it.

Right now, the Coast Guard of the United States, which is supposed to be using its resources down there to interdict drug trafficking that goes through the high seas into the United States, is spending a great deal of its time intercepting these boats with women and children in them that have been abandoned on the high seas, many of them, that are coming north to the United States of America.

This amendment simply says that the State Department should conduct a study to find out whether or not the resources that we are spending down there are being used wisely. There needs to be a cost-benefit analysis done, and the State Department is the agency that can do that.

So I would just like to say, Mr. Chairman, this is an amendment that I think is very important in dealing with the drug trafficking problem coming out of South America and also in dealing with the illegal immigration that is emanating from Ecuador and other countries down in that area.

It also will help the Coast Guard, because the Coast Guard will not have to do as much of the interdicting of illegal aliens on the high seas as it has in the past, and it can devote its time and resources to the purpose that it is supposed to, and that is interdicting drugs on the high seas. I hope my colleagues will support this amendment.

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

□ 1630

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment. I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, I want to congratulate the gentleman from Indiana (Mr. BURTON) for addressing a very important issue of alien smuggling from the Andean region. The leadership which the gentleman demonstrated many years ago as the chairman of the Western Hemisphere Committee has been renewed in his current tenure at the helm of that subcommittee.

Mr. Chairman, the northern migration of individuals between countries of the Western hemisphere historically has benefited our country and, through remittances and other means, the countries of origin.

The overwhelming majority of individuals who enter the United States without documentation from Latin American countries do so in search of the American dream. While we certainly do not support illegal immigration into this country, we must not assume that those answering the call of the Statue of Liberty are hardened criminals, nor are the vast majority of individuals victims of trafficking who are brought to our shores and borders under fraudulent circumstances through alien smuggling networks.

So when we encourage the administration to grant assistance to the security forces of Ecuador or any other country which the State Department

has found to have committed serious human rights violations, including extrajudicial killings and torture, it is vital that we understand and communicate these differences to the foreign government receiving our largesse.

Mr. Chairman, although the gentleman's amendment does not distinguish between those who seek a better life for themselves and their families and those who intend to do us or our allies harm, the administration should have a better strategy for addressing alien smuggling in Ecuador and elsewhere. The report which is required by the Burton amendment is a step in the right direction.

For these reasons we are prepared to accept this amendment.

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

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

I would like to thank the gentleman from California (Mr. LANTOS), my very eloquent friend, for his kind remarks, and I would like to once again congratulate the gentleman from Illinois (Mr. HYDE) for the great work he has done on the International Relations Committee as chairman. The gentleman is a real titan in this place and we love him.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 18A made in order under the rule.

AMENDMENT NO. 18A OFFERED BY MR. LANTOS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18A offered by Mr. LANTOS:

In subtitle B of title XI, redesignate sections 1111 through 1126 as sections 1121 through 1136, respectively

In subtitle A of title XI, add the following new section:

SEC. 1111. DECLARATION OF HEADS OF STATE OF THE SHANGHAI COOPERATION ORGANIZATION.

(a) FINDINGS.—Congress finds the following:

(1) The Shanghai Cooperation Organization (SCO) is made up of Kazakhstan, Kyrgyzstan, the People's Republic of China, Russia, Tajikistan, and Uzbekistan.

(2) al Qaeda and Taliban fighters remain active in Afghanistan and antiterrorist operations led by the international coalition are still ongoing.

(3) The Heads of State of the SCO declared that they supported the Global War on Terrorism and would strengthen their efforts to combat and prevent terrorism.

(4) The Heads of State of the SCO called for the relevant State parties of the anti-terrorist coalition to set a deadline for the temporary use of the infrastructure facilities of the SCO Member States and for their military presence in these countries.

(b) STATEMENT OF CONGRESS.—Congress—

(1) commends the Heads of State of the SCO for their declaration of support of the Global War on Terrorism and for strengthening their efforts to combat and prevent terrorism;

(2) commends the support of the anti-terrorist efforts of the international coalition in Afghanistan;

(3) expresses its concern about language in the declaration of the Heads of State of the SCO calling for the relevant State parties of the anti-terrorist coalition to set a deadline for the temporary use of the infrastructure facilities of the SCO Member States and for their military presence in these countries; and

(4) calls on the President, the Secretary of State, and the Secretary of Defense to open a dialogue with the appropriate Member States in the SCO concerning the importance of the use of bases in the SCO Member States and report to Congress on the outcome of such dialogue.

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. LANTOS) and a Member opposed each will control 5 minutes.

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

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

I offer this amendment on behalf of the gentleman from New York (Mr. CROWLEY). It is imperative that the coalition forces fighting in the global war on terrorism not be hobbled in their efforts. The recent declaration of the Shanghai Cooperation Organization, which includes Russia and China, calling for coalition forces to set a withdrawal timetable from use of critical forward bases in countries such as Uzbekistan, would greatly hobble our efforts.

Mr. Chairman, the declaration is a transparent attempt by China and Russia, to force the United States out of the region which they obviously consider in their sphere of influence. Yet we do not see their forces participating beyond their own borders in the global war on terrorism.

I urge all of my colleagues to support the Crowley amendment and formally express the concern of this House over this unfortunate declaration.

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

Mrs. JOHNSON of Connecticut. Mr. Chairman, I ask unanimous consent to take the time in opposition though I am not opposed to the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

The business of the House moved more rapidly than I anticipated, and so I am asking the privilege of taking the time in opposition to this amendment, though I do not oppose it, just to stand in support of the Burton amendment.

In Danbury, one of the major cities in my district, there has been an influx of 10,000 illegal immigrants in the last 5 years, mostly from South America and many from Ecuador. The tragedy that we are a party to, by allowing these Mafia type traffickers to entice people into their web, is a tragedy for families, villages, and nations. These are Mafia type organized crime organizations. They have figured out how to make money from people's dreams and hopes. They rape, they pillage, they steal, they murder, they abandon. We need to know more about how we can use the intelligence resources and other resources of the United States to work more closely with the Ecuadorian government to stop this abusive trafficking and relieve small cities like Danbury of the terrible cost of a larger population of illegal residents.

These illegal immigrants are hard workers and hope only for a better life. But living the life of an illegal cannot fulfill their dreams, and it can cause tremendous problems in cities like Danbury, where services are taxed, taxpayers are overburdened, public health problems develop because these workers do not have health insurance and so on and so forth.

I traveled recently to Ecuador to gain a better understanding of the origins of the problems and spoke with the Ecuadorian immigration officials about the situation. They share our concerns with the sophistication of the organized criminals who are now profiting from human trafficking and capitalizing on the hopes of people who are merely seeking a better life. There is a way for our two countries to work together, not only to stop this trafficking, but to collaborate on local economic development projects to reduce the incentive to flee one's homeland. Microlending all kinds of things that we do routinely here in America and that we do in other places in the world, could provide the economic opportunity these people so desperately want right in their own country. Illegal immigration is not only dangerous and brutal for those involved but hard on American towns and cities and terrible for the little villages that are left behind in which grandparents are raising children and hopelessness forces painful, permanent separation.

I commend the gentleman on taking this step forward and working to stop human trafficking, which also creates the problems associated with illegal immigration in America. We have the resources to solve these problems if we focus thoughtfully on both the causes and the effects. The gentleman's amendment will start that process of focusing and will, I hope, lead to destroying the business of human trafficking and creating an economic development model built on the experience of both the United States and Ecuador, that will restore hope for Ecuadorians to their homeland.

I thank the gentleman from Illinois (Mr. HYDE), the chairman of the committee, for allowing me to take the time in opposition to this amendment that I do not oppose.

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

Mr. LANTOS. Mr. Chairman, I am delighted to yield the balance of my time to the gentleman from New York (Mr. CROWLEY), a distinguished member of the International Relations Committee, the author of this amendment.

The CHAIRMAN. The gentleman from New York is recognized for 3½ minutes.

Mr. CROWLEY. Mr. Chairman, I thank the gentleman from California (Mr. LANTOS) for being here to offer my amendment and to take the position in support of this amendment.

Mr. Chairman, my amendment deals with the July 5 declaration of the heads of state of the Shanghai Cooperation Organization known as SCO, which is made up of Kazakhstan, Kyrgyzstan and the People's Republic of China, Russia, Tajikistan and Uzbekistan.

This declaration called upon the antiterrorist coalition to set a deadline for the temporary use of the infrastructure facilities of the SCO member states and for the military presence in these countries.

I do not believe it is appropriate to begin to pull out of Central Asia while al Qaeda and the Taliban are still an active threat to the emerging government in Afghanistan and coalition troops seeking to root out the remaining fighters of the Taliban as well as al Qaeda.

China and Russia should not be pushing policy on their smaller neighbors just because they are uncomfortable with having Western antiterrorist coalition troops in Central Asia.

Terrorism is not an issue for the United States alone but for the entire world, and we must all work together to fight these sick individuals.

Richard Myers, Chairman of the Joint Chiefs of Staff, said the United States has no territorial designs on the region and they should not view coalition troops as a threat.

Under Secretary of Defense Douglas Feith said in an interview recently that U.S. military operations are based on circumstance, not dates, and the circumstances in Afghanistan remain dangerous. So we must not allow China and Russia to dictate the timetables on our security.

Mr. Chairman, my amendment calls on the administration to open a dialogue with the appropriate members of the SCO and let them know about the importance of retaining the antiterrorist coalition troops.

I urge all of my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LANTOS).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 19 printed in part B of House Report 109–175.

AMENDMENT NO. 19 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. SMITH of New Jersey:

Page 18, after line 3, insert the following new subsection:

(d) WITHHOLDING OF CONTRIBUTIONS FOR CERTAIN UNITED NATIONS COMMISSIONS, ORGANIZATIONS, OR ANY AFFILIATED AGENCIES.—Notwithstanding any other provision of law, funds available to the Department of State or any other Federal department or agency may not be used for United States contributions to any United Nations commission, organization, or affiliated agency that is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)) has repeatedly provided support for acts of international terrorism, until such time as the President determines that such commission, organization, or agency is no longer chaired or presided over by such country and the commission, organization, or agency has established appropriate electoral reforms, including minimum standards for leadership positions and the elimination of automatic rotation of such leadership positions.

The CHAIRMAN. Pursuant to House Resolution 365, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 5 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.

I am offering this amendment on behalf of the gentleman from New York (Mr. FOSSELLA), my good friend and colleague, who was unavoidably detained on official business. As a supporter of the Fossella amendment, I offer it on his behalf.

This amendment very simply seeks to withhold U.S. funding from any U.N. commission, organization or affiliated agency that is chaired or presided over by a country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism until such time that the President determines that they are no longer doing so.

If Members of the U.N. elect known state sponsors of terrorism to lead U.N. organizations, we believe U.S. tax dollars should not support those entities.

In a post-9/11 world we are seeking to build multilateral strategies to address threats of global terror. We must use all available diplomatic tools and leverage such as U.S. contributions, to halt the influence of countries that sponsor and export terror.

This amendment seeks to prevent identified state sponsors of terrorism such as Iran, Syria, North Korea, Cuba and Libya from being able to attain leadership positions at U.N. commissions, organizations or affiliated agencies such as the Conference on Disarmament and U.N. human rights bodies.

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

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

This is a parallel issue to the one we had with respect to cutting off 50 percent of the funding for the United Nations.

Every single Member of this body is in full agreement that rogue states should not be chairing United Nations organizations. But it is equally clear that an intelligent approach to making it impossible to keep rogue states from chairing United States bodies is to give our Secretary of State the discretion to cut off funding and not to put things on automatic pilot.

Given our concerns, I would ask the gentleman if he would modify the amendment to make the authority to withhold funds subject to the discretion of the Secretary of State. Could we insert on line 4, after the comma, the relevant secretary or head of agencies authorized to withhold the funds? Would the gentleman be willing to ask unanimous consent to do so?

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. With all due respect to my friend and colleague from California, I know that the gentleman from New York (Mr. FOSSELLA), who is really the prime sponsor of this amendment, had prior knowledge of that potential language that you just offered and he did not want to accept it. So on his behalf and my own I would have to reject it regrettably.

□ 1645

Mr. LANTOS. Mr. Chairman, I thank my friend. Under those circumstances, we oppose the amendment. It is absurd to put U.S. foreign policy on automatic pilot. We have an intelligent and capable Secretary of State who has all the capability of exercising her discretion in withholding funds from the United Nations when warranted. I ask all of my colleagues to vote against this amendment.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 109–175 on which further proceedings were postponed, in the following order: amendment No. 2, as modified, offered by the gentleman from Illinois (Mr. HYDE); amendment No. 8 offered by the gentleman from Minnesota (Mr. KENNEDY); amendment No. 9 offered by the gentlewoman from Oregon (Ms. HOOLEY); amendment No. 10 offered by the gentleman from Indiana (Mr. SOUDER); amendment No. 12 offered by the gentleman from New Jersey (Mr. SMITH).

The first electronic vote will be conducted as a 15-minute vote. Remaining

electronic votes will be conducted as 5-minute votes.

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

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment, as modified, offered by the gentleman from Illinois (Mr. HYDE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 226, noes 195, not voting 12, as follows:

[Roll No. 385]

AYES—226

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berkley
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wolf
Young (AK)
Young (FL)

NOES—195

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—12

Brown (SC)
Brown, Corrine
Cox
Cramer
Frelinghuysen
Hinojosa
McHenry
Payne
Reyes
Sweeney
Thornberry
Wilson (SC)

□ 1711

Ms. ESHOO, Mr. ORTIZ, and Mr. RUSH changed their vote from ''aye'' to ''no.''

Mr. CUELLAR and Mr. MOLLOHAN changed their vote from ''no'' to ''aye.''

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. KENNEDY OF MINNESOTA

The Acting CHAIRMAN (Mr. CULBERSON). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 423, noes 2, not voting 8, as follows:

[Roll No. 386]

AYES—423

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)

Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—2

Flake
Paul

NOT VOTING—8

Boehlert
Brown (SC)
Cox
Hinojosa
McHenry
Reyes
Sweeney
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. CULBERSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1719

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. WILSON of South Carolina. Mr. Chairman, on rollcall No. 386 I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. MCHENRY. Mr. Chairman, on rollcall Nos. 385 and 386 I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT NO. 9 OFFERED BY MS. HOOLEY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 424, noes 1, not voting 8, as follows:

[Roll No. 387]

AYES—424

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—1

Paul

NOT VOTING—8

Bishop (UT)
Brown (SC)
Cox
Hinojosa
Musgrave
Reyes
Sweeney
Tancredo

□ 1727

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. SOUDER

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. SOUDER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 426, noes 1, not voting 6, as follows:

[Roll No. 388]

AYES—426

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—1

Paul

NOT VOTING—6

Brown (SC)
Cox
Hinojosa
Reyes
Sweeney
Tancredo

□ 1735

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. SMITH OF NEW JERSEY

The Acting CHAIRMAN (Mr. CULBERSON). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. SMITH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 205, not voting 5, as follows:

[Roll No. 389]

AYES—223

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Brady (TX)
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costello
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Stupak
Sullivan
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—205

Abercrombie	Frank (MA)	Napolitano
Ackerman	Frelinghuysen	Neal (MA)
Allen	Gerlach	Oberstar
Andrews	Gilchrest	Obey
Baca	Gonzalez	Olver
Baird	Green, Al	Owens
Baldwin	Green, Gene	Pallone
Barrow	Grijalva	Pascrell
Bass	Gutierrez	Pastor
Bean	Harman	Paul
Becerra	Hastings (FL)	Payne
Berkley	Herseth	Pelosi
Berman	Higgins	Pomeroy
Biggert	Hinchey	Price (NC)
Bishop (GA)	Holt	Pryce (OH)
Bishop (NY)	Honda	Ramstad
Blumenauer	Hooley	Rangel
Boehlert	Hoyer	Ross
Bono	Inslee	Rothman
Boswell	Israel	Roybal-Allard
Boucher	Jackson (IL)	Ruppersberger
Boyd	Jackson-Lee (TX)	Rush
Bradley (NH)	Jefferson	Ryan (OH)
Brady (PA)	Johnson (CT)	Sabo
Brown (OH)	Johnson, E. B.	Salazar
Brown, Corrine	Jones (OH)	Sánchez, Linda T.
Brown-Waite, Ginny	Kanjorski	Sanchez, Loretta
Butterfield	Kelly	Sanders
Capps	Kennedy (RI)	Schakowsky
Capuano	Kilpatrick (MI)	Schiff
Cardin	Kind	Schwartz (PA)
Cardoza	Kirk	Schwarz (MI)
Carnahan	Kolbe	Scott (GA)
Carson	Kucinich	Scott (VA)
Case	Langevin	Serrano
Castle	Lantos	Shays
Chandler	Larsen (WA)	Sherman
Clay	Larson (CT)	Simmons
Cleaver	Leach	Slaughter
Clyburn	Lee	Smith (WA)
Conyers	Levin	Snyder
Cooper	Lewis (GA)	Solis
Costa	Lofgren, Zoe	Spratt
Crowley	Lowey	Stark
Cummings	Lynch	Strickland
Davis (AL)	Maloney	Tanner
Davis (CA)	Markey	Tauscher
Davis (FL)	Matheson	Thomas
Davis (IL)	Matsui	Thompson (CA)
DeFazio	McCarthy	Thompson (MS)
DeGette	McCollum (MN)	Tierney
Delahunt	McDermott	Towns
DeLauro	McGovern	Udall (CO)
Dent	McKinney	Udall (NM)
Dicks	McNulty	Van Hollen
Dingell	Meehan	Velázquez
Doggett	Meek (FL)	Visclosky
Doyle	Meeks (NY)	Walden (OR)
Edwards	Melancon	Wasserman Schultz
Emanuel	Menendez	Waters
Engel	Michaud	Watson
Eshoo	Millender-McDonald	Watt
Etheridge	Miller (NC)	Waxman
Evans	Miller, George	Weiner
Farr	Moore (KS)	Wexler
Fattah	Moore (WI)	Woolsey
Filner	Moran (VA)	Wu
Foley	Nadler	Wynn
Ford		

NOT VOTING—5

Brown (SC)	Reyes	Tancredo
Hinojosa	Sweeney	

□ 1744

Messrs. THOMAS, FORD and OBEY changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. HYDE. 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. SIMPSON) having assumed the chair, Mr. CULBERSON, Acting 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. 2601) to authorize appropriations for the Department of State for the fiscal years 2006 and 2007, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2360. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

The message also announced that the Senate has passed without amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H.J. Res. 52. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 335. An act to reauthorize the Congressional Award Act.

S. 1413. An act to redesignate the Crowne Plaza in Kingston, Jamaica as the Colin L. Powell Residential Plaza.

S. Con. Res. 26. Concurrent resolution honoring and memorializing the passengers and crew of United Airlines Flight 93.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2360), ''An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GREGG, Mr. COCHRAN, Mr. STEVENS, Mr. SPECTER, Mr. DOMENICI, Mr. SHELBY, Mr. CRAIG, Mr. BENNETT, Mr. ALLARD, Mr. BYRD, Mr. INOUYE, Mr. LEAHY, Ms. MIKULSKI, Mr. KOHL, Mrs. MURRAY, Mr. REID, and Mrs. FEINSTEIN to be the conferees on the part of the Senate.

DISTRICT OF COLUMBIA'S FISCAL YEAR 2006 BUDGET REQUEST ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–47)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

Pursuant to my constitutional authority and consistent with section 446 of The District of Columbia Self-Governmental Reorganizational Act as amended in 1989, I am transmitting the District of Columbia's Fiscal Year 2006 Budget Request Act.

The proposed FY 2006 Budget Request Act reflects the major programmatic objectives of the Mayor and the Council of the District of Columbia. For FY 2006, the District estimates total revenues and expenditures of $7.35 billion.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 18, 2005.*

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO LIBERIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–48)

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date.

In accordance with the provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the national emergency and related measures blocking the property of certain persons and prohibiting the importation of certain goods from Liberia are to continue in effect beyond July 22, 2005.

The actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies pose a continuing unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons and prohibiting the importat' on of certain goods from Liberia.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 19, 2005.*

APPOINTMENT OF MEMBER TO BENJAMIN FRANKLIN TERCENTENARY COMMISSION

The SPEAKER pro tempore. Pursuant to section 5(a)(2) of the Benjamin Franklin Tercentenary Commission Act (36 U.S.C. 101 note), and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Member of the House to the Benjamin Franklin Tercentenary Commission:

Mr. CASTLE, Delaware.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain Special Order speeches without prejudice to the possible resumption of business.

PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on Monday, July 18, 2005, I was not in Washington due to weather delays that stranded my flight and therefore I was unable to vote. If I were here, I would like the RECORD to reflect I would have voted ''yes'' on rollcall vote 380, ''yes'' on rollcall vote 381, and ''yes'' on rollcall vote 382.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

BIDDING A FOND FAREWELL TO ANITA AND TOMMY MAGGIO

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to take this opportunity to recognize someone who is very dear to me, a member of my staff who has been with me since I was elected to Congress almost 16 years ago.

While Ms. Anita Maggio has been part of my office family since 1989, she has actually dutifully served Capitol Hill for 34 years. She has always been a dear friend to me and to the people of south Florida. Anita is a steadfast, loyal and dedicated member of my staff.

While other young staffers have come and gone, Anita has been the unwavering anchor in my office. Not only does Anita's mere presence boost morale in our office, but also she is a clearinghouse for information and contacts. Anita knows just about everybody on Capitol Hill, and everyone knows her. She has built a network of friends that is unequaled anywhere on the Hill. Everyone she meets is touched by her kindness and by her warmth.

Even though she does not have any children of her own, she has adopted all of us, including the staffers from other offices. She has the uncanny ability to make everyone feel loved and comfortable.

Anita Maggio is a very special soul. Her sensitivity and compassion touch all those who are blessed to know her.

Before joining my team, Anita was employed by my predecessor, the late Congressman Claude Pepper. Over the years, she has developed an intimate knowledge of the district and of the residents of south Florida.

When Anita retires, she will leave a void in my office that no other individual will ever be able to fill. She will be retiring with her husband of 42 years, Tommy Maggio. Over the years, all of us have come to know Tommy Maggio. If you are lucky enough to know Tommy, you will know that he will be retiring from the Rayburn House garage after working there for an amazing 32 years.

It is with great sadness that I bid a fond farewell to one of the most special women I have ever met, a trusted friend and a member of the Ros-Lehtinen and Capitol Hill family, Anita Maggio. Anita will be forever remembered in our hearts.

We love you, Anita; and we love you, Tommy. Please do not make her cook for you every single night. Anita deserves a rest. Be good to her.

KEEPING JOBS IN AMERICA BY VOTING ''NO'' ON CAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, as we approach the prospect of a vote on yet another free trade agreement, putting a stamp of approval potentially on the failures of U.S. trade policy and the $2 billion-a-day deficit that we are running, Members should approach this vote with caution.

First, they should be concerned about this bait-and-switch, the idea that we will before that vote have a vote to get tough with China, to begin to actually use our existing laws and authority to deal with the counterfeiting and the theft and the unfair trade practices of China.

We do not need to pass a bill to do that. The administration should just do it. Use the laws. Use the trade agreements. They told us that is why they wanted China in the WTO, that they were going to enforce sanctions against China. They are not filing complaints against China under the existing laws.

They do not need new authority; they just need to use their existing powers. So that is an attempt to give some cover to some of the weak-kneed around here who want to stick with the President who is saying it is his highest priority to extend the failed trade policies of the United States to another five nations in Latin America.

The President was, unfortunately, sadly in error last weekend when he went down to the south and said to the textile workers who have been devastated by these free trade policies that this would be good for them and the American economy.

All the President has to do, and he probably has not had a chance to read it yet, but the United States International Trade Commission issued a report a year ago, 11 months ago, on CAFTA; and they said that in fact it is likely to have minimal impact on production, employment or prices in the United States. They went on to say that, yes, it would cause a tiny bump up in exports, but guess what? Like every other trade agreement the U.S. has ever entered into, it would be a much bigger bump up in imports.

More lost jobs here at home will result from CAFTA. Do not be fooled. Think back to the predictions about the wonderful results that we were going to see from NAFTA and the fact that it was going to create 400,000 jobs in the United States. It actually logs 800,000. They were off by 1.2 million jobs. CAFTA will have the same net result.

We need a new trade policy, a trade policy that brings and keeps jobs that pay decent wages and provides benefits home here to the United States of America. We do not need to accelerate the race to the bottom. We do not need to ask the few remaining textile workers we have in this country to compete with people down in Central America who earn 50 cents an hour. And then to say that those people who earn 50 cents an hour are going to provide a tremendous boon to the U.S. economy because they will be buying luxury SUVs made in America and all sorts of other products manufactured here on that 50 cent an hour salary is so absurd that it is hard to believe that any thinking Member will swallow that argument.

If you just want to rubber-stamp, if you just want to follow the President and support the continued bipartisan failures of trade, Bill Clinton was a disaster on these issues, too, if you want to march down that path, then you can vote for CAFTA. But if you want to benefit the American people, manufacturing in the United States of America, our standard of living, our national security, if you want to see a turnaround in the $2 billion a day we are borrowing from the rest of the world to finance our overseas manufacturing, then you will vote ''no'' on CAFTA, and a new day will dawn where we bring and keep jobs home to America.

VOTE ''NO'' ON CAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, I am back on the floor again tonight, just like the gentleman that just spoke. I am from North Carolina, a State I am greatly proud of; but I am so concerned about this CAFTA bill.

I want to just go back to 1992, to the Presidential debates of that year, 1992. I want to quote one of the candidates for the United States Presidency, Ross Perot: ''You implement that NAFTA, the Mexican Trade Agreement, where they pay people a dollar an hour, have no health care, no retirement, no pollution controls, and you are going to hear a giant sucking sound of jobs being pulled out of this country, right at a time when we need the tax base to pay the debt of this Nation.''

□ 1800

Mr. Speaker, what is so ironic about that is that we are in the same situation today. Our Nation is in so much debt, the deficit is about $417 billion, $7 trillion in debt itself; the average citizen of America owes about $26,000 if they were going to pay off the debt of this Nation. How can we continue to send jobs overseas? Already, China has 1.5 million jobs since 1989. NAFTA itself, since we joined in 1993, in North Carolina alone, we have lost 200,000 manufacturing jobs; the United States has lost over 2.5 million manufacturing jobs.

Let me tell my colleagues what is so ironic. So many times when we have these debates, they say, well, if you create a better opportunity down in Guatemala, or whatever country it might be, then they are going to stay home. Let me tell my colleagues how ironic and ridiculous that is. The number of aliens has grown from 1.3 million people in 1992; that was the one year before NAFTA. Since NAFTA, 5.9 million illegal aliens have come across the border, and that is just for the year 2004. That is a 350 percent increase. It does not work. It only works if you are going to increase the livelihood of those people in those countries. It did not happen in Mexico, and it is not going to happen in these five countries in Central America.

Let me talk a little bit about CAFTA. CAFTA is the cousin of NAFTA. Eighty-five percent of the language in CAFTA is identical to the language in NAFTA; and, therefore, it is not going to do what needs to be done to help the American people and the American workers.

Let me talk about TPA, Trade Promotion Authority, which became the law of the land in August of 2002. My State of North Carolina, since that happened, 52,000 manufacturing jobs lost, and over 600,000 manufacturing jobs in the United States of America. CAFTA will not do what is being proposed by those who say we should pass CAFTA.

CAFTA is also going to be a way to allow the Chinese to back-door their goods to these five Central American countries, have them manufacture the product or put the product together, and then sell these duty-free over into America.

Mr. Speaker, I again want to say that I hope that we as a Congress will not pass CAFTA as it is drawn. If they want to go back to the table and redraw this legislation so that it is good for America and then good for these other countries, then we will look at it again. But as it is now, it is not good for the American government, it is not good for the American people, and I stand with my Republican friends, I stand with my Democratic friends, and I hope and believe that we will defeat CAFTA. It needs to be defeated.

RENEGOTIATE CAFTA

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, last year, this Congress was promised a vote on the Central American Free Trade Agreement by the end of 2004. December 31 came and went. Then, at a White House news conference, the President called on Congress to pass the Central American Free Trade Agreement by Memorial Day. May 31 came and went. In June, Congress was again promised a vote, which was supposed to have been before July 4. Independence Day came and went.

Why, Mr. Speaker? Because dozens of Republicans and Democrats, including my friends who are joining us tonight, the gentleman from Idaho (Mr. OTTER) and the gentleman from North Carolina (Mr. JONES), earlier the gentleman from Oregon (Mr. DEFAZIO) and the gentlewoman from Ohio (Ms. KAPTUR) and others, because of the strong opposition by both parties, from small farmers and ranchers to organized labor, from small manufacturers to environmentalists, from religious leaders, from Catholic bishops in Central America and the Dominican Republic, to Lutheran and Presbyterian and Jewish and Episcopal leaders in our country, all of us speak with one strong, united voice: renegotiate the Central American Free Trade Agreement.

Those of us opposed to this CAFTA do want a trade agreement with Central America; but we want a trade agreement, as the gentleman from North Carolina (Mr. JONES) says, that benefits our whole Nation, not just a few; not one crafted, not a trade agreement crafted, negotiated by a select few for a select few.

As the President travels the Nation trying to sell this CAFTA to the American public, he is hearing firsthand from U.S. workers, from small business owners and family farmers and family ranchers and religious leaders that they do not want this CAFTA, either. Their message, as is the message coming from us in this body in both parties, is loud and clear: renegotiate this Central American Free Trade Agreement.

In response to the President's trip this past Friday to North Carolina, a newspaper headline read: ''Bush Sells Trade Pact in Hostile Territory.'' A Huntsville Times Alabama editorial on Sunday reads: ''Say No to the Central American Free Trade Agreement.'' A Wall Street Journal headline, a newspaper traditionally very supportive of trade agreements, a Wall Street Journal headline yesterday read: ''Cafta is No Cure-All For Central America.''

This CAFTA represents more than a decade of failed trade policies. Just look what has happened with our trade policies just since the gentlewoman from California (Ms. WOOLSEY) and I in 1992 came to this Congress. In 1992 we had a trade deficit in this country of $38 billion. That means we sold $38 billion less, exported, than we imported. In 2004, last year, that trade deficit was $618 billion. It went from $38 billion to $618 billion in just a dozen years. How do we argue that our trade policy is working when our trade deficit has gone from $38 billion to $618 billion, and all of the lost manufacturing jobs in North Carolina and Idaho and California and Illinois and all over this country, including my State of Ohio? How do you argue that our trade policy is working?

CAFTA, Mr. Speaker, has languished in Congress for more than a year. Normally, trade agreements are voted on within 60 days. It passed the Senate by the narrowest margin ever of any trade agreement in that body. That is because we know this agreement is a continuation of the North American Free Trade Agreement, a dysfunctional cousin of NAFTA, a trade agreement which failed to live up to its lofty promises.

It is the same old story. Every time there is a trade agreement, whether it is Bill Clinton or whether it is George Bush, they tell us three things: they say more jobs for Americans, they say more manufactured products exported from the U.S. overseas, and they say that it will mean better wages for workers and a higher standard of living for people in the developing world. With every trade agreement, these promises fall flat.

Benjamin Franklin said the definition of insanity is doing the same thing over and over and over and expecting a different outcome. That is what has happened with our trade agreements. This CAFTA will not enable Central American workers to buy cars made in Toledo, Ohio or software developed in Seattle or textiles and apparel from North Carolina or prime beef from Nebraska. This CAFTA is about U.S. companies moving plants to Honduras, outsourcing jobs to Guatemala, exploiting cheap labor in El Salvador.

I will make one prediction, Mr. Speaker. If CAFTA comes up next week, they will call it up in the middle of the night, they will hold the rollcall open for several hours, they will twist arms to try to get this agreement passed. Instead, we should throw out this failed agreement, go back to the drawing board, renegotiate a CAFTA that lifts workers up, that makes sense for workers in all seven CAFTA countries, including our own.

When the world's poorest people, Mr. Speaker, can buy American products and not just make them, then we will know that our trade policies are finally working.

CAFTA PUTS U.S. SOVEREIGNTY AND CONSTITUTION UNDER ATTACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. OTTER) is recognized for 5 minutes.

Mr. OTTER. Mr. Speaker, I join the three previous speakers tonight, and I rise today in the urgent interest of America's sovereignty and the primacy of our laws and the Constitution. They are under attack, Mr. Speaker, by the Central American Free Trade Agreement that will soon be considered by this Chamber.

In fact, even referring to CAFTA as a ''trade agreement'' is a misnomer. Yes, it involves trade; but its influence on our economy, our legal system, and our way of life would be much more serious and sweeping than the benign term ''trade agreement'' suggests.

At its core, CAFTA is a document that uses more than 1,000 pages of the international vernacular of diplomacy to cede the right of the American people to be governed by their representatives that they elect according to the laws of their land and under the legal system established by their Constitution.

Specifically, CAFTA brazenly requires the executive branch of the United States Government, as well as this Congress, our State Governors, State legislators, and even local authorities to conform all existing and future Federal, State, and local laws to a new set of international statutes and standards that go beyond trade matters. Make no mistake: only one thing would be worse than approving and living under CAFTA, and that would be to approve it and then find ourselves unwilling to comply with its provisions, which demonstrably contravene every principle of Federalism that is at the basis of our form of government.

Such exercises of sovereign authority on the part of the United States Government on behalf of the American people we are entrusted to represent could subject our policies, our laws, our court judgments, and even our land to the will of an international tribunal empowered to impose the trade sanctions for our intransigence.

This is not a matter of opinion, Mr. Speaker. It is a matter of fact. Precedents established by judgments rendered under NAFTA-related cases leave no room for doubt that CAFTA will open us to all forms of statutory globalization that is singularly not in the best interests of the United States.

Let me be more blunt. Requiring U.S. domestic laws to conform to the extensive nontrade provisions in CAFTA is a direct violation of the Constitution as well as an abuse of trust placed in this government by the people of the United States. This is an intrusion upon the sovereign rights of the duly elected representatives in Federal, State, and local positions. But more importantly, it is nothing short of an abdication of the rights of those who elected us.

Let us look at some specifics. Under CAFTA, a tribunal empowered to resolve a dispute would be made up of judges from three countries; two countries, one each, representing those in the dispute, as well as a judge from a third country from the CAFTA trade agreement. Now, no matter how you do the math, it adds up to one voice for the United States against two judges from Central American countries without the tradition of constitutional jurisprudence or democracy of which we are justifiably proud. Those odds simply are unacceptable.

Beyond the CAFTA tribunal, this agreement would submit the United States to an even greater degree of unreasonable and unwarranted offshore jurisdictional control in the guise of the United Nations and the World Bank. CAFTA would empower them to order payments of U.S. tax dollars to foreign investors who claim that the U.S. business laws and regulations are too strict by international standards. Neither our Constitution nor our courts have ever legitimately contemplated such a circumstance and to do so now would be, once again, entirely unacceptable.

U.S. businesses already must marshal all the ingenuity and technological advantages that they can to compete in the global marketplace. In addition, they are subject to severe and growing regulatory burdens placed on them by our own country's laws. Under CAFTA, they will find themselves at even greater disadvantage to foreign investors. The United States will only be a good place to do business if you are not from the United States. Our own businesses and entrepreneurs, our economic warriors will be stripped of their weaponry and sent to fight in a losing battle without protection.

These prospects terrify me. And, yet, we have heard talk lately from some who do not find any of this to be a matter of concern. They say that CAFTA's implementing language would do nothing to change current U.S. law. To believe that you would have to be looking at CAFTA with blinders on, unable or unwilling to see beyond today and into the potential effects years down the road. While today's laws may be safe, all future laws intended to protect America and their interests are indeed in jeopardy.

All this might sound a bit farfetched and overly dramatic. Unfortunately, there are numerous examples of times when they have been forced to change our laws and our ways of doing business after submitting to the authority of an international court.

For example, under NAFTA, a tribunal similar to the one proposed in CAFTA ordered the United States to allow Mexican trucks to operate throughout the United States because NAFTA included the right of foreign transportation firms to operate in our country. We in Congress have regularly expressed our concern about the considerable safety problems associated with Mexican trucks that do not meet the U.S. safety requirements.

In addition, just last year Congress had to pass legislation repealing U.S. tax laws because the World Trade Organization decided that they were not in accordance with international policy. Changes to our tax policy should be based on our own laws and our own practices, not forced upon us by the whims and biases of international tribunals.

I am a strong believer in free and fair trade, and I believe that developing good trade policies will benefit U.S. farmers and manufacturers. But I cannot support new trade agreements if we do not maintain an effort to enforce existing agreements. Ineffective, uneven enforcement of NAFTA has led to existing tensions between the United States and the Canadian beef, potato and softwood lumber industries, as well as the Mexican bean and sugar beet industries, significantly affecting producers in my State. While we refuse to take other countries to task over their exploitations of NAFTA, we allow our own sovereignty to be continually assaulted by the NAFTA tribunal.

Having worked as an Idaho businessman for most of my life, I know that exporters in my State can compete and win on a level playing field; however, NAFTA has become a double-edged sword being used to undermine and ultimately destroy industry and jobs in my State. Rather than fixing old problems, CAFTA merely adds insult to injury by continuing this downward spiral toward a complete loss of U.S. sovereignty.

In closing, Mr. Speaker, I just would say that once again, there are many numerous opportunities for us to take a look at how we have been disadvantaged under NAFTA; and CAFTA, as has been said before, is just an ugly relative of NAFTA.

SMART SECURITY AND FOREIGN RELATIONS AUTHORIZATION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, today and tomorrow, we are debating the foreign relations authorization bill, a comprehensive piece of legislation dealing with matters that are important, even if they are not headline grabbers: passports, scholarships for international students, death benefits for American foreign service officers, just to name a few.

I intend to vote for this bill on final passage, Mr. Speaker, but not without some reservation and not without a great deal of disappointment.

□ 1815

Here we are essentially affirming American foreign policy for the next 2 years. And what does the bill have to say about Iraq, the greatest foreign policy challenge of our time? Virtually nothing. Three hundred-plus pages of legislative language and not a word about Iraq until the very end of the bill where it calls on the President to transmit a plan to provide for a stable and secure government of Iraq and an Iraqi military and police force that will allow the United States military presence in Iraq to be diminished. That is it. This is like writing an essay about the significance of December 25 and saying at the end, oh, by the way, it is Christmas too.

Some amendments have been offered that address aspects of the Iraq war. These amendments only serve to advance the current failed policy. Instead of giving us the new direction and the fresh thinking that we so badly need, this policy, these amendments continue what already exists.

I oppose, for example, one amendment mandating that we must turn over Iraq's security to the Iraqis only when they are ready for that responsibility and that we must not, and I quote, withdraw prematurely the U.S. Armed Forces from Iraq, unquote. Prematurely.

Mr. Speaker, do more than 2,000 Americans have to die, or 2,000 more Americans have to die before we recognize that bringing our troops home is not premature, but a fact that is long overdue?

This amendment also states that troop withdrawal cannot happen until we are close to realizing a free and stable Iraq that is at peace and not a threat to its neighbors. I fear, Mr. Speaker, that such a policy would make this an endless war because the amendment has it exactly backwards. There can be no stability in Iraq while our troops are still there. It is our very military presence and the resentment that it is breeding that is emboldening the insurgency. It is only by ending the occupation that we can hope to quell the violence and give the Iraqi people some hope for peace and security.

As I said, I will vote for H.R. 2601 because I believe there is plenty that is good and important in this bill. The architects of the legislation should be commended for authorizing billions in foreign aid that will go a long way toward improving lives around the globe.

But once again, and I repeat, this bill represents a missed opportunity to completely reexamine Iraq and foreign policy more generally. With this bill we could have charted a new course, launched a new and more peaceful strategy for helping Iraq stand on its own two feet. But all we have done on Iraq is declared it U.S. policy to extend our military presence indefinitely.

In Iraq, and around the world, I believe we need to adopt what I call a SMART security plan. SMART stands for sensible multilateral American response to terrorism. It would make military action not a reflex, but a very last resort. SMART would fight terrorism with brains, not brawn, with stronger multilateral alliances, improved intelligence capabilities and vigorous weapons inspections. It would forbid the sale and transfer of weapons to regions of conflict. The agreement reached yesterday with India most certainly would not meet the standards of SMART.

SMART also calls on the United States to set an example for the world by living up to its own nuclear nonproliferation commitments, something H.R. 2601 clearly does not mandate. SMART would divert resources from Cold War weapons systems, reinvesting them in Homeland Security and energy independence. And SMART would attack terrorism at its roots with an ambitious international development plan for the troubled regions around the world.

Democracy building support, human rights education, education programs, small business development, these are the cures to the poverty, oppression and hopelessness that breed terrorism in the first place.

Mr. Speaker, I reiterate my support for H.R. 2601. But I lament its failure to substantially or realistically address the most pressing foreign policy challenge in our generation, the supremely misguided war in Iraq.

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. EMANUEL. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Indiana (Mr. BURTON).

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

There was no objection.

LEAKS FROM THE WHITE HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, a lot has been made lately about leaks coming from the White House, and the outing of CIA Agent Valerie Wilson was admittedly an egregious act.

But I, for one, would like more leaks, not less from this White House. And let me quote the President. Bring it on.

Let me be clear. I am not looking for more of the kind of leaks that have tripped up Karl Rove and Scooter Libby. It is generally not a good idea to out undercover CIA agents working on behalf of America's national security. Those are the types of leaks that can lead to unfortunate consequences, like people getting killed and national security being breached.

Even if you leak on double super secret background you might get caught. And if there is a special prosecutor involved, well, look out. You could end up, as the old cliche in the book says, the former White House official is doing time in Allenwood.

The kind of leaks I am thinking about might include like the real cost of the prescription drug bill for Medicare or the secret plan for Social Security solvency. Those are the types of leaks that I wish this White House would provide and knew. It would have been useful, for example, if someone had leaked the true cost of the Medicare prescription drug program before Congress had voted to commit future generations to twice the obligation we were told.

Originally they told us that the prescription drug bill would cost $394 billion over 10 years. The American people are going to pay $800 billion. The administration actually kept secret the extra $400 billion from the Congress and the American people. And they even threatened to fire the government actuary who wanted to just simply tell the truth. All along they knew that it was going to be $800 billion and all along they repeated that it was $394 billion.

Now that was the type of leak that is worthy of a good Washington leak. And I think I know something about leaks.

And it certainly would have been nice if some brave soul in the White House had told the American people that the President's tax cuts would raid the Social Security Trust Fund for $639 billion, explode the deficit, all the while benefiting the wealthiest Americans. Instead they told us we could have a big tax cut, balance the budget and strengthen Social Security. Of course, former Secretary of Treasury Paul O'Neill eventually blew the whistle on what the real cost of the tax cut was. But by that time it was too late for him and too late for the American people, and Social Security is $639 billion less today in the trust fund, all because nobody wanted to tell the truth when they knew it.

But these are not the only examples of not willing to tell the truth to the American people, and wanting to hold back information when they should have done what their instincts were, which was to leak. Remember when we had the terrorist report from the State Department and somebody actually had to doctor the data to say that in fact there was a decline in terrorism when all along they knew there was an increase in terrorism. And Secretary Powell had to come back with a new report, a fresh report to show what the actual data said originally, which was there was a rise in terrorism in the last number of years.

Then there was the mercury report from the EPA which was doctored and played with, and they tried to doctor up; as the British like to say, they had to fix the data. Well, they had to go back and fix the data again and come back with the truth.

But really who can blame this White House for not leaking? Karl Rove knows that if the American people knew the facts they would not support the policies of this administration. No, this White House is silent about everything it should leak and loose lipped about matters better kept secret. They actually have a bad case of having it all backwards.

So next time when you see the truth, my recommendation, try leaking it.

And I know the American people and particularly our military families would appreciate a White House leak today on our double secret plan to accomplish a mission in Iraq and bring our boys and girls home. I ask Karl Rove to share that next time with a reporter.

Heck, we are still waiting for someone to leak the President's plan on Social Security. So I say do not stop here, Mr. Rove. Do not stop here, Mr. Libby. Dishing the names of our national security agents may be your idea of political, quote, fair game. But turn up that leaky faucet and tell us what we really need to know, which is the truth.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mrs. JOHNSON of Connecticut. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Texas (Mr. POE).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

CAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Mrs. JOHNSON) is recognized for 5 minutes.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong support of the Dominican Republic and Central American Free Trade Agreement and urge my colleagues to join me in its passage in the next week. Both the strength of our economy and the jobs available to our own people depend on our ability to gain access to new markets and offer products that are price competitive, and quality competitive. Without greater access to the global market, it is our people that pay the price. The DR–CAFTA agreement will, for the very first time, allow U.S. goods to flow into the Central American countries without tariffs, just the way Central American goods flow into America without tariffs. It merely levels the playing field.

Furthermore, it will allow us to modernize the partnership between the United States textile industry and the Central American countries. Through this partnership we can compete with China. If we lose this partnership and the opportunity to modernize it, then textiles will go to China. They will take jobs from the Central American countries and that will take jobs from America because this partnership uses entirely American yarn, and China is unlikely to do that. So not only would our goods flow into these Central American countries without tariffs, but by modernizing the textile partnership between the United States and the Central American nations we save jobs in both countries and keep ourselves competitive with China.

Finally, this agreement helps strengthen fledgling democracies and economies that at one time were the center of civil war, terrible unrest, terrible suffering and great poverty. Through the development of their democracies and their economies, their people are beginning to do better, and by supporting that growth we can stem both legal and illegal immigration from those nations, which we would like to do.

I strongly support CAFTA, as do the majority of producers of American products from manufactured products to agricultural products, because the agreement levels the playing field for workers by immediately reducing tariffs imposed on exports to Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Nicaragua. It zeros out many tariffs immediately, while others are reduced the first year by 80 percent. This is manufacturers, agriculture products, everything across the board.

Currently, imports from CAFTA countries enter the United States duty free, but of course our goods are not allowed to go back duty free. This is a great leveling of the playing field and will increase exports from the United States to the Central American nations.

It may surprise you to hear that Central American countries are my home State of Connecticut's largest export market for crops. Connecticut's dairy farmers will gain immediate duty free access to the Central American markets for dairy products, and all tariffs will be phased out over time. That is exactly why the American Farm Bureau has endorsed CAFTA.

Now there has been some discussion about the labor requirements, the labor provisions of CAFTA. In fact, this agreement has been roundly criticized by Members of this body who voted overwhelmingly for the agreement with Morocco and the agreement with Jordan. And yet this agreement is far tougher on labor standards and far stronger on enforcement.

I am proud to say that under this agreement, after a year's work between the Development Bank and the ILO to evaluate carefully these countries' labor laws and to upgrade those laws, to evaluate carefully their ability to enforce those laws and what had to be done to strengthen enforcement, after that year of work, all that work is embodied in this Central American agreement, the CAFTA agreement. Consequently, this agreement will enforce laws that meet the ILO standards in all these countries, 100 percent in most of them and in two of them there are constitutional provisions that essentially make it equivalent to 100 percent. So the labor laws meet high standards and through this agreement enforcement will meet high standards.

□ 1830

We not only commit money to those standards but we creatively approach for the first time the issue of enforcement. First of all, under the old agreement, if the Central American countries did not live up to their obligations to make progress in the area of labor laws, all we could do was completely cut off all trade agreements. That nuclear, that draconian option was never in the whole 22 years used. It did not work.

So in this agreement we have the right to levy stiff monetary fines, up to $15 million per year per violation; and if that does not work, we can take away their trade benefits. But meanwhile these fines will go into a special fund to be used with American oversight and American agreement to solve specific labor problems to strengthen specific enforcement measures and to make the lives of the workers in these countries better.

Not only do we have flexibility and enforcement and new funding from the penalty system, but our country has committed $180 million dollars to enforcement.

In sum the DR–CAFTA agreement will for the first time allow U.S. goods greater access to central American markets close to our country, allow us to modernize our textile partnership to compete directly with China, and help strengthen the fledgling democracies and economies of our southern neighbors which alone will stem immigration—legal and illegal—from those nations.

COMMEMORATING THE SENECA FALLS CONVENTION

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise to commemorate an extremely important anniversary: 157 years ago today Lucretia Mott and Elizabeth Cady Stanton stood before a women's rights convention in Seneca Falls, New York and made it known that women's rights could not be complete until they were granted the right to vote.

One hundred and fifty-seven years ago, women and men would not be considered equal without the strongest tool that existed in this country to enact change and that was the right to vote.

In the greatest democracy in the world, the idea that half of the population did not have a voice was completely unacceptable to these two women and the countless others who stood beside them such as Sojourna Truth, a very strong advocate also for women's rights.

What seems like an absolute now, that women should be part of the process, that women should be able to hold

elected officials accountable for their actions, that women themselves could become elected officials, was not the case 157 years ago, Mr. Speaker.

The women who stood up and fought back 157 years ago did so in order that we could be able to stand here today. Because of the courage of these women, we now have 69 women serving in the House of Representatives and 14 women serving in the Senate.

However, women did not receive the right to vote without a struggle. Suffragists such as Carrie Chapman Catt, Maud Wood Park, Lucy Burns and Alice Paul faced such humiliations as arrest, jail time, and derision from all directions so that women could simply walk to the voting places and speak their minds through their votes.

We owe a great deal of gratitude and great debt of gratitude to these women. Had they not marched, picketed and protested, many of us would not be standing here today. Unfortunately, many women are not making the most of this right that many fought so powerfully to secure.

Our voices are no less important than they were many decades ago. Our ideas and beliefs are held no less powerful. Women have the power to make changes and affect policy. They can do so simply by going to the voting booths. However, while 60 percent of the women voted in the last election as opposed to 56 percent of men, a full 32 percent of women are still not registered to vote. A shocking 45 percent of young women ages 18 to 24 are not registered to vote.

It is not enough for women to rest on our laurels given that we have and do have the right to vote. We actually have to get out and make our voices heard. We must engage all women in the process. We must demonstrate to them that their voices matter to us. We must devote our energies to letting young women know that, like their counterparts 157 years ago, their participation can change the path of history.

I want to thank these women who fought so hard 157 years ago so that women across this land could vote and can continue to vote and that I could have the opportunity to stand here today and give thanks to them.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. WELDON) is recognized for 5 minutes.

(Mr. WELDON of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A VIEW OF IRAQ FROM A SOLDIER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, this evening I wish to enter into the RECORD the compelling story of one of our soldiers from Iraq.

This is a soldier who voluntarily joined our Army in February 2002; trained as an infantryman at Fort Benning, Georgia; sent to Fort Riley; participated in the opening stages of the war, fighting all the way to Baghdad where he would remain for the next year and was promoted to the rank of sergeant during his service to the United States and was honorably discharged. He is 27 years old.

His writings include this: A view of Iraq from a soldier dated this July 2005. He says, ''I am a concerned veteran of the Iraq War. I can offer some firsthand experience of the war on Iraq through the eyes of a soldier.

''My view of the situation in Iraq will differ from what the American people are being told by the Bush administration. My opinion on this matter comes from what I witnessed in Iraq personally.''

He talks about members of the Bush administration creating an image of wine and roses in terms of the aftermath of the war. And Vice President DICK CHENEY said American troops would be greeted as liberators. But he goes on to say, ''I participated in the invasion, stayed in Iraq for a year afterward. What I witnessed was the total opposite of what President Bush and his administration stated to the American people. The invasion was very confusing,'' this soldier says, ''and so was the period of time I spent in Iraq afterwards. At first it did seem that all the people of Iraq were happy to be rid of Saddam Hussein, but that was only for a short period of time.

''Shortly after Saddam's regime fell, the Shiite Muslims in Iraq conducted a pilgrimage to Karbala, a pilgrimage prohibited by Saddam while he was in power. As I witnessed the Shiite pilgrimage, which was a new freedom that we provided to them, they used the pilgrimage to protest our presence in the country. I watched as they beat themselves over the head with sticks until they bled and screamed at us in anger to leave their country. Some even carried signs that read, 'No Saddam, No America.'''

''These were people that Saddam oppressed. They were his enemies. To me it seemed they hated us more than him. At that moment I knew it was going to be a long deployment. I realized that I was not being greeted as a liberator. I became overwhelmed with fear because I felt I would never be viewed that way by the Iraqi people.

''As a soldier this concerned me because if they did not view me as a liberator, then what did they view me as? I felt they viewed me as a foreign occupier of their land. That lead me to believe very early on that I was going to have a fight on my hands.

''During my year in Iraq I had many altercations with the so-called insurgency. I found the insurgency I saw to be quite different from the insurgency described to the American people by the Bush administration, the media, and the supporters of the war. There is no doubt in my mind there are foreigners from other surrounding countries in Iraq. Anyone in the Middle East who hates America now has the opportunity to kill Americans because there are roughly 140,000 U.S. troops in Iraq.

''But the bulk of the insurgency I faced was primarily the people of Iraq who were attacking us as a reaction to what they felt was an occupation of their country. I was engaged actively in urban combat in the Abu Ghraib area west of Baghdad. Many of the people who were attacking me were the poor people of Iraq. They were definitely not members of al Qaeda, left-over Baath party members, and they were not former members of Saddam's regime. They were just your average Iraqi civilian who wanted us out of their country.

''On October 31, 2003, the people of Abu Ghraib organized a large uprising against us. They launched a massive assault on our compound in the area. We were attacked with AK–47 machine guns, RPGs and mortars. Thousands of people took to the streets to attack us. As the riot unfolded before my eyes, I realized these were just the people who lived there. There were men, women and children participating. Some of the Iraqi protestors were even carrying pictures of Saddam Hussein.

''My battalion fought back with everything we had and eventually shut down the uprising. So while President Bush speaks of freedom and liberation of the Iraqi people, I find his statements are not credible after witnessing events such as these.

''During the violence that day, I felt so much fear throughout my entire body. I remember going home that night and praying to God, thanking him I was still alive.

''A few months earlier President Bush made the statement 'Bring it on' when referring to the attacks on Americans by the insurgency. To me that felt like a personal invitation to the insurgents to attack me and my friends who desperately wanted to make it home alive.

''I did my job well in Iraq. My superiors promoted me to the rank of sergeant. I was made a rifle team leader and was put in charge of other soldiers when we carried out our missions. My time as a team leader in Iraq was temporarily interrupted when I was sent to the Green Zone in Baghdad to train the Iraqi Army. And I was more than happy to do it because we were being told in order for us to get out of Iraq completely, the Iraqi military would have to be able to take over all security operations.

''The training of the Iraqi Army became a huge concern of mine. During the time I trained them, their basic training was only one week long. We showed them some basic drill and ceremonies such as marching and saluting.''

Mr. Speaker, I will continue this Special Order later this week, and I thank this soldier so much for his courage to tell what he personally lived in Iraq.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HENSARLING) is recognized for 5 minutes.

(Mr. HENSARLING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. KING) is recognized for 5 minutes.

(Mr. KING of Iowa addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REASONABLE IMMIGRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thought today was a particularly relevant day to talk about protecting America against terrorism and reinforcing what I believe is a belief of all Americans, that immigration does not equate to terrorism.

I say that, Mr. Speaker, because this morning we heard a brilliant message from the Prime Minister of India, Prime Minister Singh, who talked about a new day in America's relationship with India. As we are called the oldest democracy, India is called the largest democracy.

In his conversation, he talked about democracy empowering women, he talked about the reasonable use of nuclear energy, the need that India had in promoting the use of civil nuclear energy as opposed to any use of it for weapons and their commitment to nonproliferation. But he also talked about the cultural exchange and the value of the Indian-American community and the Indian community in India, and the United States building on a relationship.

Well, Mr. Speaker, what that means is that we have a reasonable response to immigration because in order to have that cultural exchange, certainly those individuals from India would have to utilize visas to come to this country, for example, the J–1 visa which helps bring physicians to the United States to serve in rural and underserved areas.

So I say to this body, we cannot hide in the sand on the question of immigration. And I believe the American people are reasonable people.

The ranking member on the Subcommittee on Immigration on the House Committee on the Judiciary, I have called for a full hearing on all of the bills that have been offered by my colleagues, the Kennedy-McCain bill which I support, and of course many others.

Today and yesterday, two bills were offered by our friends, the gentleman from Colorado (Mr. TANCREDO) and Senator CORZINE. I would say that all of those bills need to be heard; but I would caution, you cannot have an immigration bill that is only about enforcement, because so many of us come from immigrant backgrounds and we understand the value of reuniting those who are here legally with their family members. Because our system of immigration is broken, we have not been able to do that. That creates illegal immigration.

Even in a document that talks about America's views on immigration, it says in terms of protecting us against terrorism, Americans do want to have closed, secure borders and they want the borders to be protected. Twenty percent say that. But in terms of be careful about those who enter this country and pay attention to immigration, it is not overwhelming, though it is certainly 13 percent of Americans say pay attention to immigration. That does not say close the doors to immigration. That is why I offer a commonsense answer to immigration reform.

□ 1845

My bill is called H.R. 2092, Save America Comprehensive Immigration Reform Act of 2005. We cannot solve immigration by putting military on the border. We cannot solve it by the Minutemen. We cannot solve it by a bill that says deport everybody; that you do not want to have anyone to be a guest worker other than those who are already here legally.

We can solve it by protecting our borders and adding more resources to border protection. We can solve it by giving more dollars to Immigration, Customs and Enforcement, providing us with more than 800 of those so that we can have internal immigration reform or protection.

We can do it by doubling the amount of family visas, so that those individuals who are here, taxpaying immigrants who want to bring a mother, a daughter, or a husband will have the visas which will allow them to do so.

We can do what we call earned access to legalization. That is not amnesty. What it says is, if you are undocumented and here in the United States, get in line. Let us provide you with a method of earning access to legalization; no criminal record, be here 5 years, do community service and petition to be a citizen.

Mr. Speaker, are we not safer, is it not the right common-sense approach to protect us against terrorism to know who is in our country? Do my colleagues think we can deport the 8 million to 14 million who are here working in hotels and construction and as aids around America? Yes, the system was broken in order to allow the growth of such, but many of these people now have family members that are citizens and who have invested by buying homes and paying taxes.

So it is important to recognize that if we were to work and try to deport the 8 million to 14 million, only about 32,000 are done a year in terms of deportation hearings. All of them are subjected to appeals. You would be centuries trying to deport 8 million to 14 million who are here, and maybe that number is not even the number.

So my legislation, H.R. 2092, the Save America Comprehensive Immigration Act, provides for the reunification of families by increasing the visa number. It also provides for the reuniting or the citizenship of children. It protects women against violence. It provides for the border security provisions, as I have mentioned, and it fixes this broken system of deportation. So that if you are in a deportation proceeding because of some small offense you created as a teenager, you would not be deported to a place you had never seen in your life. We need diversity visas, helping Haitians and Liberians.

Mr. Speaker, I hope we have a full debate on immigration, and I am delighted that the American people are common-sense and reasonable people. They know that immigration does not equate to terrorism; that in fact we can have a full debate, fix the broken system, work with those who have come to this country for opportunity, secure our borders, and fight against terrorism, but not condemn immigrants who are here, hard working. For many of us, many of us, some came in the bottom of the belly of a slave boat, but many of us came first to this country as an immigrant.

PATRIOT ACT REAUTHORIZATION

The SPEAKER pro tempore (Mr. FORTENBERRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, I rise this evening to talk about something we are going to be going into this week, something that is of major importance to every man, woman, and child in the United States of America and around the world, and that is the USA PATRIOT Act, the reauthorization of some certain sections of that act, and the reexamination of the PATRIOT Act.

As we all know, it is no news to anybody that this Nation had the most heinous attack in its history on 9/11, and the question has been raised, why do we need a PATRIOT Act? As a judge for over 20 years, I believe it is necessary to give our law enforcement folks the tools and the resources that they need to protect our citizens and our citizens' rights. We do not need to create sanctuary for terrorists to operate in our country.

The USA PATRIOT Act removed major legal barriers that prevented law enforcement, intelligence, and national defense communities from taking and coordinating their work to protect the

American people and our American society. Now, FBI agents, Federal prosecutors, and intelligence officials can protect our communities by connecting the dots to uncover terrorist plots before they are completed, while respecting the constitutional rights of all.

To do this, certain tools are necessary for our investigators to fight terrorism. Many of the tools the act provides for law enforcement to fight terrorism have been used for decades to fight organized crime and drug dealers and have been reviewed and approved by the courts.

Specifically, the PATRIOT Act allows law enforcement to use surveillance against more crimes of terror, such as the use of chemical weapons and other weapons of mass destruction. It allows Federal agents to follow sophisticated terrorist training to evade detection. It allows law enforcement to conduct investigations without tipping off the terrorists. It authorizes the court the discretion to issue an order to obtain business records in national security terrorism cases. This act is in the business of disrupting terrorist threats and capturing terrorists. It is in the whole business of catching them and preventing them from doing what they have been doing in the past.

Since 9/11, our law enforcement and intelligence community and our partners both here and abroad have identified and disrupted over 150 terrorist threats and cells. Worldwide, nearly two-thirds of all al Qaeda known senior leadership has been captured or killed, including the mastermind, one of the masterminds of the September 11 attacks. Worldwide, more than 3,000 operatives have been incapacitated. Five terrorist cells in Buffalo, Detroit, Seattle, Portland, Oregon, and northern Virginia have been broken up. More than 401 individuals have been criminally charged in the United States in international terrorism investigations. Already, 212 individuals have been convicted or have pled guilty in the United States, including the shoe bomber, Richard Reid and the American Taliban, John Walker Lindh.

The PATRIOT Act deals with increasing penalties for those who commit terrorist crimes. The PATRIOT Act increases penalties for those who commit terrorist crimes. And Americans are threatened as much by the terrorist who pays for the bomb as the one who detonates the bomb. We should even consider eliminating, in my opinion, the loophole and making sure that any terrorist who commits a crime resulting in death will be eligible for the death penalty or life in prison.

In particular, this act prohibits individuals from knowingly harboring terrorists who have committed or are about to commit a variety of terrorist offenses, such as destruction of an aircraft, use of nuclear, chemical, biological or other weapons of mass destruction, bombing of government property, sabotage of nuclear facilities and aircraft piracy. It enhances the maximum penalties for various crimes likely to be committed by terrorists, including arson, destruction of energy facilities, material support to terrorists or terrorist organizations, and destruction of national defense materials. It enhances the number of conspiracy penalties, including for arson, killing of Federal officials, attacking communication systems, material support to terrorists, sabotage of nuclear facilities, and interference with flight crews. And it punishes terrorist attacks on mass transit systems, such as we just witnessed in Great Britain. It punishes bioterrorism. It eliminates and lengthens the statute of limitations for certain terrorist crimes.

The PATRIOT Act is a tool creatively created by the United States Congress to maintain the Constitution and give our law enforcement and intelligence folks the tools they need to fight.

Mr. Speaker, I now yield to my colleague, the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Texas, and I think it is so worthy as we have this debate to recognize the experience that the gentleman from Texas brought to this Chamber, having served as a judge in his home State of Texas and becoming a true contributing member of the Committee on the Judiciary and working with our chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), and that committee as we bring forward the reauthorization of the PATRIOT Act. I thank him for sharing that expertise with our body and I thank him for the diligence that he brings to reviewing this.

Mr. Speaker, I had an interesting experience this week. My husband and I have been members of a bible study group for about 15 years, and Sunday night, as we gathered, the leader of the group looked at me and he said, Marcia, why do you not talk to us about what is going on with our border security and our national security. The bombings had been of concern to so many people, and this is a group of folks we are very close to, and so I took a few minutes to kind of recap for them where we are as we look at these issues that face us and as we find workable solutions to them; whether it is illegal immigration or whether it is keeping our communities and our towns and our cities safe.

That brought us all to the PATRIOT Act and the reason for the PATRIOT Act and the reason this Chamber voted to put the PATRIOT Act in place. It is there as a tool to be used, as the gentleman from Texas said, by our local, State, and Federal law enforcement, by our intelligence community, by our defense community to be certain that we keep America safe; that we keep our homeland safe; that we keep our communities safe; that we have a tool that we can use to fight terrorism.

We have to realize, too, that most terrorists do not claim allegiance to a specific country or a government. These are not uniformed soldiers of a nation's army. What we have are people that are loyal to the Taliban, to the al Qaeda, to the terrorist organizations. Their goal is to inflict harm on us, and the PATRIOT Act has supplied a way that the law enforcement, the intelligence community, the defense community can work to get the information that is necessary to keep us safe.

There are a couple of points that I would like to touch on tonight, and that I think are very important, very important to my constituents and were important to my friends as we sat Sunday evening, in a safe, secure home and talked about this very issue. One of those is the fact that the PATRIOT Act allows our Federal agents to follow sophisticated terrorists who are trying to evade detection, and this is the ability to use roving wiretaps.

Now, that is something our agents have had the ability to use for those that are into racketeering and into drug offenses. So they have used that. And the important component there is that this has to be court ordered. An agent has to go to a judge and get a court order on this. This is not something that is going to compromise ordinary everyday citizens. But it is a vital tool because terrorists, we have learned, we have learned a good bit from the detainees at Guantanamo Bay. They are very sophisticated. They use technology. They use telecommunications, and are very sophisticated in how they go about communicating and having that ability to get a court order and implement that roving wiretap, how very important that is in fighting this war on terrorism.

Another point, Mr. Speaker, that I would like to bring before the body is looking at the situation with libraries. There is a myth out there, and the ACLU has claimed that many people are unaware that their library habits would become the target of government surveillance. That is a myth, and I want to be certain everyone understands that is a myth.

Mr. Speaker, as a mother, I do not want our public libraries to become safe havens for terrorists. We know that those terrorist cells, many of the individuals in those terrorist cells have gone where for their e-mail communications and their computers and to use computers to research buildings and cities and locations?

□ 1900

They have gone to public libraries. There again, this is not something that every one of us will find ourselves exposed to, but this is a tool that an agent needs to be able to go to a judge and request a court order and come in and review records of someone who is a suspected terrorist who would be choosing to inflict harm on communities, on cities in this great Nation.

Mr. Speaker, as I close my time this evening in this Special Order, I would

like to thank the gentleman from Texas (Mr. CARTER) for his leadership on the Committee on the Judiciary, and I would like to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for the thoughtful way they have brought this issue forward and thank the leadership of the House for allowing us to have an opportunity to discuss with our constituents, with the American people, and also within this body the importance of reauthorizing the PATRIOT Act.

Mr. CARTER. Mr. Speaker, I thank the gentlewoman from Tennessee (Mrs. BLACKBURN) for talking to us about the PATRIOT Act. It is always good to get the perspective of a lawmaker and a mother. The reality is if the mothers ran this country, we probably would be a whole lot better off.

Mr. Speaker, at this time I yield to the gentleman from Texas (Mr. MCCAUL) and just note that our districts are neighbors.

Mr. MCCAUL of Texas. Mr. Speaker, I thank the gentleman from Texas (Mr. CARTER), who is my neighbor, and thank him for his leadership on this important issue. I serve on the Committee on Homeland Security and the Committee on International Relations, but that is not the experience I would like to talk about tonight. I would like to discuss my experience in the Justice Department prior to running for Congress which, in my opinion, is very relevant to this discussion.

I served as a Federal prosecutor in the Public Integrity Section at Main Justice when the so-called wall between the criminal division and the FBI's foreign counterintelligence was in place. After 9/11, I served as the Chief of Counterterrorism and National Security for the U.S. Attorney's Office in the western district of Texas. My jurisdiction included the President's ranch, the State Capitol, and the Mexican border. I worked very closely with the FBI and the CIA on the joint terrorism task forces. In that capacity, I practiced law as a Federal prosecutor under the USA PATRIOT Act provisions, including the one that brought down the wall.

I also served as deputy attorney general under then Attorney General and now United States Senator JOHN CORNYN. I would like to take us back to the last decade. In 1995, the U.S. Attorney General adopted policies and procedures for contacts between the FBI and the criminal division concerning foreign counterintelligence investigations. This policy prohibited the criminal division from directing or controlling foreign counterintelligence investigations. Eventually, those procedures would be narrowly interpreted to act as a wall to prevent the FBI and intelligence officials from communicating with the criminal division.

As noted by the 9/11 Commission Report, this wall may have created a climate that helped contribute to 9/11. An FBI agent testified that efforts to conduct a criminal investigation of two of the hijackers were blocked due to concerns over the wall. Frustrated, he wrote to FBI headquarters saying, ''Someday, someone will die, and wall or not, the public will not understand why we were not more effective in throwing every resource we had at certain problems. Let us hope the National Security Law Unit will then stand behind their decisions, especially since the biggest threat to us now, Osama bin Laden, is getting the most protection.'' This was 9/11.

Another illustration of the wall creating dangerous confusion is in the case of Wen Ho Lee and the Los Alamos investigation. The first time the chief of the Counter Espionage Section in the Justice Department heard the name Wen Ho Lee was when he read about him in the New York Times.

Indeed, in my own experience I was assigned to investigate allegations that China attempted to corrupt and influence our elections. With the cooperation of witnesses, we were able to uncover some evidence that the director of Chinese intelligence may have funneled money to influence the Presidential elections. The frustration came from the lack of coordination and communication with the foreign counterintelligence side of the House, particularly when our criminal investigation moved into the intelligence arena.

Ultimately, these examples portray an inefficient system in which the left hand literally did not know what the right hand was doing. As stated by the Foreign Intelligence Surveillance Act Quarterly Review, they said: ''Indeed, effective counterintelligence we have learned requires the whole-hearted cooperation of all government personnel who can be brought to the task. A standard which punishes such cooperation could well be thought dangerous to national security.''

Mr. Speaker, today, thanks to the PATRIOT Act, that wall has come down. The PATRIOT Act helps us connect the dots by removing the legal barriers that prevented law enforcement and the intelligence community from sharing information and coordinating activities in a common effort to protect national security. It dismantled the walls of separation and enabled a culture of cooperation that is essential to our integrated antiterrorism campaign.

The President and the Attorney General recognized that without the ability to share information, including intelligence, we risk the very survival of this Nation. As stated by Senator LEAHY about the PATRIOT Act: ''This bill breaks down traditional barriers between law enforcement and foreign intelligence. This is not done just to combat international terrorism but for any criminal investigation that overlaps a broad definition of foreign intelligence.''

My experience in the Justice Department after the wall came down was profound and dramatically improved. As chief of counterterrorism, I spearheaded the efforts of the Joint Terrorism Task Force. No longer did the barriers of communication exist. Indeed, the FBI's foreign counterintelligence agents and the intelligence community were full partners at the table. For the first time, the FBI intelligence files were reviewed by criminal division prosecutors and agents.

Our greatest task and our greatest task today remains to identify and locate the terror cells which may be in this very country. One of the tools we used to achieve this goal was through the use of national security wire taps under the Foreign Intelligence Surveillance Act.

In addition to these wiretaps, the PATRIOT Act provides many other tools for law enforcement in the war on terror. First, the PATRIOT Act updated the law to the technology of today. No longer will we have to fight a Digital Age battle with antique weapons, legal authorities left over from the era of rotary telephones.

Next, it promotes efficiency by providing for nationwide search warrants in terrorist cases. Investigators and prosecutors save valuable time because they are able to petition the local Federal judge who is the most familiar with the case and who is overseeing the nationwide investigation.

While most of the matters I worked on since the PATRIOT Act remain classified, one example that I can share this evening was a provision in the PATRIOT Act which was extremely helpful in a case involving allegations of a terrorist attack on July 4, 2003. In late June we received intelligence from a specific and credible source that a terrorist attack was going to occur on July 4 in my home State of Texas. At the same time we also received e-mails from an Internet chat room from an individual named Apostasy Hears Voices. He threatened to commit terrorist acts at numerous locations throughout the United States as a member of an unknown terrorist cell.

And specifically, the individual threatened on July 4, 2003, significant locations in Austin, Texas; Washington, D.C.; New York; Miami; Charlotte; San Francisco; Seattle; and Portland would be attacked by terrorists. The voice stated, ''I have planned a little event for July 4, roasted Americans on Independence Day. It will be the second largest terrorist demonstration in U.S. history.'' He described himself as having the name ''Ali Aussie,'' a student at the University of Texas who had been on a ''mission'' for 4 years on a student visa as a member of a terrorist cell.

He stated that each cell acts independently for the most part so that if one cell gets caught, the other cells are not compromised, which is consistent with how al Qaeda operates. He concluded with the following words: ''I did enjoy watching Americans burn alive in the WTC event. BBQ Americans.''

We were getting this real-time from the Internet chat room. The JTTF

quickly went into action sharing intelligence, information and coordinating with multiple jurisdictions. By utilizing the PATRIOT Act, I was able to save valuable time by obtaining a nationwide search warrant for electronic evidence for terrorist-related activities. Given the urgency of the matter and the potential loss of human life, time was critical and of the essence. These provisions allowed us to execute search warrants on the Internet service provider in real-time. Once we received the information, an arrest warrant was obtained and the defendant was arrested on July 3, the day before the planned attack.

The defendant was charged with using the Internet to make threats to kill or injure persons by an explosive device. Fortunately, the threat on that day turned out to be a hoax. But had it been a real threat, and we have to assume they all are, we would have saved lives. That in my judgment is what the PATRIOT Act is all about, protecting and saving lives.

There has been much talk from critics of the PATRIOT Act regarding allowing many of the information-sharing provisions in the law. Having served under its provisions before and after the bringing down of the wall, and the implementation of the PATRIOT Act, I can envision no bigger national security mistake than to go back to the way things were. The PATRIOT Act takes laws which have long applied to drug dealers and organized crime and applies them to terrorists.

For example, for years law enforcement has been able to use roving wiretaps which follow all communications used by a suspect as opposed to just one telephone line. The PATRIOT Act simply authorizes the use of this technique in national security intelligence investigations and amends the Foreign Intelligence Surveillance Act to conform to the parallel provision found in the Federal wiretap statute. Contrary to critics' assertions, the Justice Department cannot do anything without court supervision. The USA PATRIOT Act does not abrogate the role played by the judiciary in the oversight of activities of Federal law enforcement. Federal agents still have to obtain judicial approval before they can search a residence and before they can install a wiretap.

I would like to leave Members with the following words which are disturbing but I think kind of ring home why we are here tonight and talking about this important issue.

The confrontation that we are calling for with the apostate regimes does not know Socratic debates, Platonic ideals, or Aristotle diplomacy. But it does know the dialogue of bullets, the ideals of assassination, bombing and destruction, and the diplomacy of the cannon and the machine gun. Islamic governments have never and will never be established through peaceful solutions and cooperative councils. They are established as they always have been through pen and gun, by word and bullet, and by tongue and teeth.

The words that I just read are the preface to the al Qaeda training manual. These words demonstrate the widely held belief that the question is not if the terrorists will strike us again, but rather when and where; and we had better be prepared.

Thomas Jefferson once said ''the cost of freedom is eternal vigilance.'' Those words ring more true today than ever before.

We owe it to the citizens of this country to reauthorize the USA PATRIOT Act, for if we do not, and another terrorist attack occurs on our soil, on our shores, we will surely all be held accountable.

Mr. CARTER. Mr. Speaker, I thank the gentleman from Texas (Mr. MCCAUL) for giving us great insight from a prosecutor's standpoint of a man who has used the tools, and seen a Department effectively use the tools. The Chair knows, as I know, that we have used these tools in law enforcement for years. We have used them to fight gang activity, organized crime, drug activity, and other activities in this country. We have now authorized our intelligence communities to use the same tools to stop international terrorism and attacks upon the United States of America by these heinous terrorists who strike the innocent of our society.

□ 1915

Mr. Speaker, we heard this experience from the gentleman from Texas (Mr. MCCAUL), and I think it is great to know from a prosecutor's standpoint exactly what is enhanced by the PATRIOT Act and the ability to fight these crimes, the front-page crimes in the world today. So I am very pleased we were able to hear that perspective.

Mr. Speaker, I yield to the gentleman from Iowa (Mr. KING), who would like to address this body concerning his views on the PATRIOT Act.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas (Mr. CARTER), his Honor, for yielding to me.

And Mr. Speaker, Your Honor; and over here on the right, the gentleman from Texas (Mr. GOHMERT), his Honor; and the gentleman from Texas (Mr. MCCAUL), his prosecutorship, it is quite an honor for me to stand here amongst these honorable individuals who have stood up for the law in the fashion that they have. And, by the way, they are all Texans, and I am in elite company here tonight and privileged to be here. And I appreciate their role in this Congress and the direction that they help take this country and the vision that they bring to this floor consistently night after night. I see the faces of some of them here defending our Constitution, defending our rights, and defending our freedom.

I have the privilege to serve on the Committee on the Judiciary in the United States House of Representatives, and I have served there for 2 years with the gentleman from Texas (Mr. CARTER) as my wing man on the right and always bringing me back to the rule of law and an excellent listener. And I hope I have picked up some of those traits, although I have got some room to go.

And what I listened to this year and partly last year was the debate over whether we had 11, 12, or 13 hearings on the PATRIOT Act. I am not sure what that number is. I do not necessarily take a position. A dozen plus or minus one, that is a lot. And we had those hearings because that is part of our due process. It is part of our full responsibility, and we heard throughout the last presidential campaign and across this country continually complaint after complaint after complaint about the PATRIOT Act. It was going to be taking away people's rights and Big Brother was going to be intruding upon their most private documents and we would be handing over the investigation to an unchecked Justice Department that would go in and violate our privacy for no good reason except to look over our shoulder, compile records, and build databases that would someplace along the line violate our freedom. So we held those hearings, Mr. Speaker, so that we could hear from the public on where these violations might have taken place.

And I will point out that the PATRIOT Act is simply an act that moves the investigations of international terrorism up to a level of actually a higher standard of protection for the people in this country than there is a criminal investigation. So a search warrant that is achieved under the PATRIOT Act requires a court order, and a search order that is granted under a criminal investigation could be a grand jury subpoena, which is simply a rubber stamp. A case has to be made before a judge to get a search warrant under the PATRIOT Act. And some of those investigations have used section 215 of the PATRIOT Act, and in fact it has been used 35 times. And I have read some of those incidences. They are in a classified version if it is sensitive to the safety of this Nation. But I have read some, and there is nothing in there that is unusual or nothing that I can find that compiles data that can later on be used in a fashion that violates privacy. It is all focused on national security.

We have too few resources to invest them anywhere else except in our national security and in crime enforcement. And yet we have heard continually the PATRIOT Act is going to go in and it is going to check out library records wherever they check out a book, wherever they get on a computer in a library, and Big Brother is going to be watching over their shoulder when they go on the Internet down at the local public library.

And, by the way, when people go into a bookstore and buy a book or a magazine, we are going to have those records and we are going to keep a

huge nationwide database so we know what they are thinking because what they are reading must be what they are thinking.

But, in fact, after all those hearings and in the last hearing, which is the one we heard so much about, the minority party brought all of the witnesses, all four witnesses, and they made their testimony about how egregious the PATRIOT Act was. And I asked a question of the CEO of Amnesty International, after he had made all those allegations, could he just kindly into the record give us the name of one individual, just one individual who had their rights violated under the PATRIOT Act. And the answer was, well, a librarian in Texas is intimidated and this person is afraid and it puts a chilling effect out on people that think their documents that they access in the library should be private.

But, Mr. CEO, could you name a person?

And I pressed and pressed and pressed until I ran out of time. Then I asked him, would he enter it into the record and we will give him a week to respond with the name or the names of the individuals who have had their rights violated by the PATRIOT Act.

And the chairman, at the conclusion of the hearing, reiterated my request, put it into the record. And the response that we got back was very vague in its allegations and devoid of names, addresses, and phone numbers of people who had had their rights violated by the PATRIOT Act.

If in a dozen plus or minus one hearings, if in the final hearing that had all critics' witnesses at the hearing, there was not still a single name that was presented to this Congress on someone who had had their rights violated by the PATRIOT Act, then it falls back to the supposition of, well, it could happen, could it not? And for that after all of this, after these years of the PATRIOT Act and its clear record and its record of success, as was referenced by the gentleman from Texas (Mr. MCCAUL) earlier, we would repeal the PATRIOT Act on the supposition that someone's rights could one day be violated?

There is not a shred of evidence that that has happened. Of the 35 times that it was used, it was not used in a library. It was not used for books. It was not used for a computer in a library. But there was an amendment that passed on the floor of this Congress that would prohibit the use of U.S. funds for enforcement, federal taxpayers' dollars for enforcement, of those sections of the PATRIOT Act so that it would turn libraries off limits, book stores off limits; and they said they made an exception for computers, but it included also the sign-up list in the library so they could not even go look at the sign-up list in the library and find out whose computer was not exempt. They are all exempted by that amendment. We cannot let that happen when we bring the reauthorization of the PATRIOT Act and get it finally concluded and get it into law.

And this is something that is critical. It is critical to the future of this country, for the safety and security of this country, for us to be able to do a simple international terrorist investigation domestically within the United States and protect the rights of people.

And my view is this: That after 12 hearings plus or minus one, after these cases that cannot be brought forward that people's rights may have been violated, and they were not, I am impressed with the work that was done on the part of this Congress before I got here. And they were under the pressure of the dust of September 11, 2001, drafted a PATRIOT Act in a pretty fast legislative hurry, and there is not any part of that that I think was picked apart in an effective way. We made a few minor changes to make sure that people were protected a little bit more, but it really did not change the substance of the PATRIOT Act.

We have got a good bill here. It needs to be put into code. There will be a 10-year sunset on it by the position that we put in it. That is a pretty wise thing. It takes it out of the realm of short-term politics, but it is a law that can stand, I think, in perpetuity with this country.

And we are faced with an enemy in this country and around the world that we need to define and understand. It is not just law enforcement that controls this enemy. This enemy is a parasite. Radical Islam, the Islamists. The parasite lives on the host, the host called Islam. The Muslims have the mosques where the parasites, the radical Islamists, congregate. And the parasites live on the host, feed off the host, are funded by the host. And we need the help of the host to eradicate radical Islamists. And if we do not have that kind of help, there is going to have to be some other steps that are taken. And one of those, I hope, is a web page that goes up in the United States so that these sermons in the mosques go up where our public knows what is being said about the hatred of Americans.

I thank the gentleman for bringing this special order tonight. All these Texans, judges, and honorable people that do this good cause, I am glad to be part of them.

Mr. CARTER. Mr. Speaker, reclaiming my time, I thank the gentleman from Iowa, whom I very much enjoyed sitting next to and talking to and working with on issues on the Committee on the Judiciary. We Texans are proud to have him here with us tonight because he is a true patriot in the sense of the American term ''patriot,'' and we are very proud of him.

And the gentleman mentioned these issues of obtaining these records, this fear, this absolute fear that people have of somebody looking at their library records. Grand jury subpoenas have looked at library records for years. Grand jury subpoenas can be issued by the foreman of a grand jury. I do not know where the panic comes from. This has been going on forever, but somehow there is a panic.

At this time I would like to welcome the gentleman from Texas (Mr. GOHMERT), from East Texas. I feel really kind of like we are in a judicial conference. We have got a judge in the chair. We have got two of us down here on the floor. We are proud that we might as well just call a quorum and start doing some legal business.

Mr. Speaker, I yield to the gentleman from Texas (Mr. GOHMERT), a good colleague and close friend, to talk about some of the issues and the answers that we see in the PATRIOT Act.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman for yielding to me. And I do appreciate being in the presence of two of my former judge colleagues. They all understand due process. They have dealt with it. They have reviewed the affidavits. They have signed the search warrants. They have signed the arrest warrants. They understand due process. And what made me feel better about the PATRIOT Act, because I, like many Americans, had concerns about it, was getting into the meat of it and seeing that there are some safeguards here. But some of us did fight to have a sunset provision, and that is the way it came out of committee. And by the time we came out of committee, every single Republican, I believe, if not all, most all, voted to have a sunset provision on 206 and 215, those two provisions. So there are people that are extremely interested in keeping our liberties as much as possible while we battle a nemesis that wants to destroy our way of life, and I think that is what people lose sight of, that we are in a war for our very existence.

It was a pleasure to follow in the gentleman from Texas' (Mr. CARTER) footsteps into the Committee on the Judiciary. I was advised that, at least from our side of the aisle, I am the only judge, former judge, that is on there after he left.

But, nonetheless, these are people that are concerned about due process. We had 11 hearings on the sunset of the PATRIOT Act and what needed to be kept and what did not. And we had 35 witnesses we heard from, and we heard from various positions. All different aspects were looked at. So it was not like we went blindly into this. There was tremendous debate. There was a lot of discussion because people are concerned about the rights of Americans.

And one of the ongoing battles that we fight is balancing liberties with complete freedom. And I admire one of the quotes from John Locke, and, of course, my colleagues recall that John Locke was an individual who was studied heavily by the framers of the Declaration of Independence, the framers of the Constitution. And Locke said this: ''In all the States of created beings, capable of laws, where there is no law there is no freedom. For liberty

is to be free from the restraint and violence from others.'' That is pretty profound. ''Liberty is to be free from the restraint and violence from others; which cannot be where there is no law; and is not, as we are told, a liberty for every man to do what he lists.'' Pretty profound stuff. But it is a balance between the incredible important liberties that we have in this country that people fought and died to make sure that we secured, and also our security. And I love Patrick Henry and I love his quotes: ''Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take; but as for me, give me liberty or give me death.'' Those are profound words, but we fall in the shadow of these giants, and it is not lost on us, and it was not lost on the Republicans as we have struggled with these issues and to balance. But, Mr. Speaker, make no mistake. We are in a war for our survival. There are people that are bent on the destruction of our way of life.

I was a history major at Texas A&M. I love history. And the fact is throughout the history of mankind there are always people bent on evil, but every now and then through history evil men emerge bent on destroying everything that is civilized, everything that is good, liberties of others. They want to destroy them. And the danger is another dark age is if we do not oppose that evil, if we do not take it head on. And throughout our history where good people did not oppose evil, they tried appeasement like Neville Chamberlain: This means ''peace for our time.''

□ 1930

Fortunately, in the 20th century, even though appeasers went too far at times and they let evil get too much of a foothold, ultimately people cared so deeply that they came forward and they gave it their all, and some made the ultimate sacrifice to fight evil so we did not go into another dark ages.

Mr. Speaker, that is what we face. My colleague from Texas understands that, and my colleagues from around this country, they understand that. And as we reviewed top secret intelligence information and as we continue to do that, some of us in the Committee on the Judiciary this week, there is no question that, perhaps not the level of 9/11, but there are disasters that have been averted by use of the PATRIOT Act. We need it. We need to protect ourselves.

On balance, on the other side, as we struggle among ourselves, and I am grateful to colleagues, I see my friend from Massachusetts across the way, there are people that struggle to make sure that we have and preserve the freedoms that were fought for, and that is why we agreed and have a sunset provision, so that we can come forward.

I want to say this, make it clear, that we did not fight for a sunset provision in the PATRIOT Act because we are concerned about the Bush administration and our wonderful Attorney General, Alberto Gonzales. These are good people. They have been forthcoming. There have been no abuses. The record is clear. We got to review the information, they have done a wonderful job.

But I can tell the gentleman, I had concerns. Like in 215, the language in there says basically when the order is issued to produce documents from the court order, that it is secret. It is kept secret, and you cannot disclose it.

Well, I am proud of this Justice Department, I am proud of this President, and I am proud that the position they have taken is that even though it says nothing could be disclosed, their position has been, of course you can talk about this with your lawyer. Of course you can appeal and have due process on this order to produce. But I was concerned that if we had a lesser, freer-minded administration following this one, that perhaps they would say no, the law means what it says. It says you cannot disclose it to anybody. No, you cannot have a lawyer, you cannot appeal, and then we would really be in for a battle.

So I am grateful that the Department of Justice and the administration were in favor of amending that to make clear for future administrations what this administration has done, allow people to consult their attorney, allow an appeal to make sure due process takes place. In 215 we are looking at those amendments to put that insertion, you consult with your lawyer, you can appeal.

The librarian exception keeps being brought up, but it is a business records exception. As a judge, I do not know about you all, and I use ''you all,'' and I realize I am in a national setting here, but, by golly, the language needs a second person plural, and we in the South have provided it. It is ''you'' and ''you all,'' and that is where we are.

But as far as these provisions regarding library business records, it is not just librarians, it is business records, and if there is reason to believe that these things need to be pursued, then they will be pursued. Just like I have issued orders to banks to produce information when there was probable cause, I have issued warrants to produce information, there are safeguards to ensure the same thing here. But I am glad we are going to have those amendments in there to make sure.

I appreciate the gentleman yielding me time, because these are very serious issues. I know the gentleman believes that and knows they are. So it is the balance. But, make no mistake, evil people are bent on the destruction of our way of life, and if we flinch, if we cringe, if we weary from this struggle in the war against terror that would undermine all that others have given to us through their sacrifices, then we have not done the job we should have.

The PATRIOT Act allows us to do that. It provides for sunset provisions which will allow us to revisit these issues in the future. If you go back historically, when people combat evil and they are victorious, you put that evil back in a box and we do not go into a dark age. There is another period of enlightenment, like I believe we have gone through. But we must battle, put it back in the box, hopefully for another 100, 200, 300 years, so we can continue in this great sense and state of freedom that our forefathers and foremothers have given to us.

I thank the gentleman for yielding me time. I congratulate the gentleman on taking the time for something so important.

Mr. CARTER. Mr. Speaker, reclaiming my time, I appreciate the gentleman being willing to address this body and to talk about this.

Mr. Speaker, when we were discussing this, when I heard the gentlewoman from Tennessee (Mrs. BLACKBURN) talk and also as I heard the gentleman from Texas (Mr. GOHMERT) talk and others, I thought about something that many of us in the Judiciary deal with every day, and it dawned on me that one of the things we toyed with for a while was defining ''gangs'' and what makes up gang violence.

Basically a simple definition of a gang is a group of organized people bonded together for the purpose of committing some type of criminal activity. That is the way the law looks at a gang.

We are dealing with an international gang when we deal with terrorists. There has become a magic or mystique that is being created by those who oppose the PATRIOT Act that for some reason we are stepping on the toes of some group of people, and yet the same tools that are in the PATRIOT Act have been used against gang violence, have been used against organized crime, have been used against gangs, against street gangs in this country. The tools have been used against drug dealers and drug importers. They have been used for years, and no one seems to be feeling like for some reason there is something terrible about those rules and those laws that we have used.

But they do feel for some reason that using them against the largest, most organized gang on Earth, there is something wrong with that, the gang that has killed in one fell attack more Americans than were killed at Pearl Harbor, more civilian Americans than were killed at Pearl Harbor, that started the Second World War.

For some reason, people are concerned about a PATRIOT Act that does nothing more than make uniform in many instances laws that exist in different jurisdictions across the United States.

We hear talk about the sneak-a-peak warrant. For a while that was the section of choice to talk about for a long time, the sneak-a-peak warrant. It just sounds terrible. It sounds like a peeping tom looking through your window,

and that is great terminology and well-worded by those who oppose it.

So what is a sneak-a-peak warrant? Well, one time before I went on the bench, I was a young lawyer and I had a client who had a house out in the country. And he took it in on a debt and he was trying to sell it, but until he did, he wanted to rent it, so he rented it to a graduate student from the University of Texas.

They came by my office every first of the month and laid $200 on my desk for that house, and for a year that graduate student lived out there in that house in the country outside of Round Rock.

Then along about in the November time frame of the next year, I got a phone call from my client, who happened to be in the great State of Pennsylvania, and he said, ''I think I have got a buyer. I ought to be able to close this thing. I need to get the tenant out of the house. Would you go out there and tell him we will give him a month to vacate the house.''

I took my little boy, who now is a 35-year-old football and baseball coach at Round Rock High School, but at that time was about a 4-year-old, and we went out in the country to the house. We knocked on the door. Nobody was home.

I had a key and the right of the landlord to enter, so I entered the home to write a note to put on the kitchen table. I discovered the house looked fairly unlived in. As I looked around to see if my tenant might have moved out, I opened a door to a bedroom and there stacked floor to ceiling were thousands of kilo blocks of marijuana, packed so dense you could not see the windows in this 12-by-14 room, floor to ceiling.

My son, not knowing anything, and I, backed quickly out of the house and went to the police in Round Rock. The police, after a long effort, found a judge, applied for a search warrant, got a search warrant and an arrest warrant and went out to that house. They went to execute the warrant.

There was no one at home. They examined the fact that there was a ton at least of marijuana in that house, and so they backed off and waited for those who were in possession of that marijuana to come home, because they had no one at that point in time. Ultimately, four individuals came back to the house. At that point in time they executed the warrant.

That was a sneak-a-peak. They looked at it, they saw it, they backed off and executed later. Those gentlemen's rights were not violated. That is a tool we have used in law enforcement for years.

Now, why does it sound so bad? Because we use the term ''sneak-a-peak.'' It sounds like peeping toms in somebody's neighborhood.

We have got to get away from this terminology that is trying to take good, valid laws that have been tested time in and time out by our courts, both State and Federal courts, and putting some cute phrase on them that makes them sound like they step all over people's constitutional rights and causing our public to be concerned about what we are doing here.

This PATRIOT Act follows the guidance the courts have given us over the years concerning law enforcement tools that we have used and we have used effectively. This PATRIOT Act has put together these tools not only which have been there in fighting the criminal justice issues in this country, but now the intelligence and international terrorism issues have the ability to use these same lawful instruments without fear of being crossed over between the various Federal acts that are involved in dealing with the terrorist issues.

One of the things that the people are concerned about is that you get a search warrant that can be served across the United States. Just on that case I was giving you, before we went to a judge we tried to figure out which law enforcement agency ought to be seeking the warrant. Should it have been the constable, should it have been the sheriff in his jurisdiction, should it have been the city cops in their jurisdiction, or should it have been the Department of Public Safety in their jurisdiction?

That was just a little old dope case in Texas, trying to go out and who seeks the warrant.

We have now gone and said it is crazy when you have got people that operate instantly on the Internet, who can move across this country in record time and do crimes in various jurisdictions simultaneously and store elements of destruction in various jurisdictions simultaneously, to have to go to every jurisdiction in the Nation to get a valid search warrant. So all we have done is something that we have had, we have allowed one warrant to be served across the country.

All of these are the various complaints that we hear about the PATRIOT Act. The PATRIOT Act is just that. What is interesting is it is a patriot's solution to the War on Terror, a group of patriots, both Republicans and Democrats, who joined together after a heinous attack on our Nation and passed the PATRIOT Act.

This is a bipartisan bill that was passed in Congress. This is both sides of the aisle saying we have had enough. And it was put together I think effectively. This time in the reauthorization, as the gentleman from Texas (Mr. GOHMERT) explained, we have addressed concerns about should we have a little more due process. On some of the issues, we have enhanced the due process provisions.

A grand jury foreman, he can subpoena records, business records or library records. He does not have to have anybody's permission to do it. The DA comes to him, he subpoenas them. As the gentleman from Texas (Mr. GOHMERT) explained, in the PATRIOT Act a judge looks at the thing, examines it to make sure there is probable cause, and he makes sure the law is abided by.

Why are we worried about that, when we already have a procedure that we have used for years and years and years and nobody seems to have been crying about it? I never heard anybody complain about it at all.

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So let us get back to being patriots. Let us get back to saying, we have an enemy without and within that chooses to attack innocent people in this Nation for the purposes of imposing their will, their criminal will, upon society, and their number one target is our society and our way of life. Let us go back to being patriots and say, we will give our warriors, both the warriors that fight in the streets and on the Internet and in the law courts of this United States, and our warriors who fight in Iraq and Afghanistan and wherever the enemy may meet us overseas, all of the tools and weapons necessary to fight and destroy this evil war on terrorists, these terrorists who attack our way of life.

Mr. Speaker, let us be proud that we are patriots who have created a PATRIOT Act, a bipartisan PATRIOT Act that protects the freedoms of Americans and protects the lives of Americans from terrorists.

STATUS OF SURFACE TRANSPORTATION EXTENSION ACT OF 2005, PART III

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

Mr. OBERSTAR. Mr. Speaker, the purpose of my request is to inquire of the chairman of the Committee on Transportation and Infrastructure and to ask him to take this opportunity to explain the extension that we will soon be considering on the House floor when the papers arrive from the Legislative Counsel's Office.

Mr. YOUNG of Alaska. Mr. Speaker, if the gentleman will yield, it is my understanding this is a simple extension of 2 days until midnight, Thursday coming, and that, in fact, there will be monies to run the Department; and it is also my understanding that there will be some monies, 2 days' worth, disbursed to the States. This is not our idea; this was at the Senate's insistence. This is an attempt, for those who may be just now listening, to finalize the TEA–LU bill, the transportation bill.

The agony that the gentleman and I have gone through in the last 34 days is something that I do not want to write about. Maybe we should have been stationed at Guantanamo; it would have made it a lot easier. But we are very close now to a solution, and this is an attempt again to keep the pressure on and make sure we do finalize this

Thursday night so we can have a transportation bill that will do a partial job for the Nation, better than what we have, but not nearly as good as we need. Maybe in the future we will get everything we want.

Mr. OBERSTAR. Mr. Speaker, reclaiming my time, I thank the chairman for his explanation. We had agreed among the House conferees that initially this would be a simple extension, to pay only the employees of the Federal Highway Administration and not monies for the States. The other body has insisted that States be permitted to approve new contracts; but there will be no Member projects, there will be no specific designations in this agreement. Members have been asking me about that matter, and I have assured them that this is a clean, simple extension for 2 days.

But it will mean that close to $200 million of new spending by the States will go out as the Senate has insisted. Contracts that have not yet been awarded by the States can be awarded in these next 2 days, and that could be roughly 1 percent of the annual funding of our Federal Highway and Transit program.

Is that the chairman's understanding?

Mr. YOUNG of Alaska. Mr. Speaker, the gentleman is correct. As far as I am concerned, I would not like to have any extension, period. But we are dealing with a 2-bodied monster here, and we have to work with the other side as much as we possibly can and salvage as much as we can. Hopefully, this will be the last one. This is our ninth extension on this legislation. I feel a little bit chagrined about that as chairman. I thought we could do better; but, again, I underestimated the lack of foresight of the other body that does not understand the importance of this legislation. But, hopefully, this will be the last one we have.

Mr. OBERSTAR. Mr. Speaker, for the record, it must be said that the chairman has worked mightily, put in extraordinary hours, and used his enormous powers of persuasion to achieve the agreement in conference with the other body and, when necessary for extensions, to do it simply and cleanly and not have these other expenditures. But this is a 2-body Congress, and we do have to come to agreement with the other body. Despite the chairman's best judgment, in which I totally concur, we are forced into this unfortunate situation, which is not in the best public interests, I must say.

Mr. YOUNG of Alaska. Mr. Speaker, if the gentleman will continue to yield, I can agree with the gentleman. As the gentleman knows, we have to deal with what we have, and we will try to make this a little less painful tonight and, as I hope will happen on Thursday, so we can pass this legislation and have it on the President's desk before we go home for the August break.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for the explanation.

SURFACE TRANSPORTATION EXTENSION ACT OF 2005, PART III

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committees on Transportation and Infrastructure, Ways and Means, Resources, and Science be discharged from further consideration of the bill (H.R. 3332) to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. POE). Is there objection to the request of the gentleman from Alaska?

There was no objection.

The Clerk read the bill as follows:

H.R. 3332

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 ''Surface Transportation Extension Act of 2005, Part III''.

SEC. 2. ADVANCES.

(a) IN GENERAL.—Section 2(a)(1) of the Surface Transportation Extension Act of 2004, Part V (23 U.S.C. 104 note; 118 Stat. 1144; 119 Stat. 324; 119 Stat. 346) is amended by striking ''and the Surface Transportation Extension Act of 2005, Part II'' and inserting '', the Surface Transportation Extension Act of 2005, Part II, and the Surface Transportation Extension Act of 2005, Part III''.

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) SPECIAL RULES FOR MINIMUM GUARANTEE.—Section 2(b)(4) of such Act (119 Stat. 324; 119 Stat. 346) is amended by striking ''$2,240,000,000'' and inserting ''$2,268,000,000''.

(2) EXTENSION OF OFF-SYSTEM BRIDGE SETASIDE.—Section 144(g)(3) of title 23, United States Code, is amended by striking ''July 19'' inserting ''July 21''.

(c) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1101(l)(1) of the Transportation Equity Act for the 21st Century (118 Stat. 1145; 119 Stat. 324; 119 Stat. 346) is amended by striking ''$27,223,123,200 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$27,563,412,240 for the period of October 1, 2004, through July 21, 2005''.

(d) LIMITATION ON OBLIGATIONS.—Section 2(e) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1146; 119 Stat. 324; 119 Stat. 346) is amended—

(1) in paragraph (1)—

(A) by striking ''July 19'' and inserting ''July 21'';

(B) by striking ''and the Surface Transportation Extension Act of 2005, Part II'' and inserting '', the Surface Transportation Extension Act of 2005, Part II, and the Surface Transportation Extension Act of 2005, Part III''; and

(C) by striking ''80 percent'' and inserting ''80.8 percent''; and

(2) in paragraph (2)—

(A) by striking ''July 19, 2005, shall not exceed $27,760,000,000'' and inserting ''July 21, 2005, shall not exceed $28,107,000,000''; and

(B) by striking ''$511,200,000'' and inserting ''$517,590,000''; and

(3) in paragraph (3) by striking ''July 19'' and inserting ''July 21''.

SEC. 3. ADMINISTRATIVE EXPENSES.

Section 4(a) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1147; 119 Stat. 325; 119 Stat. 346) is amended by striking ''$281,619,200'' and inserting ''$285,139,440''.

SEC. 4. OTHER FEDERAL-AID HIGHWAY PROGRAMS.

(a) AUTHORIZATION OF APPROPRIATIONS UNDER TITLE I OF TEA–21.—

(1) FEDERAL LANDS HIGHWAYS.—

(A) INDIAN RESERVATION ROADS.—Section 1101(a)(8)(A) of the Transportation Equity Act for the 21st Century (112 Stat. 112; 118 Stat. 1147; 119 Stat. 325; 119 Stat. 346) is amended—

(i) in the first sentence by striking ''$220,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$222,750,000 for the period of October 1, 2004, through July 21, 2005''; and

(ii) in the second sentence by striking ''$10,400,000'' and inserting ''$10,530,000''.

(B) PUBLIC LANDS HIGHWAYS.—Section 1101(a)(8)(B) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 325; 119 Stat. 346) is amended by striking ''$196,800,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$199,260,000 for the period of October 1, 2004, through July 21, 2005''.

(C) PARK ROADS AND PARKWAYS.—Section 1101(a)(8)(C) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 325; 119 Stat. 346) is amended by striking ''$132,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$133,650,000 for the period of October 1, 2004, through July 21, 2005''.

(D) REFUGE ROADS.—Section 1101(a)(8)(D) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 326; 119 Stat. 346) is amended by striking ''$16,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$16,200,000 for the period of October 1, 2004, through July 21, 2005''.

(2) NATIONAL CORRIDOR PLANNING AND DEVELOPMENT AND COORDINATED BORDER INFRASTRUCTURE PROGRAMS.—Section 1101(a)(9) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 326; 119 Stat. 346) is amended by striking ''$112,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$113,400,000 for the period of October 1, 2004, through July 21, 2005''.

(3) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—

(A) IN GENERAL.—Section 1101(a)(10) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326; 119 Stat. 346) is amended by striking ''$30,400,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$30,780,000 for the period of October 1, 2004, through July 21, 2005''.

(B) SET ASIDE FOR ALASKA, NEW JERSEY, AND WASHINGTON.—Section 5(a)(3)(B) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1148; 119 Stat. 326; 119 Stat. 346) is amended—

(i) in clause (i) by striking ''$8,000,000'' and inserting ''$8,100,000'';

(ii) in clause (ii) by striking ''$4,000,000'' and inserting ''$4,050,000''; and

(iii) in clause (iii) by striking ''$4,000,000'' and inserting ''$4,050,000''.

(4) NATIONAL SCENIC BYWAYS PROGRAM.—Section 1101(a)(11) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326; 119 Stat. 346) is amended by striking ''$21,200,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$21,465,000 for the period of October 1, 2004, through July 21, 2005''.

(5) VALUE PRICING PILOT PROGRAM.—Section 1101(a)(12) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326; 119 Stat. 346) is amended by striking ''$8,800,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$8,910,000 for the period of October 1, 2004, through July 21, 2005''.

(6) HIGHWAY USE TAX EVASION PROJECTS.—Section 1101(a)(14) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326; 119 Stat. 346) is

amended by striking ''$4,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$4,050,000 for the period of October 1, 2004, through July 21, 2005''.

(7) COMMONWEALTH OF PUERTO RICO HIGHWAY PROGRAM.—Section 1101(a)(15) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 118 Stat. 1149; 119 Stat. 326; 119 Stat. 346) is amended by striking ''$88,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$89,100,000 for the period of October 1, 2004, through July 21, 2005''.

(8) SAFETY GRANTS.—Section 1212(i)(1)(D) of such Act (23 U.S.C. 402 note; 112 Stat. 196; 112 Stat. 840; 118 Stat. 1149; 119 Stat. 326; 119 Stat. 346) is amended by striking ''$400,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$405,000 for the period of October 1, 2004, through July 21, 2005''.

(9) TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM.—Section 1221(e)(1) of such Act (23 U.S.C. 101 note; 112 Stat. 223; 118 Stat. 1149; 119 Stat. 327; 119 Stat. 346) is amended by striking ''$20,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$20,250,000 for the period of October 1, 2004, through July 21, 2005''.

(10) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION.—Section 188 of title 23, United States Code, is amended—

(A) in subsection (a)(1) by striking subparagraph (G) and inserting the following:

''(G) $105,300,000 for the period of October 1, 2004, through July 21, 2005.'';

(B) in subsection (a)(2) by striking ''$1,600,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$1,620,000 for the period of October 1, 2004, through July 21, 2005''; and

(C) in the item relating to fiscal year 2005 in table contained in subsection (c) by striking ''$2,080,000,000'' and inserting ''$2,106,000,000''.

(11) NATIONAL SCENIC BYWAYS CLEARINGHOUSE.—Section 1215(b)(3) of the Transportation Equity Act for the 21st Century (112 Stat. 210; 118 Stat. 1149; 119 Stat. 327; 119 Stat. 346) is amended—

(A) by striking ''$1,200,000'' and inserting ''$1,215,000''; and

(B) by striking ''July 19'' and inserting ''July 21''.

(b) AUTHORIZATION OF APPROPRIATIONS UNDER TITLE V OF TEA–21.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 5001(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 419; 118 Stat. 1149; 119 Stat. 327; 119 Stat. 346) is amended by striking ''$82,400,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$83,430,000 for the period of October 1, 2004, through July 21, 2005''.

(2) TECHNOLOGY DEPLOYMENT PROGRAM.—Section 5001(a)(2) of such Act (112 Stat. 419; 118 Stat. 1149; 119 Stat. 327; 119 Stat. 346) is amended by striking ''$40,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$40,500,000 for the period of October 1, 2004, through July 21, 2005''.

(3) TRAINING AND EDUCATION.—Section 5001(a)(3) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327; 119 Stat. 346) is amended by striking ''$16,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$16,200,000 for the period of October 1, 2004, through July 21, 2005''.

(4) BUREAU OF TRANSPORTATION STATISTICS.—Section 5001(a)(4) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327; 119 Stat. 346) is amended by striking ''$24,800,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$25,110,000 for the period of October 1, 2004, through July 21, 2005''.

(5) ITS STANDARDS, RESEARCH, OPERATIONAL TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327; 119 Stat. 346) is amended by striking ''$88,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$89,100,000 for the period of October 1, 2004, through July 21, 2005''.

(6) ITS DEPLOYMENT.—Section 5001(a)(6) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327; 119 Stat. 346) is amended by striking ''$97,600,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$98,820,000 for the period of October 1, 2004, through July 21, 2005''.

(7) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5001(a)(7) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 328; 119 Stat. 346) is amended by striking ''$21,200,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$21,465,000 for the period of October 1, 2004, through July 21, 2005''.

(c) METROPOLITAN PLANNING.—Section 5(c)(1) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1150; 119 Stat. 328; 119 Stat. 346) is amended by striking ''$174,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$176,175,000 for the period of October 1, 2004, through July 21, 2005''.

(d) TERRITORIES.—Section 1101(d)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 111; 118 Stat. 1150; 119 Stat. 328; 119 Stat. 346) is amended by striking ''$29,120,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$29,484,000 for the period of October 1, 2004, through July 21, 2005''.

(e) ALASKA HIGHWAY.—Section 1101(e)(1) of such Act (118 Stat. 1150; 119 Stat. 328; 119 Stat. 346) is amended by striking ''$15,040,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$15,228,000 for the period of October 1, 2004, through July 21, 2005''.

(f) OPERATION LIFESAVER.—Section 1101(f)(1) of such Act (118 Stat. 1151; 119 Stat. 328; 119 Stat. 346) is amended by striking ''$400,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$405,000 for the period of October 1, 2004, through July 21, 2005''.

(g) BRIDGE DISCRETIONARY.—Section 1101(g)(1) of such Act (118 Stat. 1151; 119 Stat. 328; 119 Stat. 346) is amended—

(1) by striking ''$80,000,000'' and inserting ''$81,000,000''; and

(2) by striking ''July 19'' and inserting ''July 21''.

(h) INTERSTATE MAINTENANCE.—Section 1101(h)(1) of such Act (118 Stat. 1151; 119 Stat. 328; 119 Stat. 346) is amended—

(1) by striking ''$80,000,000'' and inserting ''$81,000,000''; and

(2) by striking ''July 19'' and inserting ''July 21''.

(i) RECREATIONAL TRAILS ADMINISTRATIVE COSTS.—Section 1101(i)(1) of such Act (118 Stat. 1151; 119 Stat. 328; 119 Stat. 346) is amended by striking ''$600,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$607,500 for the period of October 1, 2004, through July 21, 2005''.

(j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS.—Section 1101(j)(1) of such Act (118 Stat. 1151; 119 Stat. 328; 119 Stat. 346) is amended—

(1) by striking ''$4,200,000'' and inserting ''$4,252,000'';

(2) by striking ''$200,000'' and inserting ''$202,500''; and

(3) by striking ''July 19'' each place it appears and inserting ''July 21''.

(k) NONDISCRIMINATION.—Section 1101(k) of such Act (118 Stat. 1151; 119 Stat. 328; 119 Stat. 346) is amended—

(1) in paragraph (1) by striking ''$8,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$8,100,000 for the period of October 1, 2004, through July 21, 2005''; and

(2) in paragraph (2) by striking ''$8,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$8,100,000 for the period of October 1, 2004, through July 21, 2005''.

(l) ADMINISTRATION OF FUNDS.—Section 5(l) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1151; 119 Stat. 329; 119 Stat. 346) is amended—

(1) by striking ''and section 4 of the Surface Transportation Extension Act of 2005, Part II'' and inserting ''section 4 of the Surface Transportation Extension Act of 2005, Part II, and section 4 of the Surface Transportation Extension Act of 2005, Part III''; and

(2) by striking ''and section 4(a) of the Surface Transportation Extension Act of 2005, Part II'' and inserting ''section 4(a) of the Surface Transportation Extension Act of 2005, Part II, and section 4(a) of the Surface Transportation Extension Act of 2005, Part III''.

(m) REDUCTION OF ALLOCATED PROGRAMS.—Section 5(m) of such Act (118 Stat. 1151; 119 Stat. 329; 119 Stat. 346) is amended—

(1) by striking ''and section 4 of the Surface Transportation Extension Act of 2005, Part II'' and inserting ''section 4 of the Surface Transportation Extension Act of 2005, Part II, and section 4 of the Surface Transportation Extension Act of 2005, Part III'';

(2) by striking ''and section 4 of the Surface Transportation Extension Act, Part II'' the first place it appears and inserting ''section 4 of the Surface Transportation Extension Act, Part II, and section 4 of the Surface Transportation Extension Act, Part III''; and

(3) by striking ''and section 4 of the Surface Transportation Extension Act, Part II'' the second place it appears and inserting '', section 4 of the Surface Transportation Extension Act of 2005, Part II, and section 4 of the Surface Transportation Extension Act, Part III''.

(n) PROGRAM CATEGORY RECONCILIATION.—Section 5(n) of such Act (118 Stat. 1151; 119 Stat. 329; 119 Stat. 346) is amended by striking ''and section 4 of the Surface Transportation Extension Act, Part II'' and inserting '', section 4 of the Surface Transportation Extension Act of 2005, Part II, and section 4 of the Surface Transportation Extension Act, Part III''.

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 1 HIGHWAY SAFETY PROGRAMS.—

(1) SEAT BELT SAFETY INCENTIVE GRANTS.—Section 157(g)(1) of title 23, United States Code, is amended by striking ''$89,600,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$90,720,000 for the period of October 1, 2004, through July 21, 2005''.

(2) PREVENTION OF INTOXICATED DRIVER INCENTIVE GRANTS.—Section 163(e)(1) of such title is amended by striking ''$88,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$89,100,000 for the period of October 1, 2004, through July 21, 2005''.

(b) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2009(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329; 119 Stat. 346) is amended by striking ''$132,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$133,650,000 for the period of October 1, 2004, through July 21, 2005''.

(c) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2009(a)(2) of such Act (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329; 119 Stat. 346) is amended by striking ''$57,600,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$58,320,000 for

the period of October 1, 2004, through July 21, 2005''.

(d) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2009(a)(3) of such Act (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329; 119 Stat. 346) is amended by striking ''$16,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$16,200,000 for the period of October 1, 2004, through July 21, 2005''.

(e) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANTS.—Section 2009(a)(4) of such Act (112 Stat. 337; 118 Stat. 1153; 119 Stat. 329; 119 Stat. 346) is amended by striking ''$32,000,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$32,400,000 for the period of October 1, 2004, through July 21, 2005''.

(f) NATIONAL DRIVER REGISTER.—

(1) FUNDING.—Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 1153; 119 Stat. 330; 119 Stat. 346) is amended by striking ''$2,880,000 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$2,916,000 for the period of October 1, 2004, through July 21, 2005''.

(2) CONTRACT AUTHORITY.—Funds made available by the amendments made by paragraph (1) and by section 5(f) of the Surface Transportation Extension Act of 2005 (119 Stat. 330; 119 Stat. 346) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 6. FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAM.

(a) ADMINISTRATIVE EXPENSES.—Section 7(a)(1) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1153; 119 Stat. 330; 119 Stat. 346) is amended by striking ''$206,037,600 for the period of October 1, 2004, through July 19, 2005'' and inserting ''$208,154,425 for the period of October 1, 2004, through July 21, 2005''.

(b) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31104(a)(8) of title 49, United States Code, is amended to read as follows:

''(8) Not more than $136,589,041 for the period of October 1, 2004, through July 21, 2005.''.

(c) INFORMATION SYSTEMS AND COMMERCIAL DRIVER'S LICENSE GRANTS.—

(1) AUTHORIZATION OF APPROPRIATION.—Section 31107(a)(6) of such title is amended to read as follows:

''(6) $16,164,384 for the period of October 1, 2004, through July 21, 2005.''.

(2) EMERGENCY CDL GRANTS.—Section 7(c)(2) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1153; 119 Stat. 330; 119 Stat. 346) is amended—

(A) by striking ''July 19'' and inserting ''July 21''; and

(B) by striking ''$800,000'' and inserting ''$808,219''.

(d) CRASH CAUSATION STUDY.—Section 7(d) of such Act (118 Stat. 1154; 119 Stat. 330; 119 Stat. 346) is amended—

(1) by striking ''$800,000'' and inserting ''$808,219''; and

(2) by striking ''July 19'' and inserting ''July 21''.

SEC. 7. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

(a) ALLOCATING AMOUNTS.—Section 5309(m) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(2) in paragraph (2)(B)(iii)—

(A) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'';

(B) by striking ''$8,320,000'' and inserting ''$8,424,000''; and

(C) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(3) in paragraph (3)(B)—

(A) by striking ''$2,400,000'' and inserting ''$2,430,000''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(4) in paragraph (3)(C)—

(A) by striking ''$40,000,000'' and inserting ''$40,500,000''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(b) FORMULA GRANTS AUTHORIZATIONS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in the heading to paragraph (2) by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'';

(2) in paragraph (2)(A)(vii)—

(A) by striking ''$2,675,300,000'' and inserting ''$2,793,483,000''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(3) in paragraph (2)(B)(vii) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(4) in paragraph (2)(C) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(c) FORMULA GRANT FUNDS.—Section 8(d) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1155; 119 Stat. 331; 119 Stat. 346) is amended—

(1) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'';

(2) in the matter preceding paragraph (1) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(3) in paragraph (1) by striking ''$3,879,960'' and inserting ''$3,928,459'';

(4) in paragraph (2) by striking ''$40,000,000'' and inserting ''$40,500,000'';

(5) in paragraph (3) by striking ''$76,231,201'' and inserting ''$79,052,761'';

(6) in paragraph (4) by striking ''$202,330,313'' and inserting ''$209,819,203'';

(7) in paragraph (5) by striking ''$5,560,000'' and inserting ''$5,629,500''; and

(8) in paragraph (6) by striking ''$2,897,738,526'' and inserting ''$3,004,993,077''.

(d) CAPITAL PROGRAM AUTHORIZATIONS.—Section 5338(b)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'';

(2) in subparagraph (A)(vii)—

(A) by striking ''$2,235,820,000'' and inserting ''$2,263,265,142''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(3) in subparagraph (B)(vii) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(e) PLANNING AUTHORIZATIONS AND ALLOCATIONS.—Section 5338(c)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'';

(2) in subparagraph (A)(vii)—

(A) by striking ''$47,946,667'' and inserting ''$48,546,727''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(3) in subparagraph (B)(vii) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(f) RESEARCH AUTHORIZATIONS.—Section 5338(d)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'' ;

(2) in subparagraph (A)(vii)—

(A) by striking ''$36,933,334'' and inserting ''$37,385,434''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(3) in subparagraph (B)(vii) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(4) in subparagraph (C) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(g) ALLOCATION OF RESEARCH FUNDS.—Section 8(h) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1156; 119 Stat. 332; 119 Stat. 346) is amended—

(1) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'';

(2) in the matter preceding paragraph (1) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(3) in paragraph (1) by striking ''$4,200,000'' and inserting ''$4,252,500'';

(4) in paragraph (2) by striking ''$6,600,000'' and inserting ''$6,682,500''; and

(5) in paragraph (3)—

(A) by striking ''$3,200,000'' and inserting ''$3,240,000''; and

(B) by striking ''$800,000'' and inserting ''$810,000''.

(h) UNIVERSITY TRANSPORTATION RESEARCH AUTHORIZATIONS.—Section 5338(e)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'';

(2) in subparagraph (A)—

(A) by striking ''$4,000,000'' and inserting ''$4,060,000''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(3) in subparagraph (B) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(4) in subparagraphs (C)(i) and (C)(iii) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(i) ALLOCATION OF UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—

(1) IN GENERAL.—Section 8(j) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1157; 119 Stat. 332; 119 Stat. 346) is amended—

(A) in the matter preceding subparagraph (A) of paragraph (1) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(B) in paragraph (1)(A) by striking ''$1,600,000'' and inserting ''$1,620,000'';

(C) in paragraph (1)(B) by striking ''$1,600,000'' and inserting ''$1,620,000''; and

(D) in paragraph (2) by striking ''July 19, 2005'' and inserting ''July 21, 2005'' .

(2) CONFORMING AMENDMENT.—Section 3015(d)(2) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5338 note; 112 Stat. 857; 118 Stat. 1157; 119 Stat. 332; 119 Stat. 346) is amended by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(j) ADMINISTRATION AUTHORIZATIONS.—Section 5338(f)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005'' ;

(2) in subparagraph (A)(vii)—

(A) by striking ''$52,000,000'' and inserting ''$52,780,000''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(3) in subparagraph (B)(vii) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(k) JOB ACCESS AND REVERSE COMMUTE PROGRAM.—Section 3037(l) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5309 note; 112 Stat. 391; 118 Stat. 1157; 119 Stat. 333; 119 Stat. 346) is amended—

(1) in paragraph (1)(A)(vii)—

(A) by striking ''$80,000,000'' and inserting ''$81,027,500''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005'';

(2) in paragraph (1)(B)(vii) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(3) in paragraph (2) by striking ''July 19, 2005, not more than $8,000,000'' and inserting ''July 21, 2005, not more than $8,100,000''.

(l) RURAL TRANSPORTATION ACCESSIBILITY INCENTIVE PROGRAM.—Section 3038(g) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note; 112 Stat. 393; 118 Stat. 1158; 119 Stat. 333; 119 Stat. 346) is amended—

(1) by striking paragraph (1)(G) and inserting the following:

''(G) $4,222,125 for the period of October 1, 2004, through July 21, 2005.''; and

(2) in paragraph (2)—

(A) by striking ''$1,360,000'' and inserting ''$1,407,375''; and

(B) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(m) URBANIZED AREA FORMULA GRANTS.—Section 5307(b)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JULY 19, 2005'' and inserting ''JULY 21, 2005''; and

(2) in subparagraph (A) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(n) OBLIGATION CEILING.—Section 3040(7) of the Transportation Equity Act for the 21st Century (112 Stat. 394; 118 Stat. 1158; 119 Stat. 333; 119 Stat. 346) is amended—

(1) by striking ''$6,166,400,000'' and inserting ''$6,229,759,760''; and

(2) by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(o) FUEL CELL BUS AND BUS FACILITIES PROGRAM.—Section 3015(b) of the Transportation Equity Act for the 21st Century (112 Stat. 361; 118 Stat. 1158; 119 Stat. 333; 119 Stat. 346) is amended—

(1) by striking ''July 19, 2005'' and inserting ''July 21, 2005''; and

(2) by striking ''$3,880,000'' and inserting ''$3,928,500''.

(p) ADVANCED TECHNOLOGY PILOT PROJECT.—Section 3015(c)(2) of the Transportation Equity Act for the 21st Century (49 U.S.C. 322 note; 112 Stat. 361; 118 Stat. 1158; 119 Stat. 334; 119 Stat. 346) is amended—

(1) by striking ''July 19, 2005,'' and inserting ''July 21, 2005''; and

(2) by striking ''$4,000,000'' and inserting ''$4,050,000''.

(q) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS AND EXTENSIONS TO EXISTING SYSTEMS.—Subsections (a), (b), and (c)(1) of section 3030 of the Transportation Equity Act for the 21st Century (112 Stat. 373; 118 Stat. 1158; 119 Stat. 334; 119 Stat. 346) are amended by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(r) NEW JERSEY URBAN CORE PROJECT.—Subparagraphs (A), (B), and (C) of section 3031(a)(3) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2122; 118 Stat. 1158; 119 Stat. 334; 119 Stat. 346) are amended by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

(s) LOCAL SHARE.—Section 3011(a) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5307 note; 118 Stat. 1158; 119 Stat. 334; 119 Stat. 346) is amended by striking ''July 19, 2005'' and inserting ''July 21, 2005''.

SEC. 8. SPORT FISHING AND BOATING SAFETY.

(a) FUNDING FOR NATIONAL OUTREACH AND COMMUNICATIONS PROGRAM.—Section 4(c)(7) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(c)) is amended to read as follows:

''(7) $8,099,997 for the period of October 1, 2004, through July 21, 2005;''.

(b) CLEAN VESSEL ACT FUNDING.—Section 4(b)(4) of such Act (16 U.S.C. 777c(b)(4)) is amended to read as follows:

''(4) FIRST 42 WEEKS OF FISCAL YEAR 2005.—For the period of October 1, 2004, through July 21, 2005, of the balance of each annual appropriation remaining after making the distribution under subsection (a), an amount equal to $66,420,000, reduced by 82.9 percent of the amount appropriated for that fiscal year from the Boat Safety Account of the Aquatic Resources Trust Fund established by section 9504 of the Internal Revenue Code of 1986 to carry out the purposes of section 13106(a) of title 46, United States Code, shall be used as follows:

''(A) $8,100,000 shall be available to the Secretary of the Interior for 3 fiscal years for obligation for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note).

''(B) $6,480,000 shall be available to the Secretary of the Interior for 3 fiscal years for obligation for qualified projects under section 7404(d) of the Sportfishing and Boating Safety Act of 1998 (16 U.S.C. 777g–1(d)).

''(C) The balance remaining after the application of subparagraphs (A) and (B) shall be transferred to the Secretary of Transportation and shall be expended for State recreational boating safety programs under section 13106 of title 46, United States Code.''.

(c) BOAT SAFETY FUNDS.—Section 13106(c) of title 46, United States Code, is amended—

(1) by striking ''$4,000,000'' and inserting ''$4,050,000''; and

(2) by striking ''$1,600,000'' and inserting ''$1,620,003''.

SEC. 9. EXTENSION OF AUTHORIZATION FOR USE OF TRUST FUNDS FOR OBLIGATIONS UNDER TEA–21.

(a) HIGHWAY TRUST FUND.—

(1) IN GENERAL.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in the matter before subparagraph (A), by striking ''July 20, 2005'' and inserting ''July 22, 2005'',

(B) by striking ''or'' at the end of subparagraph (L),

(C) by striking the period at the end of subparagraph (M) and inserting '', or'',

(D) by inserting after subparagraph (M) the following new subparagraph:

''(N) authorized to be paid out of the Highway Trust Fund under the Surface Transportation Extension Act of 2005, Part III.'', and

(E) in the matter after subparagraph (N), as added by this paragraph, by striking ''Surface Transportation Extension Act of 2005, Part II'' and inserting ''Surface Transportation Extension Act of 2005, Part III''.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(A) in the matter before subparagraph (A), by striking ''July 20, 2005'' and inserting ''July 22, 2005'',

(B) in subparagraph (J), by striking ''or'' at the end of such subparagraph,

(C) in subparagraph (K), by inserting ''or'' at the end of such subparagraph,

(D) by inserting after subparagraph (K) the following new subparagraph:

''(L) the Surface Transportation Extension Act of 2005, Part III,'', and

(E) in the matter after subparagraph (L), as added by this paragraph, by striking ''Surface Transportation Extension Act of 2005, Part II'' and inserting ''Surface Transportation Extension Act of 2005, Part III''.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by striking ''July 20, 2005'' and inserting ''July 22, 2005''.

(b) AQUATIC RESOURCES TRUST FUND.—

(1) SPORT FISH RESTORATION ACCOUNT.—Paragraph (2) of section 9504(b) of the Internal Revenue Code of 1986 is amended by striking ''Surface Transportation Extension Act of 2005, Part II'' each place it appears and inserting ''Surface Transportation Extension Act of 2005, Part III''.

(2) BOAT SAFETY ACCOUNT.—Subsection (c) of section 9504 of such Code is amended—

(A) by striking ''July 20, 2005'' and inserting ''July 22, 2005'', and

(B) by striking ''Surface Transportation Extension Act of 2005, Part II'' and inserting ''Surface Transportation Extension Act of 2005, Part III''.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking ''July 20, 2005'' and inserting ''July 22, 2005''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(d) TEMPORARY RULE REGARDING ADJUSTMENTS.—During the period beginning on the date of the enactment of the Surface Transportation Extension Act of 2003 and ending on July 21, 2005, for purposes of making any estimate under section 9503(d) of the Internal Revenue Code of 1986 of receipts of the Highway Trust Fund, the Secretary of the Treasury shall treat—

(1) each expiring provision of paragraphs (1) through (4) of section 9503(b) of such Code which is related to appropriations or transfers to such Fund to have been extended through the end of the 24-month period referred to in section 9503(d)(1)(B) of such Code, and

(2) with respect to each tax imposed under the sections referred to in section 9503(b)(1) of such Code, the rate of such tax during the 24-month period referred to in section 9503(d)(1)(B) of such Code to be the same as the rate of such tax as in effect on the date of the enactment of the Surface Transportation Extension Act of 2003.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRAQ WATCH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 60 minutes as the designee of the minority leader.

Mr. DELAHUNT. Mr. Speaker, I am joined here this evening by two of my colleagues, the gentleman from Washington (Mr. INSLEE) and the gentleman from Ohio (Mr. RYAN). In the past, since the commencement of military action in Iraq, four of us came together and created what we called the Iraq Watch, which was an effort to assess the situation in the Middle East with a particular focus on Iraq and Afghanistan, and the global implications for our national security and for the role of the United States in the world.

For some 19 months, we would convene here on the floor and have a dialogue among us. Some of our colleagues are not here this evening, but our regulars include the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Ohio (Mr. STRICKLAND), the same State that is represented by Mr. RYAN, who is a welcome new addition to the Iraq Watch. So we welcome the gentleman from Ohio (Mr. RYAN).

I would like to begin by just examining the current security situation in Iraq and reporting to my colleagues and to the American people.

Through July 17, 1,764 U.S. soldiers have died, and 13,483 have been wounded in Iraq since the invasion. Now, I know many of my colleagues on both sides of the aisle have visited our wounded military personnel in the naval hospital in Bethesda and at Walter Reed. It is, to say the least, a moving, poignant, and profoundly disturbing experience; and I know we share, all of us share the absolute best

wishes for them as they move forward in their lives. We know that they have many hurdles and many obstacles ahead of them, but that same courage and that same heroism that they displayed in the war we know will be with them as they proceed through life.

But it is our obligation here in this Congress, in this House to make sure that they have every single benefit that they deserve and that all of our programs are fully funded. I know the gentleman from Ohio (Mr. RYAN) serves on the Committee on Veterans' Affairs and has been a leader in that regard, and I congratulate him.

Since June 2003, 2,642 Iraqi soldiers and police have died. Estimates of Iraqi civilian deaths since the beginning of the invasion range up to 60,800. The New York Times recently cited Iraqi government figures reporting that an average of 500 Iraqis are killed each month by so-called insurgents. Over a 10-month period ending in May, that rate had escalated to some 800 a month.

So those are the statistics. Those are the cold, hard statistics.

Now, I know that my colleague, the gentleman from the State of Washington (Mr. INSLEE), has an obligation in about 20 minutes, so I am going to call on him and ask him for his observations to begin our conversation.

Mr. INSLEE. Mr. Speaker, I thank the gentleman from Massachusetts. An issue I would like to address tonight is perhaps one of the most important ones. Of course, we all share the gentleman's admiration for our troops. I heard of a young man from Ohio who will be going back in a month or so for his fourth tour of duty in Iraq, so not only our admiration for our personnel there, but their whole families who are contributing to this effort, and it has been very, very difficult for them as well.

But I want to talk about how we can eventually be in a position to be able to bring our sons and daughters home, and that involves fulfilling an activity that might seem obvious to anyone who has thought about this, but, unfortunately, has not been fulfilled by the administration, and that is that we need to replace American troops with Iraqis.

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We need to get our sons and daughters home and their responsibility for the security of Iraq needs to be assumed by Iraqis who will stand up and toe the line for their countries. And until that happens, we are going to continue to see the enormous losses that are being suffered by the Iraqis and our sons and daughters now.

And the reason I want to address this, and perhaps it seems obvious when I say that, but I wanted to share tonight the abject failure of the administration to do the very obvious things that need to be done to train the Iraqi security forces. It is obvious in this country that we need larger number of troops in the security forces now and in the future to allow the withdrawal of American troops. But we have found after doing an examination of what the civilian planners, and this is not a criticism of the military personnel because frankly it is the civilian personnel, from the Secretary of Defense up through the President, who have dropped the ball unfortunately, and what is required to train these Iraqi troops.

Four months ago an assessment showed that we had less than 40 percent of the training personnel that was anticipated to be in Iraq 6 months after the collapse of the Iraqi Army, less than half of the training personnel were there several months ago. And the result has been a spectacular failure to train and equip and stand up an Iraqi Army.

I remember the first time I ever heard the term stand up. It was from Secretary Rumsfeld. And he said we are going to stand up the Iraqi Army. This is before the war started. This army cannot get on its knees in Iraq right now.

Now, we have been told by the administration that there are 170,000 troops in Iraq. Well, there are 170,000 names on paper, and maybe there are 170,000 boots, but at most, at most, being generous, there are three battalions that can actually go out there and provide security in Iraq, less than 20,000 people. This army is a paper machet force and we, the administration, has not provided the infrastructures needed to train it.

Now why have they not done that? Why you would think immediately after the collapse of the Iraq Army, of course it did not help that the administration made what appears to be a major tactical blunder, which was to disband the Iraqi Army in the first place, without any security in Iraq to replace it, which led to this horrendous looting, if you will recall, looting that everyone predicted except the civilian leadership of the military here, knowing the history of Iraq, the violence in the ethnic groups. The fact that no security was supplied after the collapse of the Iraqi Army has put us behind the 8 ball.

In any event. At that point you would think the administration would push the alarm button to say we are going to speed forward as far as we possibly can to train and equip the Iraqi Army. Boy, were we wrong. In fact, it is this bad. In this chamber, when the defense bill came to the floor here the week before last for the appropriations bill, the majority party had put in a limitation on what could be spent to train the Iraqi military force. Now, it seems to me that ought to be the place we should not be scrimping money. We should not be trying to artificially limit. That is the place we should put the pedal to the metal and train these forces to replace our sons and daughters as soon as humanly possible. Now fortunately we passed an amendment that lifted that cap. I brought an amendment. I appreciate the Chair accepted it, and we actually got rid of that limitation. But this has been one of a long train of failures that follows from a fundamental misapprehension of the situation. And all of these mistakes that we have talked about flow from one basic misunderstanding by this administration, and that was the assumption that they made, that they could put on rose colored glasses and Baghdad would look like Paris in 1944 and the Shiias and the Sunnis would break bread together and sing Kumbaya and democracy would flower without standing up an Iraqi Army, without having security, without having armored HUMVEES, without having flak jackets for our troops, without having a provision for the National Guard, which is now so extented that the governors now, you know, the governors had a meeting just this week saying how are we going to fight our fires this summer when the National Guard is not here. This has been a continuation of the rose colored glasses syndrome that has now resulted in a continued failure to stand up an Iraqi Army.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. I just want to kind of expound on that point a little bit. It is not like there were not people in the country saying we know you are going to go to Baghdad. We know you are going to win the war. We know you are going to defeat the enemy. A lot of us were saying then what? Then what are you going to do? And there was never any hard answer on what this administration was going to do. So, you know it is not like they went in blind. You are preparing for a war. Sit down and figure out all the options. What if they do not hand us flowers and Hershey bars? You know, then what do we do? And if that does not work and something else, then what do we do. You should have four or five plans. This is just a lack of preparation, and it was that rush to war that I think caused all the problems that I think you already stated.

Mr. DELAHUNT. I think it is interesting to go back a bit and to remember that the Department of State had worked for months on a plan, a plan that was fleshed out by bringing in experts from outside, by bringing in those with different perspectives. And yet, because there was some suspicion on the part of the Pentagon that State was not enthusiastically in support of the military invasion of Iraq, that that had to be put aside. And now we find ourselves, obviously, in a real mess

Mr. INSLEE. I just want to say that, you know, that is history. It is important to review. But the present and the future are disconcerting now too. For instance, we now know that we have this paper machet force in Iraq, and that is all it is, to provide security.

And until it becomes real, it is going to be difficult to get our troops home.

But even today, this administration, because they are so wedded to this go it alone policy, has rejected offers from adjoining nations in the region to train these Iraqi troops. Egypt, we are told, has made a specific proposal to train Iraqi troops to expedite that process so we can replace our people and get our people home and replace them with Iraqis. And this administration, because of their go it alone attitude has rejected that offer of other people in the region to train these forces.

Mr. DELAHUNT. I would like to make an interesting observation, because during the debate tomorrow and during the debate today, and during the course of our committee hearings, we constantly hear of a profound concern by this administration and this government about Iran. If you remember, Iran was described as a charter member, if you will, of the Axis of Evil club. And there are legitimate concerns about the development of nuclear weapons by Iran.

And here we are in Iraq, we have already appropriated in excess of $330 billion. That is $330 billion. Estimates range that by the time we have discharged our obligation, which is difficult to quantify, we will be looking at $1 trillion from American taxpayers.

However, while we are expressing this concern about Iran, a story appears in the Washington Post dated Tuesday, July 12, and the headline reads as follows: Iraqi official says Iran will not train troops. But there appears to be some confusion because the Iraq defense minister reached an agreement, a military agreement with Iran the previous week. And he claims it does not include any provision for the Iranian armed forces to help train Iraqi troops. But this was contradicted by his Iranian counterpart.

So here we are, America. We now have a military agreement between Iraq, where we have expended billions, hundreds of billions of dollars, and the blood of more than 1,700 Americans killed in action, and yet what do we have? We have a military agreement between Iraq and the Republic of Iran. And tomorrow, I can assure you, as we debate the reauthorization legislation in terms of the Department of State, there will be much said about Iran. There will be a pounding of fists and there will be considerable consternation about Iran.

And yet, here we are, it is publicly disclosed, the Iranians and the Iraqis have reached an accord in a military agreement. So maybe that will take care of the training of Iraqi troops so that Americans can learn. The Iranians can attract them.

Mr. ABERCROMBIE. Will the gentleman yield on the question of the cost associated with the points you made?

Mr. DELAHUNT. Of course I yield to my friend from Hawaii and one of the original members of Iraq Watch.

Mr. ABERCROMBIE. The publication Inside Defense of July 6 reports, with regard to your estimations as to the cost, this was just prior to the advent of the meeting between the Iraqis and the Iranians. A group of advisors, I am now quoting from this July 6 article in Inside Defense. A group of advisors to Defense Secretary Donald Rumsfeld is preparing a report warning that the huge costs associated with prolonged bloody operations in Iraq and Afghanistan may become part of a U.S. adversary's strategy. U.S. led operations in these two countries, quote, have tapped out the ground services active and reserve components, unquote, stated June 29, briefing slides prepared for the working group of the Defense Science Board. The Defense Science Board, as my colleagues know, is the group designated to report to the Secretary of Defense on these issues. Quote, we therefore find ourselves without resources for any other campaign at this scale, a prospect not long lost on our adversaries, unquote.

The panel was part of the larger Defense Science Board which is doing a study for the Defense Department on transformation. Further quotation, the requirements U.S. forces face in the global war on terrorism to not only prevail in the traditional combat phase of the military operation and restore stability afterwards, but also to establishing a functioning free economy and robust democracy are significant and expensive. Quote, these new goals, that is to say, establishing the economy and the democracy, these new goals dwarf the complexity cost and scope of achieving victory on the battlefield, unquote.

Now, last summer the incremental additional estimated cost for stabilization and reconstruction in Iraq was estimated at $72 billion according to the Defense Science Board Panel. That was the previous estimation.

Mr. DELAUNT. And what is it now?

Mr. ABERCROMBIE. Now these costs are likely to be at least $500 billion and perhaps close to $1 trillion, unquote. Total military spending on operations in Afghanistan and Iraq from 2001 through this September 2005 is $252 billion according to Steve Kosiak with the Center For Strategic and Budgetary Assessments. Spending on non military aid in these missions at the same time period is $27 billion in addition to the $252 billion.

The Congressional Budget Office in January estimated that between the fiscal year 2006 and 2015, the costs of supporting these operations could total $393 billion.

Mr. DELAHUNT. Those numbers are mind boggling. And before I yield to my friend from Ohio (Mr. RYAN), I have a question. And I need someone to at least assist me in trying to understand how Iran, again, and a charter member of the axis of evil, is now a military ally of Iraq. And we are promoting democracy in Iraq.

□ 2015

It also should be noted again, according to this Washington Post story, that while the Minister of Defense in the interim government claims that, no, the Iranians are not going to train troops, but he did acknowledge that Iran has pledged $1 billion in reconstruction aid to the Iraqi government, some of which would be to the defense ministry. Is this Allies in Wonderland? Is up down and down is up? The Iranians and the Iraqis are engaged in a military accord?

This is the kind of information that we tried to bring out during the course of our conversations once a week. We have just begun them again after a hiatus of some 6 months. But that to me is inexplicable because that will give Iran, Iran, that many on the floor tomorrow will say is a potential enemy and something has got to be done. What is happening?

Mr. RYAN of Ohio. I am stumped as well. I have no good answer for the gentleman. What I would like to do is the gentleman from Hawaii (Mr. ABERCROMBIE) was throwing out some pretty large numbers to the tune of $1 trillion, if not more. In Ohio alone only $240 million is being spent on homeland security and $700 million on No Child Left Behind which is underfunded by $1.5 billion. We are talking trillions. And I think it speaks to the fact that we are not meeting the needs here at home while we are spending a tremendous amount of money abroad.

Mr. ABERCROMBIE. I never said, of course, that we are going to get any value received for this money. We are going to spend the money, but as the gentleman well knows and I think the record shows that what we are getting for the money is corruption, thievery, failure to significantly alter the infrastructure of Iraq in any significant way.

It does not surprise me in the least that there would be an accord or an attempt at an accord being undertaken between Iraq and Iran. After all, they live in the same neighborhood. We do not. What we are engaged in right now is another one of these false premises that somehow a military in an inherently insurgent situation is going to be able to provide political answers through military activity and subsequently having the military take on the task of helping to provide a civil infrastructure. It cannot be done. It will not be done.

The only victims of that will be the Guard and Reserve and active duty military forces of the United States so that the numbers of wounded, grievously wounded and dead will continue to rise.

Mr. DELAHUNT. The burden is being carried almost exclusively by the American military and the American taxpayer. And we have been joined by 2 colleagues, our friend, the gentleman from Connecticut (Mr. LARSON), and, again, one of the original members of the Iraq Watch, the gentleman from Ohio (Mr. STRICKLAND).

I yield, since he is one of the originals I have to yield first of course, to the gentleman from Ohio (Mr. STRICKLAND) and welcome him.

Mr. STRICKLAND. Mr. Speaker, I thank the gentleman. It is good to be with my colleagues as we talk about this important issue.

I would like to share with my colleagues an experience I had over the weekend involving a real person, a real American. Representative John Bocerri, a young State representative from my State of Ohio, serves in the State legislature. He is also in the Air Reserves, and he has previously been to 3 deployments in Iraq. He flies these big C–130 transport planes.

John has a wonderful wife and 2 young daughters, and just about 4 days ago his third child was born. A little guy named Matthew Bocerri. They brought him home the day before yesterday, and I was there as this wonderful family gathered around this newborn, sisters holding him for the first time.

John Bocerri is leaving Thursday of this week for his fourth deployment to the war zone. A young father with a child recently home from the hospital for the fourth time is being sent by this country to the war zone to fly transport in and out of Iraq from Qatar.

When you talk with someone like John Bocerri, when you see his little daughters and his newborn child and you talk to his wife you understand what this war is doing to Americans, to families, to community. The President has some explaining to do to all of us.

I have here an e-mail from a Marine Corps Civil Affairs officer who is currently in Ramadi, Iraq. This Marine has received his master's degree in international policy from Stanford University. He is a bright guy obviously. And I would just like to read briefly from his e-mail and then I will be happy to hear from the rest of my colleagues.

This young Marine writes, ''As an Iraq War veteran, I disagree with how President Bush has assessed the war and how we should be conducting it. The President has mischaracterized the debate as a simplistic black and white challenge. Is the sacrifice worth it? That is the question. But this mischaracterization clouds the debate and avoids 2 essential questions: What are the real conditions on the ground and what must be done to win this war?''

He continues, ''Unfortunately,'' he says, ''the President obscures the truth of the current conditions in Iraq. My personal experiences in Iraq confirm statements made by numerous officers there, including General John Abizaid, Commander of the U.S. Central Command, that the insurgency shows no signs of weakening and its numbers continue to grow. The Bush administration must first recognize this serious problem in order to rectify it.''

''Denial,'' says this young Marine, ''is not the path to success. As a Marine Corps Civil Affairs officer serving for 7 months in Ramadi, a hotbed of the Iraqi insurgency, my job was to cultivate economic, governmental and civil society development. This work was part of a strategy to inculcate Iraqis with the desire and capacity to defeat the insurgents themselves, allowing America's withdrawal.''

Then he concludes his e-mail with this sentence. ''The gap between President Bush's rhetoric and the reality that I saw on the ground is enormous.'' It is time for some truth telling from this President and this administration. The American people can deal with the truth. But I say to my friend from Hawaii (Mr. ABERCROMBIE), the American people are sick and tired of exaggerations, of distortions, of mischaracterizations, of twisted and distorted intelligence.

The American people and young Americans like John Bocerri that I just talked about earlier deserve to hear the truth from this President.

I thank the gentleman for allowing me to join him for these moments. It is good to be back with my fellow colleagues as we talk about these important issues.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE). The Chair will remind Members to refrain from personally offensive references toward the President.

PARLIAMENTARY INQUIRY

Mr. STRICKLAND. Mr. Speaker, as a parliamentary inquiry, does that mean that I cannot make characterizations about actions that are taken by this administration?

The SPEAKER pro tempore. References to the President suggesting he obscured the truth are out of order.

The gentleman may proceed.

Mr. STRICKLAND. May I say that the President mischaracterized the intelligence?

The SPEAKER pro tempore. Mischaracterizations, without an intent to deceive, are not necessarily out of order.

Mr. STRICKLAND. I thank the Speaker.

I would clarify my statement by saying that I believe the President has mischaracterized the intelligence and that, in fact, has led us into a war that in my judgment has not been justified.

Mr. DELAHUNT. Mr. Speaker, I yield to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. DELAHUNT) for yielding to me and I especially thank the gentleman from Ohio (Mr. STRICKLAND) for his very poignant remarks.

It is clear that the administration has had a very difficult time in leveling with the American public, and it is also very clear that it has been the Iraq Watch that has been able on a regular basis, and I am so proud to see that you once again have taken to the floor to inform the American public the way you have with regard to what is happening to our troops in the field and what is taking place here on the floor of the Congress.

More often than not in traveling home to my district and conducting forums, people will routinely say, why are people not speaking out in the United States Congress? And several have commented that it seems like the only voice they have heard has been the Iraq Watch.

So I commend the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from Hawaii (Mr. ABERCROMBIE), the gentleman from Ohio (Mr. STRICKLAND), and the gentleman from Washington (Mr. INSLEE), and of course the gentleman from Ohio (Mr. RYAN) who was here earlier.

It is rather interesting in listening to the gentleman from Ohio (Mr. STRICKLAND) speak that Bush the elder warned us very succinctly about what would happen if we chose this policy of unilateralism and preemption. He said essentially that if we were to invade Iraq that we would end up being not liberators but occupiers, and we would immediately lose our allied support around the globe and turn Arab nations against us.

As Ambassador Jordan said to us on a trip over to Saudi Arabia, in essence, we would accomplish what Osama bin Laden failed to do. There would be a united Islamic jihad against the United States. And so what we have witnessed in the very cavalier statement of saying that ''we are fighting them over there so we do not have to fight them here,'' oversimplifies the problem that we have created for ourselves. In fact, it has intensified the insurrection that has taken place within Iraq.

I believe and I am grateful to the Iraq Watch for you constantly bringing forth these issues that the United States has to be both safe, secure and strategic with regard to our troops that are in the field. It is in everyone's best interest to make sure that they have a safe and secure and strategic return home.

I especially applaud the efforts of the gentleman from Hawaii (Mr. ABERCROMBIE) on the Committee on Armed Services and the Committee on Appropriations with respect to the gentleman from Pennsylvania (Mr. MURTHA) in making sure that they have categorized a strategy for success, a strategy that embraces a commonsense approach in a region where we desperately need leadership that starts with the President's ability to level with the American people. And most importantly as the gentleman from Ohio (Mr. STRICKLAND) points out, the need for us to level with our National Guard and Reservists in terms of their deployment, in terms of their commitment to this great Nation of ours and to the American public, as the gentleman from Massachusetts (Mr. DELAHUNT) so eloquently puts forward about the enormous cost that we are incurring that is unpaid for and is only debt that we are heaping on the backs of our children.

□ 2030

Also, with respect to tough love with our allies in the region, let us be honest about this. In the Gulf War, the United States expended $10 billion. As the gentleman from Massachusetts (Mr. DELAHUNT) said earlier, we are already over $330 billion and growing. Ten billion dollars because we had the support of the entire world with us. Because Bush, the elder, made sure that we had that kind of support instead of going off with this new policy of unilateralism and preemption that has turned the rest of the globe against us.

Many of us stood in this Chamber and voted because we felt strongly about our commitment to fight terrorism in Afghanistan, and the whole world joined us only to find we were abandoned in Iraq because of policies that made little sense and that now, as we learn almost daily about the concocted reasons by which we went into war with Iraq. Yet, if the gentleman will allow me, we find we also desperately need policies in this region that hold the Arab League, Pakistan, India, China, and Russia accountable for making sure that we bring stability to this region.

We also need an energy policy here at home, that the gentleman from Washington (Mr. INSLEE) has so eloquently spoken about, that embraces alternative fuels, fuel cell technology, and gets us off of this ensnarled position that we find ourselves in, this awful entanglement and dependency on foreign oil, when we know we could extricate ourselves from it if we just embraced the very technology that we can develop here in our own country, here in both my State of Connecticut and across this country, that will embrace the hydrogen economy and the bounty of fuel cell technology that exists out there.

We must also embrace religions around the globe. There should be a call on the President's part, and also on the part of religious leaders, to talk about the perversion of terrorism and turning these young men into terrorists by perverting the great teachings of the book. It is so important that we embrace these things conceptually and comprehensively in a manner that will draw the world together in an understanding about what we have to accomplish in that region.

General Zinni said it very clearly. We need more troops in this area, but not American troops. We need to take the American face off the occupation here and get the Arab League, get the United Nations, NATO, Russia, China, India and all involved in bringing stability to this region. It is a world responsibility. Our men and women in the services have done their job and done it extraordinarily well. This country simply cannot continue to afford both the human capital and the enormous capital that we are expending, as the gentleman from Massachusetts (Mr. DELAHUNT) points out, over $330 billion.

I yield to the gentleman and I apologize for going on.

Mr. DELAHUNT. No, the gentleman's remarks are excellent, and, Mr. Speaker, they are on point. The tragic reality is that this is an American war, with some help from the British. This is becoming every day almost an exclusive American venture, both militarily and in terms of the reconstruction phase.

A recent report indicated that Italy is prepared to withdraw its 3,000 troops come this fall. This fall is 2 months away. The coalition of the willing is ''getting out of Dodge.'' That is the tragic reality here. Because they are hearing from the people in their societies who are saying we do not want to participate.

We find ourselves in a real conundrum. And my colleague was absolutely right, in the aftermath of 9/11 every single one of us stood here and voted in favor of going after al-Qaeda, in Afghanistan, along with the Taliban, and we prevailed. But then, then we became distracted and we took resources from Afghanistan. What is happening in Afghanistan? It has become a narco state. President Karzai has a terrible situation on his hands.

And I know we all remember here that the day after 9/11 the entire world was with us. The French, their leading newspaper Le Monde, summed it up when it said ''Today We Are All Americans.'' We had that good will. And now? And now what do we see because of these policies? Well, I will tell you what we see. According to the independent nonpartisan Government Accountability Office, and the American people should know that that is an arm of the U.S. Congress, this is what they had to say just this past April:

''Recent polling data show that anti-Americanism is spreading and deepening around the world. Such anti-American sentiments can increase foreign public support for terrorism directed against Americans. It impacts the cost and effectiveness of military operations, thereby escalating the cost of supporting our troops in the multiple venues that they presently patrol, and it weakens the United States' ability to align with other nations in pursuit of common policy objectives and dampen foreign publics' enthusiasm for U.S. business services and products.''

This has huge implications for the American people. It is absolutely stunning to see some of this polling that has currently become available. When posed this question, ''Please tell me if you think each of the following are having a mainly positive or mainly negative influence in the world,'' and they single out the United States, in Great Britain, our most staunch ally, 44 percent say it is mainly positive, with fifty percent saying it is mostly negative. That is Great Britain.

In Australia, 40 percent say it is mostly positive and 52 percent say American influence in the world today is mostly negative. Our neighbors to the north, in Canada, 34 percent say American influence in terms of the international order is mostly positive, 34 percent, and 60 percent say it is mostly negative. Germany, 27 percent positive, 64 percent negative. Japan, 24 percent positive, 31 percent negative. Mexico, our neighbors to the south, 11 percent mostly positive in terms of American influence in the international community, and 57 percent mostly negative.

I could go on and on and on.

Mr. LARSON of Connecticut. If the gentleman will yield, I want to say as well that I mentioned I conduct forums all the time, and I am most proud to say that at a forum recently in West Hartford, where over 400 people attended, that one of the questions that came forward from one of my constituents was in praise of one of our colleagues, one of our Members, and that is the gentleman from North Carolina (Mr. JONES), who I truly believe, as important and as critical as I think the Iraq Watch has been, if there is a profiles in courage award that should be given, it should be for this humble man of conscience.

When residents of the State of Connecticut recognize Members of Congress, like yourself who have come here, but especially in the case of the gentleman from North Carolina (Mr. JONES), who has gone against the grain and is merely speaking from his heart and from his conscience and speaking directly to the American people about his feelings, about his discussions that he has had with his constituents about this war that we are involved in, a war that he voted for but has come to the principled conclusion, and in a safe, secure and strategic manner, as the gentleman from Hawaii (Mr. ABERCROMBIE) has outlined on the Committee on Armed Services, and as the gentleman from Pennsylvania (Mr. MURTHA) has called for in terms of very severe and tough guidelines and deadlines that the President and this administration must meet, all with an eye in mind of a strategy for success, yet my constituents say this all the time, where was Congress during all of this?

Shakespeare said, ''Would Caesar be a wolf if the Senate was not a sheep?'' And that is so true, but not for the Iraq watch, speaking out consistently. And not for people like the gentleman from North Carolina (Mr. JONES), who was able to come down to this floor and talk from his heart and from his head about what he truly feels and believes.

That is what makes us the great Nation that we are, and that is what I think gives the American public hope; that people like yourself, who have been at this for some time and who continue to come down here and speak in the words not only of the gentleman from North Carolina (Mr. JONES) but of the reservist who is going back to Iraq for the fourth time.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman will yield on that point, my intention is not to take up time

necessarily on Iraq Watch on the question of H.J. Res. 55, the joint resolution number 55, but that is the tangible substance of the commitment of the gentleman from North Carolina (Mr. JONES) and others at this point, including myself, to try to put legislation forward that will respond precisely to the commentary that the gentleman from Connecticut found in his West Hartford meeting.

The resolution asks the President to develop and implement a plan for the withdrawal of the United States Armed Forces from Iraq. It makes a reference, the short version of it, joint resolution 55, as Homeward Bound. The principal point here, rather than going over it point by point, the principal point in the context established tonight, and I am referring to one of two findings here, is that the United States has in place a timetable for training, equipping and employing Iraqi security forces to take over the counterinsurgency mission from coalition forces. That is a statement of fact.

Speaking as a member of the Committee on Armed Services, I can say to you in all candor and openness that we do have timetables. We do have timetables. We do have benchmarks. We do have indications and timelines for those indications of what constitutes success, what constitutes a capacity for the counterinsurgency mission to be taken from coalition forces by Iraqi forces of all kinds; from border police to interior ministry, to defense personnel police and armed forces.

In order to explicate that clearly to the American people, this House passed, in overwhelming numbers, an emergency supplemental appropriations for defense, the emergency supplemental appropriations act for defense on the global war on terror and tsunami relief. Public Law 109–13. In that, a joint explanatory statement accompanied the conference report, which required the Secretary of Defense to report not later than July 10.

As we speak, it is now approximately 8:45 p.m. on the East Coast on July 19, some 9 days past the deadline established by the Congress of the United States, passed by Democrats and Republicans in overwhelming numbers. Not with this Member's vote, to be sure. But nonetheless, my position as enunciated then in opposition to it, to the bill, because I felt we were not carrying forward on what we said we were doing, nonetheless the overwhelming majority gave the Secretary of Defense the opportunity to report to us no later than July 10 and every 90 days thereafter on measures for security, political, and economic progress in Iraq.

Mr. Speaker, I received a letter from the Secretary of Defense yesterday indicating they were working hard on this report. I have no doubt. But we are already 9 days late. We are already 9 days of more killings, more murders, more terrorism, more grievous wounding, more terrorism worldwide, and yet we do not have this report from the Secretary of Defense.

□ 2045

My plea is that other Members and the audience that may be listening to us tonight take a look at House Joint Resolution 55 that has been developed on a bipartisan basis with one of the leading advocates being the gentleman from North Carolina (Mr. JONES) and other Members of the Republican Party and Democratic Party as well. This is not an ideological construct, this is not a resolution made to embarrass the President. On the contrary, House Joint Resolution 55 in some respects has been characterized by some as saying what are you doing helping President Bush? We should be in opposition to President Bush, but I feel the politics will take care of itself in time to come. There is no question about that. We can make that point later. This resolution is about backing up our troops now on the mission they have accomplished, and to get the political side, the economic side, the civilian side of this moving forward the way we say it should be.

So we set in this resolution the opportunity for the President to enunciate a plan commensurate with the time tables he has set for the establishment of a government in December, and to move forward with the troops that the Secretary of Defense himself has said are being trained so we can begin to withdraw, bring homeward bound our troops.

So when people inquire of you what is it Congress is doing, we can look at H.J. Res. 55. It is not perfect. It is a legislative project. The only perfect set of rules, the only perfect legislation was the Ten Commandments, and I understand Moses took 40 days to do them. And as he came down the mountain he said, Well, I got them down to 10. That is what the legislative process is. You talk things over.

So House Joint Resolution 55 is not a perfect vehicle, but it is a legislative vehicle to join with the President and make an offer to the President to join with us in the Congress in setting a timetable and plan for the withdrawal of these troops commensurate with the mission as enunciated by everyone.

Mr. DELAHUNT. And hopefully that will also staunch that rising virulent, anti-Americanism that does such harm to our national security, that breeds terrorists and directs their anger toward the United States.

We saw what happened in London. Again, we hear from those in the Islamic world that by virtue of what we are doing in our policy, why we speak of democracy and our rhetoric is comprised of the most noble of word, we are not seen that way because our actions belie them.

Mr. ABERCROMBIE. Mr. Speaker, we do no service to the support of our troops by continuing to have them engage in military activity which undercuts that which they have accomplished to this point.

Mr. DELAHUNT. If I may go to that issue of anti-Americanism once more, it was interesting during the course of the debate today on the reauthorization of the Department of State when during consideration of the rule an amendment put forth by myself and the gentleman from Texas (Mr. DOGGETT) was not made in order because I would suggest that the seeds of that anti-Americanism is a perception that the United States operates on two different standards, and that is interpreted by many in this world to be rank hypocrisy.

It was the President that said during his inaugural address that the United States ''will persistently clarify the choice for every ruler and every Nation: The moral choice between oppression, which is always wrong, and freedom which is eternally right. America will not pretend that any human being aspires to live at the mercy of bullies. We will encourage reform in other governments by making it clear that success in our relations will require the decent treatment of their own people.''

Noble words, a noble cause, and we all of course embrace that. Yet when we put forth this amendment which would have admonished and required a certification by the President that the thug, the bully, if you will, that rules Uzbekistan would change his ways, it was not made in order. One of our partners in this coalition of the willing is the thug, and I will take a moment here and put his picture up so Members and the viewing audience can see. This is Islam Karimov. This victim here was boiled alive in water, scalding water. This is a member of the coalition of the willing.

According to our own State Department, Karimov heads a regime that does not allow freedom of speech or religion, that makes a mockery of elections, that holds thousands of political prisoners, and where security forces routinely use torture. This is the product of the thug Karimov's security forces utilization of torture, torture that goes back to the medieval times.

And then 2 months ago his troops massacred hundreds of civilians who were simply protesting for justice and for liberty. And yet we continue to give him military assistance, some $400 million to date. The amendment that was offered by myself and the gentleman from Texas (Mr. DOGGETT) would have terminated that aid unless Karimov changed his behavior.

Mr. STRICKLAND. Mr. Speaker, looking at this picture, it almost makes me nauseated. What you are telling me is that Americans work hard, pay their taxes, and this administration, knowing that this kind of terrible torture and human rights abuses are occurring, still continues to give our tax dollars to this leader simply because he is willing to say he is our partner in the war in Iraq?

Mr. DELAHUNT. Exactly.

Mr. STRICKLAND. That is terribly, terribly disturbing, and I think it does point out what you said earlier, a hypocrisy that discredits us in the eyes of much of the world.

Mr. DELAHUNT. Mr. Speaker, just think of the message that this sends to the rest of the world. When crowds were demonstrating in the Ukraine, we were cheering. We approved. We welcomed the so-called Orange Revolution. And we speak about bringing the fire of freedom to dark corners of the world, and yet here is one dark corner of the world where there is no light, there is no hope, and we do not bring the fire of freedom. And we wonder why polling data indicates that country after country, our traditional allies, look at us as having a mainly negative influence in the world, all because of the war in Iraq. That was the genesis.

Mr. Speaker, it will have implications for us.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE). The Chair would remind Members to address their remarks to the Chair and not to the television audience.

PEAK OIL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, if you go to your computer this evening and do a Google search for peak oil, you will find there a large assortment of articles and comments. Like every issue, you will find a few people who are on the extreme, but there will be a lot of mainstream observations there.

One of the articles that you will find there was written by Matt Savinar. Matt Savinar is not a technical person. He is a lawyer, a good one, and he does what lawyers do. He goes to the sources and builds his case.

I remember in another life I was involved in morphing some of my knowledge of human physiology into the practical world, and I was awarded 20 patents. For every one of those I had a lawyer. I knew that he knew absolutely nothing about the subject that he was helping me on before he came to work with me. By the way, Mr. Speaker, the 20 patents I had, 19 were military patents so these were military lawyers. I was really impressed with how quickly they caught on and knew what was going on and were able to contribute.

I think that Matt Savinar has done that, and I wanted to begin this discussion this evening with a quote from Matt Savinar because it kind of grabs your attention and makes you either want to put down his article with the statement that gee, this guy cannot be for real, or you want to finish it to see the basis for his statement because he begins his article by saying, ''Dear Reader, Civilization as we know it is coming to an end soon.''

When my wife read that she had the first reaction that I mentioned, Gee, this guy is a nut. I am not going to read any further.

I said, Please read on and reserve judgment until you have finished reading his thesis.

She read on and at the end was genuinely frightened by what she read. I do not believe Matt Savinar has to be correct, but he could be correct. I am going to spend a few minutes this evening talking about the subject that caused Matt Savinar to make his prediction: ''Dear Reader, Civilization as we know it is coming to an end soon.''

I have on the first chart here a trend that I think everybody in America is familiar with. This shows the inflation rate, and we have done a pretty good job since 1995 in the last 10 years of taming inflation. It has gone up only slightly. But the zigzag magenta here is the price of fuel, of gasoline. This is a month or so old because you see it stops at $55 a barrel, and fuel oil from which we get gasoline is now up to around $60 a barrel. It has fallen off just a little now. It was over $60.

This is a trend that we are all familiar with and you see in the last 4 years from 2001 to 2005, if you draw a best fit line through those points, it would be a pretty steep slope. This gave rise to a letter that was written by about 30 prominent people in our country, McFarland, James Woolsey, Frank Gaffney, and a number of retired admirals and generals.

The next chart shows the subject of their letter to the President. They noted that we have only 2 percent of the world's oil reserves, and that is a generally agreed upon figure. You will not find much contention with that statement. Some will say closer to 3 percent. They point out that we use 25 percent of the world's oil, and we are importing about two-thirds of what we use. That is up from about one-third that we imported as of the Arab oil embargo.

□ 2100

The other points here are significant ones, I think. This 25 percent of the oil used in the world is less than 5 percent of the world's population. If we divide the 280 million people in our country into the world's population, just short of 7 billion, we get about 22. So we are one person out of 22 in the world, and we use a fourth of all the world's energy.

These first two bullets here are really interesting ones. We have really only 2 percent of the world's oil reserves, but from that we are producing 8 percent of the world's oil. We are pretty good at pumping oil. What this says is that we are pumping our oil four times faster than the average well in the world. We do a good job of pumping oil.

Their letter to the President pointed out that this was an unacceptable national security risk. And the President himself, Mr. Speaker, has noted that much of this two thirds of imported oil that we get comes from countries, in his words, that do not even like us very much. They are unstable, unpredictable. And these 30 prominent Americans wrote to the President, saying: Mr. President, we think this is an unacceptable national security risk and our country needs to mount an aggressive program to free us from our dependence on foreign oil.

The next chart shows us how we got here. And we have to go back several decades, like 6 decades, to see where this story started, and it started with a Shell Oil Company geologist, a scientist, who was studying the exploitation and exhaustion of oil fields. And he noticed that for each typical oil field that production increased until it reached a peak, and, then after holding that peak for a little while, it started down the other side, and it is perfectly reasonable that the last oil that they get out of the well is probably going to be harder to get than the first oil that they get out of the well; so it should come more slowly. His name was M. King Hubbert, and he theorized that if he knew the totality of the oil fields in the United States and that they all behaved the way that several fields that he had studied behaved that he ought to then be able to predict when the United States would peak in oil production. And so he did that. He added up all of the fields that he knew of in the country. He made a reasonable estimate of how many more fields the country was likely to discover because this discovery trend followed a similar curve. That was a lot earlier on, and we generally are discovering the oil something like 30 or 40 years before we are using oil. And he then created a curve, a bell-shaped curve, which we call bell shaped because it rises to this peak and then falls off. That is a very typical curve that is familiar to scientists and statisticians. And he theorized that if he added up all the little bell curves in the country, he would get a big bell curve for the country. And he predicted in 1956, from his studies in the 1940s and 1950s, that the United States would peak in oil production about 1970. As it turned out, it was precisely 1970 that we peaked in oil production.

When he came up with that prediction, his employers told him, Please do not publish that; people will think you are silly. He published it anyhow, and when he finally was proven to be a prophet who had predicted correctly, he became something of an institution in his own time.

The smooth green curve here is the curve that he predicted, and he made this prediction in 1956. We were up that curve, and he predicted it would peak about 1970 and then fall off. And the more ragged, heavier green symbols, those are the actual production. And we now are well down on that curve. This is called Hubbert's Peak. And, Mr. Speaker, if one is doing this Google search, they can do one for Hubbert's Peak too, and they will find a lot of articles there, pretty much many of the same articles that one will find when they do a search for ''peak oil.''

The red curve here is the curve for the Soviet Union, now Russia. They had more oil; so their peak was higher than ours. And we see that the reality of their production fell off very dramatically after the collapse of the Soviet Union. So they are going to have a little secondary peak here to compensate for the fact that they were very inefficient in pumping oil during the collapse of the Soviet Union.

The little blue here that we cannot see very well represents what happened with the oil discovery in Alaska, in Prudhoe Bay.

The next chart is a graphic one that shows us where we have gotten our oil from and where we are getting our oil from. The red on top is natural gas liquids, and we see that as oil runs down, we are depending more and more on this source. Notice the enormous contribution that Texas made here, that one State, but they are really winding down now, as we can see. It peaked in 1970, and notice that the big Alaska oil find produced just a little bump in the down slope of Hubbert's Peak. Except for a very short period of time, there was never any increase in oil production as a result of that. It plateaued briefly and then went on down.

The yellow is an interesting one. I am sure the Members can remember, Mr. Speaker, the fabled Gulf of Mexico oil discoveries that were going to save the world, there was so much oil there. That is the only contribution from the Gulf of Mexico deep water oil discoveries. It helped a little, but it certainly did not stop the downward slope of our production.

We are now talking about drilling in ANWR. And for a couple of reasons, Mr. Speaker, I am opposed to drilling in ANWR. One of them is that if we were to drill in ANWR, there would be the perception that we have solved the oil problem. Nobody believes, almost nobody believes, that there is as much oil in ANWR as there was in Prudhoe Bay. And notice, Mr. Speaker, the relatively small contribution that the oil in Prudhoe Bay made. ANWR would make much less. So I am opposed to drilling because I think it would give us a false sense of security and we would not then have the incentives to do what I think we must do if we are going to avoid the consequences that Matt Savinar talked about: ''Dear Reader, civilization, as we know it, is coming to an end soon.''

The other reason that I am opposed to drilling in ANWR goes back to our second chart, which showed that we have only 2 percent of the known reserves of oil. If we have only 2 percent of the known reserves and are using 25 percent of the world's oil, help me understand, Mr. Speaker, why it is in our national security interests to pump that little bit of oil as quickly as we can. Would it not be nice to husband that? This may be a rainy day, but I suspect that there will be a rainier day when we need it more than we need the oil today.

The next chart is a chart that Albert Einstein would really have appreciated. He was asked after the discovery of nuclear energy and the nuclear weapons went off, an enormous release of energy from a very small amount of mass, and he was asked what would be the next great energy source in the world? And his answer was that the greatest force in the universe was the force of compound interest. And that is, in effect, what we have in these exponential growth curves here. When it is compounded, that is referred to by mathematicians as ''exponential growth.'' That is, if we grew 5 percent last year and we leave the 5 percent in this year, then we do not start out with 100 units; we start out with 105 units. So 5 percent of 105 is obviously bigger than 5 percent of the 100 from the previous year. So each year, now, we are going to have a greater incremental increase. And the straight line on the bottom here shows what we get if we extrapolate from a 2 percent growth the first year and just assume it is going to follow that straight line. But that is not exponential growth. If we now are taking out the interest, if we are taking out the interest and the principal is going to grow, that is the curve, I guess, we would get. But if we have exponential growth, that is the next curve here, and it shows what happens. This doubles in 35 years, just 2 percent exponential growth. I am using the 2 percent figure because that has been about the rate of growth of the consumption of oil over the past several years. If we double that and go to a 4 percent growth rate, that doubles now in 17½ years and it quadruples in 35 years.

The curve over here on the extreme left is one I want to spend just a moment talking about because it is a really interesting one. That is a 10 percent growth rate. That is about the rate at which China's economy is growing. With a 10 percent growth rate, it doubles in 7.2 years. That is rounded off to 7. That means it is four times bigger in 14 years. That means it is eight times bigger in 21 years. If China's economy is going to be eight times bigger in 21 years than it is now, that is really going to challenge our GDP, is it not?

The next chart shows the consequence of this enormous exponential growth rate in China. China's use of fossil fuels, they used to be an exporter. The last several years they have become an importer of oil. As a matter of fact, they now are the second largest importer in the world, just behind the United States. They just displaced last year, I think, Japan as the second largest importer of oil. And this map shows some symbols that indicate where China has gone to secure the rights to future oil and gas production. And they are all over the world. They are in Canada. They have locked up most of the future increased production from the oil sands in Canada. They are all over South America. They are in Colombia and in Venezuela and in Brazil and in Argentina. And notice, Mr. Speaker, that not all of these countries in South America, as a matter of fact, the one with the largest reserves there, Venezuela, is not particularly friendly to the United States. They have locked up oil in the Caribbean and in Africa and all over the Middle East. We see the symbols here for the oil production rights that they bought up in the Middle East.

The Members may have noticed, Mr. Speaker, that in the last few days there have been some reports of the decision of the Russians, announced by Mr. Putin himself, that they are going to favor China with their Sakhalin oil production rather than Japan. And Japan, which needs to import essentially all of its energy, is really concerned about the decision that Russia has made from the Sakhalin Island region here. That is called the Far Eastern Russian oil, and it is very difficult to get that to the countries in the West, and they are now moving it by train, and they are building a large pipeline, and China is going to be the primary beneficiary of this.

There have been several reports recently about the fact that China is making an aggressive bid to buy Unocal, which I think is the ninth largest oil company in the world. They are not particularly interested in the oil that they own in this country, but Unocal has rights to oil in a number of other places in the world, much of it closer to China than we are. They have offered about $2 billion more than Chevron has offered, and there have been some really interesting articles.

□ 2115

I have here a Washington Post article from the 13th. The government's current push, that is the government of China, to secure oil fields is driven by worries that there may one day be too little oil to meet worldwide demand and that foreign powers and particularly the United States will choke China.

Now, it is interesting, Mr. Speaker, to note that when M. King Hubbert was making his predictions about the United States, after he made that prediction, he looked at the world and he made a prediction about the world and that was that if you added up all of the fields in the world and made some reasonable estimates about how much more oil the world would find, that the world should peak out in oil production, which is why we are calling this peak oil, should peak in oil production about the turn of the millennium.

That did not quite happen, because he could not have known about the Arab oil embargo or the oil price spike hikes or the worldwide recession that resulted from that. That reduced the demand for oil and the use of oil, and so we are now reaching, in the view of many experts in the area, we are probably reaching peak oil now.

By the way, Mr. Speaker, there may be some disagreement as to when we

will reach peak oil, but there is no disagreement that oil is a finite resource. I know of no one who believes that the elves or God or whoever is filling the oil wells as we are pumping them out. If he is doing that, we are failing somehow in the United States, because our oil wells are being pumped down. Here we are now just pumping barely more than half of what we did at our peak.

It is very interesting that, although we have 5,000 years of recorded history, we have been in the age of oil just a little over 100 years, and we are now probably about halfway through pumping all of the reserves of oil in the world.

A couple of Congresses ago, I was Chair of the Subcommittee on Energy on the Committee on Science, and I wanted to determine the dimensions of the problem. So we had a hearing with the world's experts in as to how much oil was out there, how much had been pumped and how much was out there.

A gross estimate of how much oil is still out there, which happens to be the same number as the oil that has been pumped, because there is general agreement that we probably have pumped about half of all the oil out there, there is about 1,000 gigabarrels of oil remaining in the world.

Nobody in the industry, by the way, expects that we are going to find any more giant deposits of oil. We are now very good at prospecting for oil. We use 3–D seismic with a lot of computer analysis. As you may note, Mr. Speaker, with the plethora of cash that the oil companies now have, they are doing very little prospecting.

I just read the other day that for the last several years, they have spent more money prospecting than they will ever get from the oil they found, even at $60 a barrel. So the oil companies know that this is not a good financial investment, to spend a lot of money looking for what are, in most people's views, very small oil fields remaining out there yet to be discovered.

Well, this is what the Chinese government is concerned about. There may one day be too little oil to meet worldwide demand and that foreign powers, in particular the United States, will choke China. They are very concerned about the Straits of Malacca through which a lot of their oil passes.

Mr. Speaker, we ought to really be concerned about where our oil comes from, because there are some choke points, that if one of those choke points was cut off, our economy would suffer grievous damages from that. The Straits of Hormuz are one of these. Just mining those straits by terrorists or sinking a single supertanker in there would probably shutdown oil through the Straits of Hormuz for a number of months, and 40 percent of all the world's oil moves through the Straits of Hormuz. Of course, it would not be the United States that was affected by that, it would be all of the great industrial powers.

I have here a copy of Fortune Magazine, July 25, that is the most recent one. There is a big article here ''Why China Scares Big Oil.'' The Chinese company that is looking to buy UNOCAL is called CNOOC. This is their offshore oil company. We have a new word coined for them, I saw it the other day, called CNOOCered, that China is now buying or looking to buy this billing oil field and lock up reserves of oil that both we and they need.

The next chart that I want to show, Mr. Speaker, is a schematic one, but I think it shows very well the challenge that we face. I mentioned that the production of oil had been increasing at about 2 percent a year. This curb that we show here is a 2 percent exponential growth rate, and then it falls off after it reaches a peak down the other side.

Now, of course, by choosing different scales for the abscissa and the ordinate, you can make this a very spread out curve, as we have shown here, or you can make it a very sharp curve, if you make the scale bigger and the scale on the bottom smaller. But it is still a 2 percent growth rate, and notice it keeps going up and up.

The curve on top here is the rate at which we have been using oil. Of course, up until this point in history, we have used all the oil that has been produced, and there has been enough to fuel everybody's economy, so the oil we used matched the oil we produced.

By if in fact we are reaching peak oil, as many of the experts in the field suspect, then there will be a leveling out of the supply of oil, but the demand for oil, unless everybody is interested in conservation and efficiency, the demand for oil should keep going up.

Now, there is a suggestion by many experts that we are probably at this point. Maybe we haven't peaked yet, although one of the major experts in this area, a professor at Cornell University, says that the peak is going to occur on Thanksgiving day of this year.

It is going to occur a little before or after that. Even if it is 10 years after that, Mr. Speaker, it is not going to make a lot of difference. Because let us look at the scale here.

We mentioned before that if you have a growth rate, exponential growth rate of 2 percent, that doubles in 35 years. This point on the graph is half as high as this point on the graph. So that period of time, time is on the abscissa here, that period of time is 35 years, and you see that about 17½ years before you reach peak, the curve starts to level out and you are having a discrepancy between the amount of oil that you would like to use, that is demand, and the amount of oil that is available to use.

Well, if in fact we are at that point, then this explains the $60 a barrel oil. There is some evidence that the high price at the gas pump is reducing demand a little. I do not see any less SUVs and pickup trucks on the road with one person on it, but there is a waiting line for buying any of the hybrids.

Mr. Speaker, I have been driving a hybrid now since 2000. We have 90,000 miles on it. It has performed very well. We get an honest 45 miles per gallon. We bought the first one in Maryland and the first one in Congress. Now to buy a hybrid, whether it is an SUV or just a sedan hybrid, there are, for many of them, pretty long waiting periods.

If in fact this is where we are worldwide now, in order to avoid the kind of a consequence that Matt Savinar referenced when he started his article by saying ''Dear reader, civilization as we know it is coming to an end soon,'' if we are going to avoid that kind of a consequence, we have got to do two things right now, Mr. Speaker.

The first thing that we have to do is to use even less oil than is under this blue curve, because we cannot use all the oil in our present economy or there will be none left to make the big investments that we are going to have to make in the alternatives as we transition from the age of oil to the alternatives. We are going to have to reduce our demand even below this point so that we have something to invest.

I might point out, Mr. Speaker, that we, the world and the United States, have blown 25 years. We knew very well in 1980 we were already 10 years down Hubbert's peak. The United States was producing meaningfully less oil than we were 10 years before. We had peaked 10 years ago. Ronald Reagan knew that when he came to office. He knew the problem, but he certainly did not have the right to suggestion to the problem. His presumption was that there was essentially for at least present purposes an infinite amount of oil out there and all we needed to do was give the American producer the incentive to explore more, give them a better profit motive, and he would go out and drill more. And we did that.

I have a chart, I did not bring this evening, but it shows the frequency of drilling. We drilled a whole lot more wells, but it did not help because we did not find much more oil because we pretty much found all the oil there was to find in the United States by that time.

But we are going to have to, worldwide, reduce the amount of energy that we are using so that we have some to invest. We should have started these investments at least 25 years ago when we knew that M. King Hubbert was right about the United States. If he was right about the United States, Mr. Speaker, why should he not be right about the world? There should have been a very good reason that we just ignored what he said and relegated him to the lunatic fringe and kept on using oil as if there was no end to oil.

So we now have blown 25 years. I have used an analogy in talking about this, it is a plane that is flying across the Atlantic. They notice when they are well out there that they do not have enough fuel to get to the other side. As a matter of fact, they do not

have enough fuel to turn around and come home. They have passed the point of no return.

For perhaps 30 years now I have been telling audiences that we will pass the point of no return. We will come to that point where there is not enough readily available, high quality oil in the world to both sustain our present economies and make the investments we are going to have to make in the alternatives if we are going to transition.

What would you do if you were in a plane crossing the Atlantic and you have passed the point of no return? Well, you would jettison all the luggage, and then you would make some assessments, am I going to make it to the other side. I cannot make it to the other side.

What would you then do? Ask half the passengers to jump overboard so you can make it to the other side?

We are now in a situation, Mr. Speaker, where if we, and I mean the world, but since we in the United States use 25 percent of the world's energy, whether we like it or not, we have a leadership position and we have got to take a leadership role in this. What should we do?

Well, the first thing to do is an enormous effort at conservation so we reduce our demand, so that we have something to invest. We need to make big investments of money, let us not worry about money, because we just borrow that from our kids and grandkids without their permission. But there are two things we have to make investments of. One of those is time, and the other is energy.

Mr. Speaker, we are running very short on both time and energy to make the investments that we need to make.

The next chart shows the alternatives that we face. There are some finite resources out there. There are the tar sands up in Canada, the oil shales in our Midwest, coal, and we will come to that in a few minutes. Some people say do not worry about energy, we have a world supply of coal out there to last 500 years. That is not true. At current use rates it will last 250 years. We will come to that in a few minutes.

Nuclear fission. We get 20 percent of our electricity from nuclear. As you drive home tonight, Mr. Speaker, every fifth house and every fifth business would be dark if we did not have nuclear power. We have never had a death, we have never had a serious accidents. I live very near Three Mile Island. There was nothing serious that happened then. It was blown up in the press. We got through that with proper design. It was all contained. There was really no big problem.

I want to spend a little time, a few moments talking about each of these.

I am going to Canada, I have been invited up by the Canadians to see what they call their oil sands, others call them tar, because it is really very tarry. The way this oil and gas is produced we believe was that a very long time ago when the Earth was much warmer because it was subtropical and tropical climate up in Prudhoe Bay and ANWR, there were lakes, fresh water lakes, everywhere, with lots of life growing in it, and at the end of the season the life would die and fall to the bottom. Then there would be rains which would carry sediment in from the shores and it would cover this organic material, it was decaying on the bottom there, and this happened year after year. And then upheavals of the big plates that the crust of the Earth floats on, and these could be buried under large rock domes. And when you have a rock dome, like a lid over it, that will trap the volatiles that come off the oil, that is where we get gas.

But when you have the oil very close to the surface, and in our Western United States and in Canada, there was never these big upheavals that submerged it way down so it was covered by rock and so forth.

□ 2130

So the volatiles have all gone out of this, and instead of being oil and some gas trapped with it or above it, all the volatiles are gone now, so it is real sticky, tarry stuff. Out in California, these tar pits out there have some ancient animals that were trapped in those and we can find a lot of fossils there. But it takes a lot of energy to get this oil out of the ground. It will not flow. They need to do one of 2 things. Drill 2 wells side-by-side, eventually make them horizontal, pump steam into the upper well that softens the oil, and it now flows down and is picked up by the lower well and you can pump it out. Or, you can simply mine it and put it in a vessel and heat it up, and that is maybe more economical as far as heat is concerned but, of course, you have to spend all the energy mining it.

Mr. Speaker, I do not know whether this is a net energy winner or loser. I know they are producing oil up there at $30 a barrel. That sounds great when it is selling for $60 a barrel. But I also hear that more energy from gas is going in to produce the oil than they are getting out of the oil. Now, there could be better ways of doing it.

But the point I want to make, Mr. Speaker, is that there are many people who tell us, do not worry about energy, because when the conventional oil is gone, we have this nonconventional oil, and there is more oil in the tar sands and in the oil shales than there is in all of the Middle East. That may or may not be true. But even if it is true, Mr. Speaker, and it takes more energy to get the oil out than you get out of the oil, then in terms of energy balance, unless the oil is a higher quality than the energy you are putting in, why would you want to do it, if you are putting more energy in than you get out of it. Now, hopefully, we will have processes that will be energy positive. But at least a number, several experts now believe that the processes we are using are energy deficient. It is a negative energy balance.

By the way, we seldom talk about energy balance when we are talking about exploiting these energy resources. We are always talking about profit and profitability. Now, if the gas is there and the gas is cheap, what does it matter if you are using more gas energy than you get out of the oil you get, because the gas is there and it is hard to transport. When you get the oil, it is easier to transport; put it in a pipe and it is a liquid and move it to gas, you have to liquefy it under very cold temperatures and high pressure, or move it as a gas and you cannot move much mass through a pipe when you are moving it as a gas. So I just caution that there may or may not be a lot of finite resources there that are usable. With coal, we have a chart in a few minutes that will show us something about coal. We really do need to look at fission and fusion. Fusion, of course, if we get that, we are home free. But hoping to solve our national, international energy problems by counting on fusion is a little bit, Mr. Speaker, like you or me hoping to solve our personal financial problems by winning the lottery. It would be real nice if it happened, and I think the odds are probably roughly the same. I support all the money that this technology can use, because if we get there, we are home free, but boy, I surely would not bet the ranch that we are going to get there, at least in time to avoid the crunch that may be coming.

Well, we really do need to look at nuclear fission. There are 2 kinds of fission. We use only one in this country, that is the light water reactor. There is not an infinite supply of fission or uranium in the world. If everybody cranked up their nuclear fission, we would fairly shortly run out of uranium. At current use rates, it will last a very long time. But as we run down on these conventional fossil fuels, we are going to be turning to some of these other sources. We saw from the previous chart, exponential growth rates are just incredible.

If you run out of fission uranium, you still can have efficient electricity from nuclear, but now it is breeder reactors. As the name implies, they produce more fuel than they use, but they also produce a lot of potential problems with enrichment and transporting and bomb grade material that might be more readily available to terrorists and so forth. So these are all issues we need to look at.

But once we have gone through these, and these are all finites, except for the fusion and breeder reactors, and they come with uncertainties and big problems; then we come to the real renewables: solar and wind and geothermal and ocean energy. My goodness, the moon lifts the whole ocean about 2 feet. Mr. Speaker, take a bucket of water and lift it 2 feet, enormous amount of energy in lifting the ocean 2 feet. But we have great difficulty in harnessing that energy because it is so dispersed. There is an old axiom that

says energy power to be effective must be concentrated. And unless you are a fiord in Scandinavia where the tides are 60 feet high because they are funneled in, we have great difficulty in capturing ocean energy.

But there is other kinds of ocean energy. There is the thermal gradients between the deep cold water and the more shallow warm water. There are some entrepreneurs out there that are working, and it will not help us, by the way, to get meaningful energy from that, unless you live in Key West, because this is only going to be effective probably down in that part of the world, that much above and that much below the equator.

Then there are the agricultural resources, soy diesel, biodiesel, methanol, ethanol, biomass. I was very enthusiastic about these, and today I saw, I guess it was a couple of days ago, an article which distressed me a little. A group of scientists out in California at Stanford and at Berkeley published an article saying that it takes more energy to produce a gallon of ethanol than you will get out of the gallon of ethanol. Now, others say that they use antiquated data and that really is not true, that you might get a little net energy out of producing ethanol anyway; after you produce the ethanol, there is still something left in the corn. All the fat is there and all the protein is there, and you can eat that or feed the chickens and pigs and then eat the chickens and pigs.

But the point I want to make, Mr. Speaker, is that if we are going to solve this problem, we at least have to focus on what the facts are. We cannot start to have a rational discussion about how to solve the problem until we agree on the facts. There is no agreement that, as a matter of fact, you can actually get energy out of the tar sands and the oil shales. Some people believe that will always be negative. Some people believe that the ethanol is negative. It may be positive. I am going to show a chart in a few minutes from our Department of Energy that shows that it is slightly positive. I am told that is wildly optimistic, and this article that just appears says that it is, in fact, negative.

Another caution on energy from these agricultural products. We are barely able to maintain the quality of our soils by leaving all of the agricultural waste on the soil. If you take that organic material off to make energy from it, you are removing humus from the soil, we call that tilth, and if you remove enough of that humus, you have removed much of the ability of the soil to produce crops.

Until we learn to do no-till farming, we are losing the battle of maintaining our topsoil. It was increasingly ending up in the center of our country in the Mississippi Delta and, in the east here, into our lakes and streams and so forth. So although there are some opportunities from agriculture for energy, I would caution, Mr. Speaker, that in terms of the enormous amounts of energy that we need to get, this is going to contribute, it is going to contribute only marginally.

Let me give my colleagues a couple of little illustrations of the energy density in fossil fuels. The energy density in one barrel of oil, the refined product, 42 gallons, of which you can buy at the pump today for about, what, $100, 42 gallons of gas at the present rate, about $100; that energy is the energy that would be produced by 12 people, Mr. Speaker, working full-time for you for one year. That is the energy density in these fossil fuels. They have been such cheap slaves. We have become addicted to this energy. Just like the cocaine addict, we are addicted to this cheap energy.

Let me give another example, Mr. Speaker. If you go out this weekend and you work really hard in your yard all day, I will get more physical work out of an electric motor with less than 25 cents worth of electricity. So in terms of fossil fuels, Mr. Speaker, you are worth less than 25 cents a day in energy output. Now, that is the challenge that we have. What are we going to come up with that has anything like the quantity and the energy density of these fossil fuels?

Just one word about waste of energy. We really need to be doing that. There is a great facility up in Dickerson, Maryland, I am proud to have it next to my church, and they burn trash and you would never know it, it looks like an office building. You ought to go up and see it. They are burning trash. We do not need to fill the gullies, or more than gullies, because the landfills become more than a fill, it becomes a mountain. We really need to be getting what energy we can from that.

Just a word about hydrogen. Hydrogen, Mr. Speaker, is not an energy source. There is no place you can go to get hydrogen. The only way to get hydrogen is to make it, using more energy to make it than you will ever get out of the hydrogen. Well, we say gee, why all this fuss about the hydrogen economy? The reason, Mr. Speaker, is that hydrogen is a really nice fuel once you have it. It burns very cleanly. Water is the by-product. And you can use it in a fuel cell which has at least twice the efficiency of a reciprocating engine.

Please think of hydrogen as a really neat battery. It takes energy from one place, like a nuclear power plant that produces electricity, I cannot put that electricity in my truck, I can put it in batteries, but the batteries do not have much energy density. You fill up your car with batteries and they will take you 50 miles. That is all you can get from it. But I can put the hydrogen in there and it has a lot of energy. So please think of it as a battery, as a convenient way of hauling energy from one place to another.

It is no solution for our energy crisis. It is a nice way to take energy from something nasty and dirty like coal and put it in a form that is really convenient and clean to use in another place.

The next chart shows us how we got here, Mr. Speaker, and this is a really interesting chart. This goes back to the history of the world, and this relates just to the United States, that it mirrors what happened in the rest of the world. The brown one on the bottom here is energy from wood and, by the way, we still get a fair amount of energy from wood. But primarily, in those industries that use a lot of wood like the timber industry and the paper industry, and they have by-products which they burn and they get energy from that; but notice that leveled out, and then we discovered coal. The industrial revolution stuttered a little, you can see it here, with coal, and then we found oil and gas. Look what happened. Over on the ordinate here is the quadrillions of BTUs. Look at the energy density, the quantity of energy that we got from gas and oil.

Now, if we are going to look at something to replace these conventional sources of energy, the next chart shows us the qualities that these replacements have to have. We are looking for two things. One, we are looking for something which is really neat and easy to use. That is on the bottom here. Economic effectiveness in transport, something really neat and easy to use. And on the ordinate here, we are looking at something that you do not pay too much for, and this is called the energy profit ratio. The giant oil fields are about 60 to 1. We do not have any of those. They are in Saudi Arabia. The giant oil fields are about 60 to 1. You put in $1, as an example, and you get out $60. Well, we do not have any of those.

Here is our 1970 oil fields in the United States, still really neat in terms of its effectiveness and quality, but energy profit ratio, much lower. Here we are in 1985. I do not know where we are; we are down now near zero in 2005. And we look at some of the other photovoltaics. Here they are in 2005, here they are in 1995, getting better. They will never move this way, because they are just stuck on the roof of your house or out in the field or something, but they can move up here as they get more and more efficient, and they are getting more efficient. We do not show wind generators here. They are pretty good. We can now produce electricity at about 3.5 cents a kilowatt hour. Here is coal. It is no good at all in terms of effectiveness for transport; big and dirty and bulky, but the profit, energy profit ratio is up about here. That will come down, by the way. It is coming down, because coal is getting harder and harder to get.

The next chart shows us a number of things that we might get energy from, and it shows, this is energy density is really what it shows.

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And natural gas you see is very high here. Become aviation fuel and naptha

and petrol. This is automotive gasoline and diesel and crude oil and ethanol. Notice ethanol is way down, compared to the gas and oil and things like that. Then it is downhill from there.

Coke and black coal and wood and dung. Many people heat their homes with dung in other parts of the world. Baled straw, brown coal, a very poor quality coal and domestic refuse. There is something in domestic refuse. You may as well use it.

The next chart shows us something really interesting. I could have shown one for the world, which would have shown the average person in Europe using half the energy that the average American uses. And you would be hard pressed to argue that they do not live as well as we live.

This is a really interesting one. It shows energy used for the United States as a whole and for California. And notice that the people in California, and we have a lot of Members from California, and they are not going to tell you they are living less well than we do. But they are getting by on about two-thirds of the energy of the average in the rest of the country. This is because of many of the regulations that they have in California.

I put this up, Mr. Speaker, to show that life can be good with less energy. You do not have to live poorly because you are using less energy. The Europeans, I see as many smiles on their faces as I see on faces in this country. And the average Californian seems to me to be as well off and as happy as the average American.

The next chart is a really interesting one and it gets to one of the things that I was talking about previously, that is the top part of the chart here. And this shows the energy you get when you start with crude oil. And it takes 1.23 BTUs to get 1 million PTUs of gasoline. Obviously you have got to use some energy to pump it and haul it and refine it and take it to the service station and so forth. And it is about what, 1/5 of the total you take to do that.

This is what the Department of Energy says is the energy balance for ethanol. I have been using this because they gave it to me. And I had an expert the other day tell me that is wildly optimistic and it is maybe not even half that good. But even with this, what I am told is a very optimistic projection, you have .74 million BTUs to get 1 million. Now of course you have got a lot of energy from the sun. That is why you get more than you are putting in.

But others, I mentioned the article previously where they say that it is really a net energy loss. And again, Mr. Speaker, we cannot really have an effective discussion on this until we can agree on the facts at a very minimum. And I think we in the Congress, we in the Federal Government, have a responsibility. At a very minimum we need to agree on the facts before we can start talking about solutions.

The bottom here is a really interesting one. It shocked me, and I am a farmer. This is the energy input in producing a bushel of corn. And notice the big, almost 50 percent of it here says nitrogen. Almost half the energy in producing a bushel of corn comes from nitrogen. And that is because we are producing nitrogen from natural gas. Before that the only source was barnyard manures and guano. That is gone. We mined the guano. If we wait 10,000 years we will have some more.

All these others are energy largely from fossil fuels. Mine the potash. Mine the lime. This is diesel fuel, gasoline, liquid gas, electricity, natural gas, cost of work was a lot of oil.

A lot of the chemicals we use in agriculture come from oil. You are almost literally eating oil, Mr. Speaker, when you eat that food on your plates because of the energy that went into producing it.

The next chart shows coal and, you know, do not worry, we have got this big supply of coal. At current use rates it will last about 250 years. That is true. But if you have to start ramping up the use because you are running short of other fuels, at a 2 percent growth rate you are down to about what, 85 years?

But I cannot put a trunkful of coal in my car and go down the road and have to convert it to gas or oil. And once I do that and the energy to do that, now I am down to about 50 years. So we do not have a surfeit of coal out there. We must be very careful how we husband these finite resources to make the transition.

The last chart I want to show is a really interesting one. And I want to use a little analogy here that I think helps us understand where we are and the challenge we have. This shows our total energy and where it comes from, 23 percent from coal, 8 percent from nuclear power, electrical, 30 percent from petroleum, 24 percent from natural gas. If you add up these three big ones, natural gas, petroleum and coal, you get 85 percent of all the energy we use comes from fossil fuels.

We are a little bit like the couple that has just gotten married and they have gotten a big inheritance from their grandparents, and they have established a lifestyle where 85 percent of what they spend comes from their grandparents inheritance, and only 15 percent of it comes from their income.

Now the grandparents inheritance will not last forever. And so they are going to have to transition from the present lifestyle they have, where 85 percent comes from their grandparents inheritance and only 15 percent is interest income.

Our income is nuclear power, 8 percent, and then renewable energy, 7 percent. And we have blown up the renewable energy here to show where that comes from. Solar. And that is going to have to be a big source of future energy when we have run out of these fossil fuels.

I want to make the point that we are not running out of oil. Half of what was ever there is still there, Mr. Speaker. There will be a lot of oil for a long time, but not at the quantities that we are used to using it, with ever diminishing quantities, with an ever greater demand in the world for oil.

This 1 percent solar, that is 1 percent of seven. That is .07 percent of our current energy comes from solar. Mr. Speaker, it is a long way from .07 percent to the quantities of energy we are going to have to get from somewhere else when we are running down Hubbert's peak and running out of these fossil fuels.

Here is wood. We probably cannot increase that much unless we stop building houses because we are barely able to maintain our forests now. We are using a lot of wood energy, but that, as I mentioned earlier, is in the timber industry, the wood industry and in the paper industry they are burning waste product. 8 percent of 7 percent comes from waste, 1 percent from wind. Wind has got to be a big sorts of energy. .07 percent of our current supply comes from wind. Conventional hydroelectric. That is a big part. What is it, more than half of all the renewables.

Mr. Speaker, we are tapped out on that. There are no more rivers we can dam. As a matter of fact, they are now breaching some of the dams so that the fish can move up to spawn. So we are not going to grow anything here. We probably cannot grow much in wood. We ought to use more waste. We can really do something more there. But we are going to have to count on solar and on wind.

Alcohol. That may or may not be a positive. We mentioned that previously. That is still a very small amount, .07 percent.

Geothermal. There are some opportunities in the West to get energy from the deep molten core of our earth. We need to be exploiting those.

If you go to Iceland Mr. Speaker, there is not a single chimney in the whole country because they do not need to burn anything because they have geothermal energy.

Mr. Speaker, the challenge that we have now is to reduce the amount of energy we are using so that there is a surplus of the available energy to make investments in the alternatives that we are going to have to turn to as we run down Hubbert's peak.

I think that our country, Mr. Speaker, needs something like a melding of the Manhattan Project, the urgency of the Manhattan Project and the commitment that we had in putting a man on the moon. Short of that, Matt Savinar could be correct when he said, ''Dear Reader, civilization as we know it is coming to an end soon.''

I would encourage you, Mr. Speaker, to pull up his article and read it. It is really very sobering.

One of the great attributes of being in America is that we are entrepreneurs. We do very poorly at avoiding crises. We do very well at responding to a crisis. We now are approaching

a crisis. I think the Federal Government and the Congress needs to take the lead in challenging our people, our entrepreneurs, our creative spirit, to address this problem. There may be solutions that I have not dreamed of here. But I think if you look through all the potential sources of energy in the world, there are not many that we have missed here.

This is a big challenge. There is nothing like a challenge like this to sharpen the intellect and give you a feeling of really doing something worthwhile.

Mr. Speaker, I would like to see this not as a problem but as a challenge. And if every American addresses that appropriately, I think we will weather the storm.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3332. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Ms. PELOSI) for today before 2:00 p.m. on account of official business.

Mr. BROWN of South Carolina (at the request of Mr. DELAY) for today on account of illness.

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 Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. HENSARLING, for 5 minutes, today.

Mr. KING of Iowa, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, July 20.

Mrs. JOHNSON of Connecticut, for 5 minutes, today.

Mr. CUNNINGHAM, for 5 minutes, July 20.

Mr. NORWOOD, for 5 minutes, July 21.

Ms. ROS-LEHTINEN, for 5 minutes, July 20.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

SENATE BILLS AND A CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 335. An act to reauthorize the Congressional Award Act; to the Committee on Education and the Workforce.

S. 1413. An act to redesignate the Crowne Plaza in Kingston, Jamaica as the Colin L. Powell Residential Plaza; to the Committee on Transportation and Infrastructure.

S. Con. Res. 26. Concurrent resolution honoring and memorializing the passengers and crew of United Airlines Flight 93; to the Committee on Transportation and Infrastructure.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3332. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

ADJOURNMENT

Mr. BARTLETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 20, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2815. A letter from the Secretary, Department of Agriculture, transmitting the annual assessment of the cattle and hog industries, pursuant to 7 U.S.C. 181 et seq.; to the Committee on Agriculture.

2816. A letter from the Acting Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 02-03, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

2817. A letter from the Assistant Secretary for Health Affairs, Department of Defense, transmitting a report entitled, '' Expanding Access to Mental Health Counselors: Evaluation of the TRICARE Demonstration Report to Congress,'' pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

2818. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1; to the Committee on Armed Services.

2819. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2820. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2821. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2822. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2823. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2824. A letter from the Director of Defense Research and Engineering, Department of Defense, transmitting the Annual Report of the Strategic Environmental Research and Development Program for Fiscal Year 2004, pursuant to 10 U.S.C. 2902(d)(3) and (g)(2); to the Committee on Armed Services.

2825. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2826. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2827. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2828. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Kenya, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

2829. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a report entitled, ''Merger Decisions 2004,'' in accordance with Section 18(c)(9) of the Federal Deposit Insurance Act; to the Committee on Financial Services.

2830. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Community Food and Nutrition Program for Fiscal Year 2001; to the Committee on Education and the Workforce.

2831. A letter from the Chairman, National Endowment for the Arts, National Foundation on the Arts & the Humanities, transmitting the Federal Council on the Arts and the Humanities' twenty-ninth annual report on the Arts and Artifacts Indemnity Program for Fiscal Year 2004, pursuant to 20 U.S.C. 959(c); to the Committee on Education and the Workforce.

2832. A letter from the Acting Chief Financial Officer, Department of the Treasury, transmitting a copy of the Department's Fleet Alternative Fuel Vehicle Acquisition Report for Fiscal Year 2004; to the Committee on Energy and Commerce.

2833. A letter from the Secretary, Department of Energy, transmitting a copy of the Department's Energy Fleet Alternative Fuel Vehicle Acquisition Report, Compliance with EPAct and E.O. 13149 in Fiscal Year 2004; to the Committee on Energy and Commerce.

2834. A letter from the Secretary, Department of Health and Human Services, transmitting the second annual financial report to Congress required by the Medical Device User Fee and Modernization Act of 2002 (MDUFMA), covering FY 2004; to the Committee on Energy and Commerce.

2835. A letter from the Secretary, Department of Veterans Affairs, transmitting a copy of the Department's vehicle fleet report on alternative fueled vehicles for Fiscal Year 2004, pursuant to Public Law 106–419; to the Committee on Energy and Commerce.

2836. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Austrailia for defense articles and services (Transmittal No. 05-15), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2837. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Germany for defense articles and services (Transmittal No. 05–28), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2838. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Canada for defense articles and services (Transmittal No. 05-25), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2839. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 03-05 informing of an intent to sign a Memorandum of Agreement Concerning Combating Terrorism Research and Development with the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

2840. A letter from the Chair, Commission on International Religious Freedom, transmitting the Commission's 2005 Annual Report, pursuant to 22 U.S.C. 6412 Public Law 105–292 section 102; to the Committee on International Relations.

2841. A letter from the Secretary, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107–243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102–1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the February 15, 2005 — April 15, 2005 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Actof 1998 (Pub. L. 105-338); to the Committee on International Relations.

2842. A letter from the Secretary, Department of Energy, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2004 to March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2843. A letter from the Secretary, Department of Health and Human Services, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2004 through March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2844. A letter from the Associate Attorney General, Department of Justice, transmitting the annual report of activities under the Freedom of Information Act for 2004, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform.

2845. A letter from the Chair, Equal Employment Opportunity Commission, transmitting the semiannual report on the activities of the Inspector General and management's report for the period ending March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2846. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting Pursuant to Section 3(a) of the Government in the Sunshine Act, 5 U.S.C. 552(b)(j), the Commission's annual report for calendar year 2004; to the Committee on Government Reform.

2847. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report on the activities of the Inspector General for October 1, 2004, through March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

2848. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Review of the School Transit Subsidy Program Administered by the District of Columbia Department of Transportation''; to the Committee on Government Reform.

2849. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's Fiscal Year 2004 annual report on statistical data relating to Federal sector equal employment opportunity complaints filed with the Office, pursuant to Public Law 107–174 section 203; to the Committee on Government Reform.

2850. A letter from the Acting Director, Office of Personnel Management, transmitting OPM's Fiscal Year 2004 Annual Report to Congress on the Federal Equal Opportunity Recruitment Program (FEORP), pursuant to 5 U.S.C. 7201(e); to the Committee on Government Reform.

2851. A letter from the Executive Director, Pension Benefit Guaranty Corporation, transmitting Pursuant to Title II, Section 203, of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, the Corporation's Annual Report for FY 2004; to the Committee on Government Reform.

2852. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the 2003 annual report of the National Center for Preservation Technology and Training (National Center), pursuant to 16 U.S.C. 470 et seq.; to the Committee on Resources.

2853. A letter from the Assistant Attorney General, Department of Justice, transmitting a report of the Bureau of Justice Assistance (BJA) Fiscal Year 2003 Annual Report entitled, ''Solutions for Safer Communities''; to the Committee on the Judiciary.

2854. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a Report on Denial of Visas to Confiscators of American Property, pursuant to Public Law 105–277 section 8; to the Committee on the Judiciary.

2855. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden for the period from January 1, 2004 through December 31, 2004, pursuant to 36 U.S.C. 4610; to the Committee on the Judiciary.

2856. A letter from the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, may exceed $5 million for the response to the emergency declared as a result of the record and/or near record snow on January 22–23, 2005, in the State of Rhode Island, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

2857. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK [CGD17-99-002] (RIN: 1625-AA23) (Formerly RIN: 2115-AF81) received July 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2858. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Anchorage Ground; Pacific Ocean at Santa Catalina Island, CA [CGD11-04-006] (RIN: 1625-AA01) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2859. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations: Annual Fort Myers Beach Air Show, Fort Myers Beach, FL [CGD 07-05-012] (RIN: 1625-AA08) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2860. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Gateway Deepwater Port, Gulf of Mexico [USCG-2005-21111] (RIN: 1625-AA00) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2861. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Fireworks Displays within the Fifth Coast Guard District [CGD05-05-013] (RIN: 1625-AA00) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2862. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations: Chelsea River, MA [CGD01-05-022] (RIN: 1625-AA09) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2863. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bering Sea, Aleutian Islands, Unalaska Island, AK [COTP Western Alaska-04-003] (RIN: 1625-AA00) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2864. A letter from the Paralegal Specialist, FAA, Department of Transporation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Model A119 Helicopters [Docket No. FAA-2005-20291; Directorate Identifier 2004-SW-25-AD; Amendment 39-14074; AD 2005-09-06] (RIN: 2120-AA64) received July 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2865. A letter from the Attorney, Pipeline & Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule — Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Institutions; Correction [Docket No. PHMSA-04-17036 (HM-215G)] (RIN: 2137-AD92) received June 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2866. A letter from the FHWA Regulation Officer, Department of Transportation, transmitting the Department's final rule — Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs [FHWA Docket No. FHWA-2003-14747] (FHWA RIN: 2125-AE97) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2867. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-11 and -11F Airplanes [Docket No. 2002-NM-06-AD; Amendment 39-13356; AD 2003-22-08] (RIN: 2120-AA64) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2868. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30391; Amdt. No. 3078] received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2869. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — 1-g Stall Speed as the Basis for Compliance With Part 25 of the Federal Aviation Regulations; Correction [Docket No. FAA-2002-13982; Amdt. Nos. 1–49, 25–208, 97–1333] (RIN: 2120-AD40) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2870. A letter from the Acting Chief Counsel, SLSDC, Department of Transportation, transmitting the Department's final rule — Tariff of Tolls [Docket No. SLSDC 2005-20518] (RIN: 2135-AA21) received June 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2871. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Federal Airways V-2, V-257 and V-343; MT [Docket No. FAA-2004-19410; Airspace Docket No. 04-ANM-09] (RIN: 2120-AA66) received May 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2872. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Reduced Vertical Seperation Minimum in Domestic United States Airspace [Docket No. FAA-2002-12261; Amendment Nos. 11–49 and 91–276] (RIN: 2120-AH68) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2873. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Pennsylvania, New Jersey, Delaware [Docket No. FAA-2002-13947; Airspace Docket No. 02-AEA-14] received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2874. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Sidney, NE [Docket No. FAA-2003-16409; Airspace Docket No. 03-ACE-78] received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2875. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-31 and DC-9-32 Airplanes [Docket No. 2003-NM-08-AD; Amendment 39-13374; AD 2003-24-05] (RIN: 2120-AA64) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2876. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model EC120 Helicopters [Docket No. FAA-2005-20289; Directorate Identifier 2003-SW-55-AD; Amendment 39-14073; AD 2005-09-05] (RIN: 2120-AA64) received July 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2877. A letter from the Secretary, Department of Transportation, transmitting a proposed bill entitled, ''Passenger Rail Investment Reform Act'';to the Committee on Transportation and Infrastructure.

2878. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Model A109E Helicopters [Docket No. FAA-2005-20292; Directorate Identifier 2004-SW-26-AD; Amendment 39-14075; AD 2005-09-07] (RIN: 2120-AA64) received July 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2879. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200 and 777-300 Series Airplanes [Docket No. FAA-2005-20081; Directorate Identifier 2004-NM-132-AD; Amendment 39-14080; AD 2005-10-03] (RIN: 2120-AA64) received July 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2880. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Lancair Company Model LC41-550FG Airplanes [Docket No. FAA-2005-21357; Directorate Identifier 2005-CE-29-AD; Amendment 39-14136; AD 2005-12-20] (RIN: 2120-AA64) received July 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2881. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CENTRAIR 101 Series Gliders [Docket No. FAA-2004-19616; Directorate Identifier 2004-CE-38-AD; Amendment 39-14058; AD 2005-08-06] (RIN: 2120-AA64) received July 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2882. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International CFM56-5, -5B, and -5C Series Turbofan Engines [Docket No. FAA-2004-19928; Directorate Identifier 2004-NE-27-AD; Amendment 39-14082; AD 2005-10-05] (RIN: 2120-AA64) received July 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2883. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplane [Docket No. FAA-2005-20379; Directorate Identifier 2004-NM-174-AD; Amendment 39-14078; AD 2005-10-01] (RIN: 2120-AA64) received July 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2884. A letter from the Administrator, General Services Administration, transmitting informational copies of lease prospectuses that support the General Services Administration's Fiscal Year 2006 Capital Investment and Leasing Program; to the Committee on Transportation and Infrastructure.

2885. A letter from the Secretary, Department of Veterans Affairs, transmitting a draft bill, ''to amend Title 38, United States Code, to provide authority for the Secretary of Veterans Affairs to release individually-identified medical information to assist in the donation of organs, tissue and eyes for the purposes of transplantation''; to the Committee on Veterans' Affairs.

2886. A letter from the Commissioner, Social Security Administration, transmitting the 2005 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104–193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

2887. A letter from the Secretaries, Departments of Defense and Veterans Affairs, transmitting a report on the implementation of the health resources sharing portion of the Department of Veterans Affairs and Department of Defense Health Resources Sharing and Emergency Operations Act for FY 2004, pursuant to 38 U.S.C. 8111(f); jointly to the Committees on Armed Services and Veterans' Affairs.

2888. A letter from the Chief Executive Officer, Federal Prison Industries, Inc, Department of Justice, transmitting a copy of the FY 2004 Annual Report for the Federal Prison Industries, Inc (FPI), pursuant to 18 U.S.C. 4127; jointly to the Committees on Government Reform and the Judiciary.

2889. A letter from the Director, National Film Preservation Foundation, transmitting the Foundation's Report to the U.S. Congress for the Year Ending December 31, 2004, pursuant to 36 U.S.C. 5706; jointly to the Committees on the Judiciary and House Administration.

2890. A letter from the Secretary, Department of Agriculture, transmitting a copy of the Department's Annual Report to Congress on the Biomass Research and Development Initiative for FY 2003, pursuant to 7 U.S.C. 2624 note; jointly to the Committees on Science and Agriculture.

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. SENSENBRENNER: Committee on the Judiciary. H.R. 3020. A bill to extend the existence of the Parole Commission, and for other purposes (Rept. 109–176). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. DAVIS of Kentucky:

H.R. 3329. A bill to amend title 5, United States Code, to provide for the issuance of a prisoner-of-war medal to civilian employees of the Federal Government who are taken captive, by armed forces or agents of a foreign government hostile to the United States, during war or under wartime conditions; to the Committee on Government Reform.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. PETRI, and Mr. DEFAZIO):

H.R. 3330. A bill to provide an extension of administrative expenses for highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Resources, Ways and Means, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of North Carolina (for himself and Mr. BISHOP of New York):

H.R. 3331. A bill to provide funding to enable institutions of higher education to establish a grant program to bridge the gap between laboratory discovery and commercially viable research; to the Committee on Science.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. PETRI, and Mr. DEFAZIO):

H.R. 3332. A bill to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Science, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO:

H.R. 3333. A bill to enhance border enforcement, improve homeland security, remove incentives for illegal immigration, and establish a guest worker program; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Education and the Workforce, Ways and Means, International Relations, Energy and Commerce, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE (for himself, Mr. REGULA, Mr. OSBORNE, Mr. FORD, and Mr. VAN HOLLEN):

H.R. 3334. A bill to provide for recruiting, selecting, training, and supporting a national teacher corps in underserved communities; to the Committee on Education and the Workforce.

By Mr. DINGELL (for himself, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. KILDEE, and Mr. MCDERMOTT):

H.R. 3335. A bill to prevent a severe reduction in the Federal medical assistance percentage determined for a State for fiscal year 2006 and to provide for adjustment in computation of such percentage to disregard an extraordinary employer pension contribution; to the Committee on Energy and Commerce.

By Mr. DUNCAN (for himself, Mr. BAKER, Mr. GORDON, Mr. ROGERS of Kentucky, Mr. TERRY, Mr. ETHERIDGE, Mr. FORD, Mr. BOOZMAN, Mr. PRICE of North Carolina, Mr. CAPUANO, and Mr. PASCRELL):

H.R. 3336. A bill to direct the Secretary of Transportation to issue a regulation requiring the installation of a second cockpit voice recorder and digital flight data recorder system that utilizes combination deployable recorder technology in each commercial passenger aircraft, currently required to carry each of those recorders; to the Committee on Transportation and Infrastructure.

By Mr. FITZPATRICK of Pennsylvania (for himself and Mr. DEFAZIO):

H.R. 3337. A bill to amend title 49, United States Code, to direct the Secretary of Homeland Security to extend a requirement for the prescreening of air passengers to international flights that overfly the United States; to the Committee on Homeland Security.

By Mr. HERGER (for himself, Mr. FOLEY, and Mr. HAYWORTH):

H.R. 3338. A bill to amend the Internal Revenue Code of 1986 to extend the credit period to 10 years for certain facilities producing electricity from certain renewable resources; to the Committee on Ways and Means.

By Mr. HIGGINS (for himself, Mr. ACKERMAN, Mr. BISHOP of New York, Mr. BOEHLERT, Mr. CROWLEY, Mr. ENGEL, Mr. FOSSELLA, Mr. HINCHEY, Mr. ISRAEL, Mrs. KELLY, Mr. KING of New York, Mr. KUHL of New York, Mrs. LOWEY, Mrs. MCCARTHY, Mr. MCHUGH, Mr. MCNULTY, Mrs. MALONEY, Mr. MEEKS of New York, Mr. NADLER, Mr. OWENS, Mr. RANGEL, Mr. REYNOLDS, Mr. SERRANO, Ms. SLAUGHTER, Mr. SWEENEY, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. WALSH, and Mr. WEINER):

H.R. 3339. A bill to designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the ''James T. Molloy Post Office Building''; to the Committee on Government Reform.

By Mr. JEFFERSON:

H.R. 3340. A bill to suspend temporarily the duty on Phenmedipham; to the Committee on Ways and Means.

By Mr. JEFFERSON:

H.R. 3341. A bill to suspend temporarily the duty on Desmedipham; to the Committee on Ways and Means.

By Mr. JEFFERSON:

H.R. 3342. A bill to extend the temporary suspension of duty on ethofumesate; to the Committee on Ways and Means.

By Mr. JEFFERSON:

H.R. 3343. A bill to extend the temporary suspension of duty on Nemacur VL; to the Committee on Ways and Means.

By Mr. JINDAL:

H.R. 3344. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow the area of a Presidentially declared disaster to include the outer Continental Shelf; to the Committee on Transportation and Infrastructure.

By Ms. KAPTUR:

H.R. 3345. A bill to expand the Strategic Petroleum Reserve to include alternative fuels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LAHOOD:

H.R. 3346. A bill to suspend temporarily the duty on 2 benzylthio-3-ethyl sulfonyl pyridine; to the Committee on Ways and Means.

By Mr. LARSEN of Washington:

H.R. 3347. A bill to amend titles 10 and 38, United States Code, to repeal the 10-year limits on use of Montgomery GI Bill educational assistance benefits, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY:

H.R. 3348. A bill to reinstate the prohibition on the possession or transfer of large capacity ammunition feeding devices, and to strengthen that prohibition; to the Committee on the Judiciary.

By Mr. MORAN of Virginia (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. SCOTT of Virginia, Mr. TOM DAVIS of Virginia, and Mr. KILDEE):

H.R. 3349. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Resources.

By Mr. POMBO:

H.R. 3350. A bill to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000 to establish the Tribal Development Corporation Feasibility Study Group; to the Committee on Resources.

By Mr. POMBO:

H.R. 3351. A bill to make technical corrections to laws relating to Native Americans, and for other purposes; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALAZAR:

H.R. 3352. A bill to amend title 18, United States Code, with respect to protections for the Medal of Honor, and for other purposes; to the Committee on the Judiciary.

By Mr. DINGELL (for himself, Mr. UPTON, and Mr. SCHWARZ of Michigan):

H. Res. 366. A resolution commending the University of Michigan Wolverines softball team for winning the National Collegiate Athletic Association Division I Championship on June 8, 2005; to the Committee on Education and the Workforce.

By Mr. MEEHAN (for himself, Mr. MICA, and Mr. FEENEY):

H. Res. 367. A resolution condemning bigotry, violence, and discrimination against Iranian-Americans; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself and Mr. CHABOT):

H. Res. 368. A resolution congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the followingtitles were introduced and severally referred, as follows:

By Mr. JEFFERSON:

H.R. 3353. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Ways and Means.

By Mr. JEFFERSON:

H.R. 3354. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Ways and Means.

By Mr. JEFFERSON:

H.R. 3355. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Ways and Means.

By Mr. JEFFERSON:

H.R. 3356. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Ways and Means.

By Mr. JEFFERSON:

H.R. 3357. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 63: Mr. MICHAUD.

H.R. 97: Mrs. DAVIS of California.

H.R. 98: Mr. BACHUS and Mr. CALVERT.

H.R. 156: Ms. HARMAN, Mr. JEFFERSON, Mr. LYNCH, Mr. PAUL, and Mr. BROWN of Ohio.

H.R. 198: Mr. FORD.

H.R. 215: Mr. FILNER.

H.R. 363: Mr. SHERMAN.

H.R. 478: Mr. TOWNS.

H.R. 521: Ms. ZOE LOFGREN of California.

H.R. 557: Mr. MCCAUL of Texas and Mr. ROHRABACHER.

H.R. 558: Mr. MILLER of North Carolina.

H.R. 586: Mr. FILNER and Mr. WAMP.

H.R. 695: Ms. ZOE LOFGREN of California, Mr. MCINTYRE, and Mr. SANDERS.

H.R. 713: Ms. HERSETH.

H.R. 759: Mr. TOWNS.

H.R. 772: Ms. HARMAN and Mr. CUELLAR.

H.R. 783: Mr. KILDEE.

H.R. 808: Mrs. BLACKBURN, Mr. FARR, Mr. FORBES, Mr. HAYWORTH, Mr. PICKERING, Mr. PRICE of North Carolina, Mr. KELLER, Mr. BERMAN, Mr. GERLACH, Mr. MATHESON, Mr. STRICKLAND, Mr. ACKERMAN, and Mr. ROTHMAN.

H.R. 817: Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mrs. LOWEY, Mr. BOEHLERT, Mr. RUPPERSBERGER, Mr. DAVIS of Illinois, Mr. REGULA, Mr. RAMSTAD, Mr. HIGGINS, Mr. RYAN of Ohio, Mrs. TAUSCHER, Mr. DOGGETT, Mr. WELDON of Pennsylvania, Mr. THOMPSON of California, and Ms. SCHWARTZ of Pennsylvania.

H.R. 822: Mr. CUMMINGS.

H.R. 823: Mr. WALSH and Mr. SANDERS.

H.R. 916: Mr. FOSSELLA, Mr. ACKERMAN, Mr. THOMPSON of California, Mr. KIRK, Mr. BROWN of South Carolina, Ms. ZOE LOFGREN of California, Ms. ESHOO, Ms. GRANGER, Mr. SMITH of New Jersey, Mr. JENKINS, Mr. BOSWELL, Mr. BOUCHER, Mr. KUCINICH, and Mr. SCHIFF.

H.R. 920: Mr. BLUNT.

H.R. 923: Mr. RYAN of Ohio.

H.R. 939: Ms. LINDA T. SÁNCHEZ of California.

H.R. 998: Mrs. DRAKE, Mr. PALLONE, and Mr. SHAYS.

H.R. 999: Mr. STRICKLAND, Mr. KILDEE, and Mr. ROHRABACHER.

H.R. 1010: Mr. HERGER.

H.R. 1116: Mr. CUMMINGS.

H.R. 1120: Mr. PRICE of Georgia.

H.R. 1124: Mr. ANDREWS.

H.R. 1142: Mr. PUTNAM.

H.R. 1182: Mr. WYNN.

H.R. 1184: Ms. WASSERMAN SCHULTZ.

H.R. 1216: Ms. FOXX.

H.R. 1227: Mr. FORD, Mr. ROTHMAN, Mr. BACHUS, Mr. KUCINICH, Mr. NADLER, Mr. MENENDEZ, Mr. REYES, and Mr. SESSIONS.

H.R. 1246: Mr. SMITH of Washington, Mr. STARK, Mr. LIPINSKI, Ms. LINDA T. SÁNCHEZ of California, and Mr. KUCINICH.

H.R. 1276: Mrs. JO ANN DAVIS of Virginia and Ms. BORDALLO.

H.R. 1298: Mr. WELLER.

H.R. 1305: Ms. DELAURO.

H.R. 1333: Mr. MURTHA, Mr. ISRAEL, Mr. ALLEN, Mr. BROWN of South Carolina, Mr. LARSEN of Washington, Mr. CUMMINGS, Mr. PUTNAM, Mr. OBERSTAR, and Mr. BLUMENAUER.

H.R. 1388: Mr. BISHOP of Utah.

H.R. 1399: Mr. CLYBURN.

H.R. 1409: Mr. KING of New York, Mr. BROWN of Ohio, and Mr. EMANUEL.

H.R. 1449: Mr. CALVERT.

H.R. 1471: Mr. KING of New York and Mr. TERRY.

H.R. 1510: Mr. FLAKE.

H.R. 1517: Mr. KNOLLENBERG and Mr. BURGESS.

H.R. 1574: Mr. ISRAEL, Mr. BOSWELL, Mr. BERRY, Mr. MICHAUD, and Mr. COSTELLO.

H.R. 1589: Mr. MCGOVERN.

H.R. 1591: Mr. SCHIFF.

H.R. 1615: Mr. OLVER and Mr. STARK.

H.R. 1632: Mr. SHUSTER and Mr. FORD.

H.R. 1652: Mr. CAPUANO and Mr. EVANS.

H.R. 1678: Mr. MILLER of Florida, Mr. BISHOP of Utah, and Mr. REHBERG.

H.R. 1721: Mr. MCINTYRE.

H.R. 1736: Mrs. MYRICK, Mr. BASS, Mrs. BIGGERT, and Mr. MCINTYRE.

H.R. 1819: Mr. CLEAVER and Mr. SANDERS.

H.R. 1898: Mr. LEACH, Ms. ROYBAL-ALLARD, Mr. PUTNAM, and Mr. NEAL of Massachusetts.

H.R. 1946: Mr. KILDEE.

H.R. 1956: Mr. LATHAM.

H.R. 2047: Mr. BOREN.

H.R. 2061: Mr. SODREL and Mr. ROGERS of Kentucky.

H.R. 2092: Mr. CROWLEY and Ms. LEE.

H.R. 2230: Mr. ROTHMAN.

H.R. 2231: Ms. BEAN, Mr. FOSSELLA, Mr. TOWNS, Mr. NADLER, Mr. LAHOOD, Mr. KIND, Mr. LIPINSKI, and Mr. SENSENBRENNER.

H.R. 2238: Mrs. LOWEY, Mr. UDALL of Colorado, and Mr. SKELTON.

H.R. 2338: Mr. CASE.

H.R. 2355: Mr. PETERSON of Pennsylvania.

H.R. 2386: Mrs. BLACKBURN, Mr. KLINE, Mr. PENCE, Mr. GORDON, Mr. BONNER, Mr. ROGERS of Alabama, Mr. FORD, Mr. SIMPSON, Mr. BISHOP of Georgia, Mr. GINGREY, Mr. BARROW, Mr. LEWIS of Kentucky, Mr. WYNN, and Mr. TERRY.

H.R. 2429: Mr. STRICKLAND.

H.R. 2471: Mr. CONYERS.

H.R. 2631: Mr. HONDA.

H.R. 2667: Mr. GERLACH, Mr. MURPHY, and Mr. POE.

H.R. 2674: Mr. ENGLISH of Pennsylvania, Mr. WEXLER, and Mr. BRADY of Pennsylvania.

H.R. 2682: Mr. MCHUGH, Mr. TERRY, Mr. FORBES, Mr. KENNEDY of Minnesota, and Mr. DICKS.

H.R. 2694: Mr. MCINTYRE.

H.R. 2794: Mr. PENCE, Mr. SCOTT of Georgia, Mr. BARROW, Mr. HONDA, Mrs. EMERSON, and Mr. KLINE.

H.R. 2801: Mr. DAVIS of Illinois.

H.R. 2803: Mr. DENT, Ms. HART, and Mr. PETERSON of Pennsylvania.

H.R. 2804: Mr. SESSIONS.

H.R. 2872: Mr. ABERCROMBIE, Mr. COOPER, Mr. UDALL of Colorado, Mr. UPTON, Mr. BAKER, Mr. LAHOOD, Mr. GUTIERREZ, Mr. BRADLEY of New Hampshire, Mr. OBERSTAR, Mr. CASE, and Mr. HIGGINS.

H.R. 2876: Mr. SKELTON, Mr. INSLEE, Mr. CARNAHAN, Mrs. CHRISTENSEN, Mr. CLAY, Mr. MARKEY, Mr. BOUCHER, Mr. CUMMINGS, and Mr. GILCHREST.

H.R. 2891: Mr. LEWIS of Georgia and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2933: Mr. NEY.

H.R. 2944: Mr. STARK.

H.R. 2946: Mr. HINCHEY.

H.R. 2947: Ms. WASSERMAN SCHULTZ, Mr. BRADY of Pennsylvania, Mr. RUSH, Mr. BUTTERFIELD, Mr. OBERSTAR, Mr. RANGEL, Mr. BACHUS, Mr. PALLONE, Mr. CAPUANO, Mr. KUHL of New York, Mr. LANTOS, Mr. LARSEN of Washington, Mr. SCOTT of Virginia, Mr. CLAY, Mr. BISHOP of Georgia, Mr. DAVIS of Illinois, Mr. TOWNS, Ms. LEE, Mr. MOORE of Kansas, and Mr. DAVIS of Alabama.

H.R. 2957: Mr. SANDERS.

H.R. 2989: Mr. HASTINGS of Washington and Mr. SCHIFF.

H.R. 2990: Mr. OXLEY.

H.R. 3046: Mr. BRADY of Pennsylvania and Mr. DAVIS of Illinois.

H.R. 3049: Mr. STUPAK.

H.R. 3055: Mr. SANDERS and Mr. MCNULTY.

H.R. 3079: Mr. MCHUGH.

H.R. 3080: Mr. OTTER, Mr. PAUL, Mr. SOUDER, Mr. MCCOTTER, Mr. DAVIS of Illinois, and Mr. BISHOP of Utah.

H.R. 3081: Mr. MCHUGH.

H.R. 3083: Mr. GENE GREEN of Texas, Mr. ROHRABACHER, Mr. GILCHREST, Mr. POE, Mr. YOUNG of Florida, Mr. PEARCE, Mr. GOHMERT, Mr. BAKER, Mr. MACK, Mr. SESSIONS, Mr. ALEXANDER, Mr. TAYLOR of North Carolina, Mr. MCHUGH, Mr. WILSON of South Carolina, and Mr. JONES of North Carolina.

H.R. 3086: Mr. PAYNE, Mr. PUTNAM, Mr. EMANUEL, Mr. ISRAEL, and Mr. DAVIS of Illinois.

H.R. 3095: Mr. BURTON of Indiana.

H.R. 3121: Mr. FLAKE.

H.R. 3132: Miss MCMORRIS, Mr. JENKINS, Mr. KELLER, Mr. SMITH of Texas, Mr. PORTER, Mr. PETERSON of Minnesota, Mr. GALLEGLY, Mr. KENNEDY of Minnesota, and Ms. HERSETH.

H.R. 3135: Mr. THORNBERRY, Mr. HYDE, and Mr. GARRETT of New Jersey.

H.R. 3166: Mrs. NAPOLITANO.

H.R. 3174: Mr. REICHERT, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. LEWIS of Georgia, and Ms. JACKSON-LEE of Texas.

H.R. 3185: Mrs. CHRISTENSEN, Mr. FARR, Ms. HERSETH, Mr. GENE GREEN of Texas, Mr. POE, Mr. AL GREEN of Texas, Mr. ACKERMAN, Mr. MCDERMOTT, Mr. PETERSON of Minnesota, Mr. CLEAVER, Mr. PRICE of North Carolina, Ms. MOORE of Wisconsin, and Ms. HARMAN.

H.R. 3186: Mr. HEFLEY, Mr. WEXLER, and Mr. TERRY.

H.R. 3195: Mr. CUMMINGS, Mr. RYAN of Ohio, and Mr. ACKERMAN.

H.R. 3198: Mr. LANTOS and Mr. MCDERMOTT.

H.R. 3200: Mr. BILIRAKIS, Mr. BROWN of South Carolina, and Mr. MORAN of Kansas.

H.R. 3204: Mr. JINDAL.

H.R. 3267: Ms. MCCOLLUM of Minnesota, Mr. NADLER, and Mr. UDALL of Colorado.

H.R. 3268: Mr. POE and Mr. BEAUPREZ.

H.R. 3283: Mr. REYNOLDS, Ms. HART, Mr. ROGERS of Michigan, Mr. SOUDER, Mr. MURPHY, and Ms. FOXX.

H.J. Res. 55: Mr. MICHAUD and Mr. GILCHREST.

H.J. Res. 58: Mr. ADERHOLT.

H. Con. Res. 52: Mr. HERGER.

H. Con. Res. 146: Mr. ABERCROMBIE, Mr. WYNN, Mr. TOWNS, Mr. WEXLER, Mr. TANCREDO, MS. WATSON, and Mr. MCCOTTER.

H. Con. Res. 158: Ms. MOORE of Wisconsin.

H. Con. Res. 172: Mr. GORDON and Mr. UDALL of Colorado.

H. Con. Res. 181: Mrs. JOHNSON of Connecticut, Mr. SHIMKUS, and Mr. SHAYS.

H. Con. Res. 190: Mr. BURTON of Indiana and Mr. TANCREDO.

H. Con. Res. 202: Mr. SKELTON, Ms. WATSON, and Mr. LANTOS.

H. Con. Res. 208: Mr. MILLER of North Carolina.

H. Con. Res. 209: Mr. JEFFERSON, Ms. LEE, Mr. CLAY, Mr. SCOTT of Virginia, Ms. MILLENDER-MCDONALD, and Mr. GEORGE MILLER of California.

H. Res. 97: Mr. BISHOP of Utah, Mr. GOHMERT, and Mr. OTTER.

H. Res. 158: Mr. MEEKS of New York.

H. Res. 247: Ms. ZOE LOFGREN of California, Mr. LANTOS, Mr. CLAY, Mr. CUMMINGS, Mrs. MALONEY, Mr. BECERRA, Ms. SOLIS, Mr. ROYCE, Mrs. TAUSCHER, Mr. STARK, Mr. KUCINICH, Ms. LEE, and Mr. JEFFERSON.

H. Res. 261: Mr. FARR, Mrs. WILSON of New Mexico, and Mr. INSLEE.

H. Res. 325: Mr. CONYERS and Mr. ACKERMAN.

H. Res. 329: Mr. THOMPSON of California.

H. Res. 347: Mr. SCHIFF and Ms. SCHAKOWSKY.

H. Res. 357: Mr. CUMMINGS, Mr. SHAW, Mr. KUHL of New York, Mr. UDALL of New Mexico, Mr. GIBBONS, Ms. ROS-LEHTINEN, Mrs. MILLER of Michigan, Mr. BUYER, Mrs. BONO, Mr. TOM DAVIS of Virginia, Mrs. EMERSON, Mrs. NORTHUP, Mrs. CAPITO, Mr. BAKER, Mr. REYNOLDS, Mrs. KELLY, Mr. DENT, Mr. COLE of Oklahoma, Mr. WALDEN of Oregon, Mr. SHAYS, Mr. WELLER, and Mrs. JOHNSON of Connecticut.

H. Res. 360: Mr. BISHOP of Georgia and Mr. GREEN of Wisconsin.

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Senate

The Senate met at 11 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, teach us how to trust You without wavering. Keep us from feeling discouraged when we face life's storms, as You remind us that You order our steps and control our destinies. Increase our faith so that we will stay optimistic, even when the glass seems half empty.

Lord, continue to sustain our Senators. When pressed by challenges, give them courage in danger, steadfastness in trials, and perseverance in difficulties. Give each of us loyalty when loyalty is costly and a joy which the world can neither give nor take away.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 19, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today, we will begin consideration of H.J. Res. 52, which approves the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. We have shortened the statutory time limit. There will now be a 1-hour-20-minute period of debate on the resolution. Thus, Senators can expect a vote on the Burma resolution sometime between 12 and 12:30 today, probably closer to 12:30.

Following that vote, we will recess until 2:15 for the weekly policy luncheons. Following the recess, we will resume consideration of the Foreign Operations appropriations bill. Our intentions are to finish that bill, the Foreign Operations appropriations bill, tonight. We have been on the bill Friday and Monday, and will be now today, with plenty of opportunity for our colleagues to come forward, offer their amendments, and debate their amendments. So our plans are to stay today to finish the Foreign Operations bill. I do want to encourage Senators to contact the cloakrooms right now, early this morning, if there are other amendments to be considered. The two managers will be here to consider those amendments. Again, our intentions are to finish that appropriations bill.

Over the course of the week, and into next week, before our recess, but most immediately this week, we have a highway extension that will have to be done later today. We have an issue concerning native Hawaiians that we are working very aggressively on in order to bring it to the floor. We will continue to work over the course of the next several hours to determine how best that can be brought to the floor and debated. We have the Department of Defense authorization, an important bill that we will be addressing before the recess. All of this is dependent on us first completing the Foreign Operations appropriations bill. So there is much work to do. We will keep our colleagues informed as to what the specific plans are, but we have a lot of business before we depart for the recess.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

FOREIGN OPERATIONS LEGISLATION

Mr. REID. Mr. President, the only two amendments I am aware of—there could be others; that is why I think it is good we make a call for other amendments—is one Senator DORGAN has indicated he may offer dealing with the Unocal sale and the amendment being contemplated by the Senator from California, Mrs. BOXER. And we have a pending amendment that I understand can be worked out. That is Senator LANDRIEU's amendment on adoptions.

So it appears we should be able to finish this bill today. I see no reason we should not be able to. We will wait until we hear from Senator DORGAN and Senator BOXER. I say to them, through their staffs who are watching, they should come forward and offer their amendments if they are going to offer them.

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I have a very short statement I would like to make.

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

PRIME MINISTER OF INDIA

Mr. REID. Mr. President, I am pleased the Indian Prime Minister spoke today before a joint session. His remarks were thoughtful. He spoke of the great promise and values our two nations share—first of all, democracy.

I also welcome to the Senate today several Indian Americans from Nevada, including my friend, Dr. Chanderaj, and several of my friends from the Sikh community in northern Nevada. I have gotten to know them. They did a number of events for me this past year. They are very interested in government. I am so impressed with them and their community, located mainly in Carson City, NV. They traveled throughout the night so they could be here today for this historic event.

The contributions of the Indian American community to Nevada and to this country are significant. They have made such a positive impact in communities across the Nation.

What we have going on in southern Nevada is exemplary. We have an Asian-American community there. There is no distinction between Pakistanis and Indians. They meet together; they join together. Unless you are familiar with the two communities, you could not tell them apart. They work together. Our largest and most famous Indian restaurant in Las Vegas is run by a Pakistani.

So, Mr. President, I am very happy they have made such a positive impact in Nevada and communities all across this great Nation. That is why I am so pleased the Prime Minister could be here today: to join our two great democracies, to recognize the common bonds between us, and to celebrate the promising future that lies before us.

I would be remiss if I did not recognize one of the leaders of the Indian community, someone who has been involved in government and politics. He helps Republicans; he helps Democrats. He is very interested in government. He is a physician by the name of Prabhu, who is a friend to so many of us. I acknowledge him today as being someone who has done so much to bring the communities together.

Thank you very much, Mr. President.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S.J. Res. 18, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 18) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The ACTING PRESIDENT pro tempore. Under the previous order, the joint resolution will be read a third time and placed back on the calendar.

The joint resolution was read the third time.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the immediate consideration of H.J. Res. 52, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 52) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour 20 minutes for debate on the joint resolution.

Mr. REID. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time run equally against all participants.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, a little more than 2 years ago, thugs working for the military strongmen of Burma attacked Aung San Suu Kyi and members of the opposition party that she leads, the National League for Democracy. The Government put Suu Kyi into what they call ''protective custody.'' She remains under house arrest to this day.

In response to this heinous attack, America banned imports from Burma. We in Congress believed something had to be done. In 2002, those imports were valued at $350 million, mostly in garments.

In the autumn of 2003, Burmese Prime Minister Nyunt, who had opposed the attack on the opposition party, called for a seven-point road map to Democracy.

But the road map led to nowhere. And a rigged national convention broke down when opposition representatives rightly decided to boycott it.

The strongmen of Burma then removed Prime Minister Nyunt from his post. They placed him under house arrest, for supposed corruption. And they replaced him with a hard-line general, whom many believe to have planned the attack.

Where does this leave Burma? In short, the ruling generals have consolidated their grip on power. And government security forces continue to inflict innumerable human rights violations on the Burmese people.

This is a tragic situation. The long-suffering people of Burma deserve to be rid of the criminals who purport to represent them.

But what is the best way to do that?

When the Senate first considered banning Burmese imports, Senator GRASSLEY and I worked hard to ensure two key conditions.

First, we made sure that Congress would retain its constitutionally vested power to impose and evaluate trade sanctions. We should never write the President a blank check.

Second, we made sure that the law would direct the administration to work with other nations, to make these sanctions work. Unilateral sanctions seldom work. Unilateral sanctions typically harm innocent citizens far more than the odious rulers against whom they are aimed.

Sadly, events on the ground in Burma suggest that these unilateral sanctions have proved no exception to the rule. The sanctions have harmed innocent citizens. And the odious rulers remain in place.

The U.S. ban on Burmese imports caused a number of Burmese garment factories to close. Tens of thousands of garment workers, overwhelmingly women, lost their jobs. And more Burmese women, with nowhere else to go, turned to prostitution.

Today, the Burmese garment industry has to some extent rebounded, sustained by new orders from Canada, Europe and Latin America.

U.S. sanctions against Burma might have been more effective if other countries would join us in isolating the Burmese regime. But that has not happened.

To the contrary, China has embraced the Burmese government. China has invested in Burma's energy sector. And China has extended generous aid packages to Burma, including a $356 million aid package that more than makes up for Burma's loss of America's import market.

Thailand and India share a long border with Burma. But Thailand and India have their own ideas about how to deal with Burma's military rulers. And those ideas do not include joining U.S. sanctions.

And ASEAN member countries continue to welcome Burma to their economic summits.

This is not a record of success.

Nevertheless, I will vote to renew the sanctions on Burma for another year. But I do so with an eye toward next year, when the sanctions automatically expire.

I know that most of my colleagues will vote reflexively to renew these import sanctions. Boycotting Burmese imports allows us to express our collective disapproval of the awful regime running Burma. But I hope that my colleagues will take a moment to consider whether a boycott is the best thing for the Burmese people.

Next year, if my colleagues seek to extend the Burmese import sanctions, Congress will have to enact new legislation to do so. At that time, I hope that we can have a more extensive debate on how best we can help the cause of freedom, and how best we can help the Burmese people.

Mr. President, I note the presence of the Senator from California on the floor, a leader on this issue.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I thank the Chair and the distinguished ranking member of the Finance Committee. I caught the tail end of his remarks, and what I heard I agree with.

I rise today with my colleague from Kentucky, Senator MCCONNELL, in support of the resolution renewing import sanctions against Burma. The House overwhelmingly passed this resolution in a 423-to-2 vote. I believe it is time for the Senate to follow suit.

Almost a month ago, Nobel Peace Prize winner and leader of Burma's democracy movement Aung San Suu Kyi celebrated her 60th birthday under house arrest. She has spent the better part of the past 15 years imprisoned under house arrest.

The brutal military regime, the State Peace and Development Council, has gone to extraordinary lengths to prevent Suu Kyi and her National League for Democracy from assuming their rightful place as leaders of the Burmese state.

It is worth repeating that the NLD decisively won their parliamentary elections in 1990, results that were soon nullified by the military junta.

Two years ago, Congress passed the original sanctions legislation, the Burmese Freedom and Democracy Act, following a brutal attack by progovernment thugs on a motorcade carrying Suu Kyi and several of her NLD colleagues. That bill imposed a complete ban on all imports from Burma for 1 year and allowed those sanctions to be renewed 1 year at a time for up to 3 years.

Last year, in response to the failure of the SPDC to make ''substantial and measurable progress'' toward a true national dialog on national reconciliation and recognition of the results of the 1990 elections, Congress passed and President Bush signed into law a renewal of the import sanctions for another year.

One year later, it is clear the military junta has taken no steps toward restoring democracy, releasing Suu Kyi and all political prisoners, and respecting human rights and the rule of law and, therefore, we believe we have no choice but to renew the sanctions again for another year.

Some may argue that since we are no closer to a free and democratic Burma since Congress passed the Burmese Freedom and Democracy Act 2 years ago, we should let the import ban expire and attempt to ''engage'' Rangoon.

I disagree. I urge my colleagues to stay the course for this additional year. I ask them to remember that the Burmese Freedom and Democracy Act of 2003—a 1-year ban on Burmese imports—allowed those sanctions to be renewed twice for 1 year at a time if Burma failed to make ''substantial and measurable'' progress toward restoring democracy.

We have almost completed 2 years of the import ban and, if we pass this joint resolution, we will renew the sanctions for a third year.

If Congress does not renew the import ban when the military junta has so clearly failed to meet the conditions set out in the original legislation for having the sanctions lifted, we will reward the SPDC for its inaction and for their continued suppression of the entire Burmese people and we will send a clear message to Aung San Suu Kyi and the National League for Democracy that the United States does not stand with them.

Brutal regimes around the world would know that if you simply wait for the United States to give in, they will do so. The damage to our reputation as leader for freedom and human rights will be devastated and will take years to repair. We simply cannot afford to make that mistake.

Let me be clear, I don't support sanctions as a panacea for every foreign policy dispute we have with another country.

Each case needs to be judged on its own merits and needs to have substantive debate. Congress needs the opportunity to revisit sanctions on other countries in a timely fashion. Indeed, next year, when the import ban contained in our original bill of 2003 expires, we will have the opportunity to judge any progress made by Rangoon over the next year towards restoring democracy and possibly debate new sanctions legislation, or let the legislation expire.

We know in some cases sanctions can be effective. I think South Africa is the one case where that has proved to be the case. While Burma's military regime has totally failed to respect democracy, human rights, and the rule of law, world opinion is coming together to put additional pressure on Rangoon.

In fact, members of the Association of Southeast Asian Nations, called ASEAN, from Malaysia to Singapore and Indonesia, have expressed concerns about Burma assuming chairmanship of the organization next year and have pushed Burma to make progress on democratic reform.

I, frankly, believe ASEAN's prestige and effectiveness would be substantially undermined and reduced if Burma assumed a leadership position in ASEAN. More fundamentally, it would signal that ASEAN has been totally ineffective in moving this military junta toward elections in Burma, or any reconciliation, for that matter, with the duly elected government led by Aung San Suu Kyi.

The way Senator Bill Cohen and I began this many years ago was to give a period of 6 months for ASEAN to exert its influence on Burma, and then we gave the Secretary of State—who was then Madeleine Albright—the ability to trigger these sanctions. In fact, ASEAN was unable to achieve any change in Burmese military behavior. So Secretary Albright, at the time, triggered the sanctions.

In a recent op-ed in The Nation, Datuk Zaid Ibrahim, president of the ASEAN Caucus on Burma, called on the members of ASEAN to defer Burma's chairmanship for 1 year and condition its assuming the chairmanship at a later date on progress toward democracy and national reconciliation.

This is important. I hope the ASEAN nations defer the chairmanship. I hope they insist on progress. I hope they say the time has come to release Aung San Suu Kyi and to effect a democratic reconciliation to this impasse.

Mr. Ibrahim added:

> A mere facade of political reform will not lead to stability and progress in Burma and will not alleviate the impact throughout the region. ASEAN stands ready to assist Burma, but ASEAN's good will must be met with the Burmese government's political will.

I strongly agree. I hope this will be ASEAN's posture. I hope it will be strong, formidable and, to the extent it can, unrelenting.

Of course, I would like to see ASEAN take additional measures to put pressure on Burma, particularly since the spread of narcotics, HIV/AIDS, and refugees across the region can all be traced back to Rangoon.

Denied the most basic of human rights by the repressive regime—including education and health care—the Burmese people endure forced labor, rape, and conscription. Those who dare speak out against the SPDC and its abuses are harassed, imprisoned, or killed. Few realize there are between 600,000 and 1 million internally displaced persons in Burma today, with up to 1,300 political prisoners.

The people of Burma also face a severe epidemic of HIV infection. Measures of the HIV burden are always difficult to assess, but estimates suggest that Burma is believed to have one of the largest HIV rates in Asia, with up to 1 percent of its population infected. That amounts to a half million people. After initial and outgoing outbreaks among injecting drug users, HIV rates have rapidly risen among heterosexual men, blood donors, and are now rapidly rising among women and infants.

I believe the United States can gain additional international support for change in Burma by continuing to take a leadership role on sanctions against this military regime. Now is not the time to turn our backs on the very brave Aung San Suu Kyi and the people of Burma who voted for democracy in 1990. Let's finish what we started with the Burmese Freedom and Democracy Act of 2003. I urge my colleagues to

support a free and democratic Burma and support the joint resolution renewing import sanctions for another year.

I thank the Chair. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, how much time remains in control of the Democratic Senators on this resolution?

The ACTING PRESIDENT pro tempore. There is 39½ minutes remaining.

Mr. BAUCUS. Mr. President, I ask unanimous consent that 10 minutes of that time be reserved for Senator KENNEDY and that I may use such of the remaining Democratic time as I consume for a statement as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VOYAGES OF TRADE AND DISCOVERY

Mr. BAUCUS. Mr. President, 600 years ago this month, a great fleet of more than 300 ships lifted anchor at Nanjing, China, on the first of 7 voyages of trade and discovery. The Chinese fleet counted the largest wooden ships ever built, some with nine masts, massive keels of teak, and decks 400 feet long—you can imagine, longer than a football field.

The Ming Emperor gave his nearly 7-foot tall admiral orders to sail on July 11, 1405, nearly a century before Christopher Columbus and Vasco da Gama left Europe. And all of those European explorers' ships could have fit on a single deck of one of the Chinese treasure ships. The 36-foot rudder of one of the ships stood almost as tall as Columbus' flagship, the *Niña*, was long.

The Ming fleet carried a crew of nearly 28,000, with a medical officer for every 150 souls on board. The fleets carried more than a million tons of silk, porcelain, copper coins, and spices to trade for the riches of the world, on to what the Chinese called the Western Ocean—what we call the Indian Ocean. They reached Sumatra, Ceylon, and India. They went to the Arabian peninsula and Africa's Swahili coast. They made a side trip to Mecca.

At each port, ships with colorful prows delivered platoons of Chinese merchants, ready to do business. In Siam—now Thailand—they acquired sandalwood, peacocks, and cardamom. In Indonesia, they acquired tin. In Oman, they traded porcelain for frankincense, myrrh, and aloe. The Sultan of Aden gave them zebras, lions, and ostriches. In east Africa, they acquired a giraffe.

In 1451, one of the fleet's interpreters would write a memorial of the voyages, exclaiming:

> How could there be such diversity in the world?

In Sri Lanka, the admiral engraved a granite slab in Chinese, Tamil, and Persian, seeking blessing from Buddha, Siva, and Allah alike.

In the south Chinese harbor of Changle, the admiral inscribed on a pillar:

> [We] have recorded the years and months of the voyages . . . in order to leave [the memory] forever.

He listed his destinations, ''altogether more than 30 countries large and small.''

He wrote of his efforts:

> . . . to manifest the transforming power of virtue and to treat distant people with kindness.

He wrote:

> We have traversed more than 100,000 li—

That is 40,000 miles—

> of immense water spaces and have beheld in the oceans huge waves like mountains rising sky-high, and we have set eyes on . . . regions far away hidden in a blue transparency of light vapors. . . .

Today, approximately 600 years later, Chinese officials will proudly recall the voyages of the Ming fleet. They will observe that Ming China amassed one of the most powerful naval forces ever assembled, and they will pointedly note that China used the fleet not for conquest but for business and exploration, trade and diplomacy.

Three weeks ago, on June 24, 2005, a fleet of Chinese-made cars began rolling onto a ship in Guangzhou, China, bound for Europe. The fleet counted cars made at a gleaming new Honda factory on the outskirts of the sprawling city of 12 million souls near Hong Kong.

As reporter Keith Bradsher of the New York Times described:

> At the new Honda factory . . . white robots poke and crane their long, vulture-like heads into gray, half-completed car bodies to perform 2,100 of the 3,000 welds needed to assemble each car. Workers in white uniforms and gray caps complete the rest of the welds, working as quickly as workers in American factories—but earning roughly $1.50 an hour in wages and benefits, compared to the $55 an hour for General Motors and Ford factories in the United States.

In America, General Motors and Ford struggle to pay high health care costs for autoworkers with an average age of nearly 50. In China, most of Honda's autoworkers are in their twenties. They do not go to the doctor much, and when they do, Chinese doctors charge less than $5 for an office visit and a few stitches.

China's manufacturing companies are rapidly building wealth, and they have begun to trade that wealth for the riches of the world, across the Pacific Ocean.

At airports throughout the world, airplanes with colorful tail wings deliver platoons of Chinese merchants, ready to do business. In May, the Chinese company Lenovo acquired the personal computer division of IBM. In June, a Chinese company bid $2.25 billion for the Iowa-based appliance company Maytag. Also in June, China National Offshore Oil Corporation bid $18.5 billion for Los Angeles-based Unocal, whose ''76'' marketing symbol is one of the most recognized and enduring corporate symbols in America. And all this buying pales next to the acquisition by China's central bank of $230 billion of American Government debt.

China is pursuing trade agreements with India, Australia, New Zealand, and Thailand. China is reaching out to the 10 countries of the Association of Southeast Asian Nations, known as ASEAN.

The Chinese are visiting the rest of Asia in greater numbers than before. They bring with them money and optimism about the ''new China.'' The new China has gleaming skyscrapers, modern, productive industries, and a rapidly developing infrastructure.

China has launched a major charm offensive across Asia to promote itself as a desirable place to visit, to invest, and to live. Through ventures such as China Radio International, worldwide television broadcasts, and Chinese language and cultural centers across Asia, China advertises itself as an attractive destination. Increasingly, Asians are forgoing trips to Los Angeles, traveling to Beijing instead. For many young Asians, the gleaming lights of Shanghai illuminate the new Manhattan.

Already 90 million people in China's coastal cities have access to the Internet, and the Chinese own more cell phones than any other people in the world. There are more cell phones in China than there are people in the United States.

China has the world's largest population, the fastest growing economy, the second largest foreign currency reserves, and the third largest trade. China creates one-fifth of world trade growth.

In 2004, America exported 2½ times more to China than it did in 1999, 5 years earlier. My State of Montana exported 11½ times more. But America's merchandise trade deficit with China has more than doubled in the same time. China accounted for a quarter of America's $652 billion trade deficit last year.

As Tom Friedman writes in his book, ''The World is Flat,'' which I recommend for everyone:

> [W]hat is really scary is that China is not attracting so much global investment by simply racing everyone to the bottom. . . . China's long-term strategy is to outrace America and the EU countries to the top, and the Chinese are off to a good start.

China is amassing one of the most powerful economies ever assembled. So America must ask: Will the result be as benign as the voyages of the Ming treasure fleet 600 years ago?

Asia accounts for one-third of the world economy. It is the world's most economically dynamic region. And America needs to pay attention. This administration has launched 20 free-trade agreements, but only one has been in Asia—with Thailand.

Instead of embracing ASEAN, this administration has largely ignored it. The Government has ceded the initiative in Southeast Asia to China. That is how ASEAN views the recent decisions of Secretary of State Rice to skip an important ASEAN gathering later this month. U.S. Secretaries of State have traditionally attended that conference. And this administration has failed to use the Asia Pacific Economic

Cooperation, otherwise known as APEC, as a platform for trade integration. Rather, this administration has turned the organization into little more than a venue to discuss security options.

Since 2000, this administration has negotiated bilateral and regional trade agreements at a furious pace, but most of the agreements the Government has been negotiating offer little real value to America's commercial interests. Why? Because the Government is choosing trading partners more for foreign policy reasons than it is for commercial reasons.

The U.S. Trade representative has finite resources. To be effective, to deliver the greatest benefits to Americans, our Government must direct their efforts where they are most likely to have the greatest effects.

In 1962, Congress created the Special Trade Representative—the predecessor of the U.S. Trade Representative—to remove trade policy from the State Department precisely so that commercial interests rather than foreign policy interests would drive American trade policy. I don't think that has happened. I believe trade shots are called by the White House.

We must focus trade policy efforts where they promise the greatest return for our ranchers, businesses, and our workers. First and foremost, we need to devote more effort to the ongoing Doha round of WTO negotiations. From all appearances, the negotiations are dragging. The pace of progress will have to improve considerably to meet the goal of an agreement by the end of 2006, and that will require a substantial commitment of U.S. leadership and resources.

We need to look more to Asia for bilateral agreements as well. For example, South Korea is our seventh largest trading partner, with a two-way trade totaling $70 billion. Korea has promised real reforms in its agricultural markets. It has liberalized investment restrictions and lowered merchandise tariffs. I have met with Korean trade officials on several occasions, and they are serious about reforms.

Regional trade agreements in Asia, perhaps under the auspices of APEC, also hold promise. APEC's 21-member economies account for a third of the world's population and about three-fifths of world production. American exporters will get a major boost from a regional free-trade agreement on this scale.

We also need to seek out further sectoral agreements such as the WTO's hugely successful Information Technology Agreement negotiated largely by America, Japan, and Singapore.

We should launch an initiative in the advanced medical equipment sector. Asia has a rapidly aging population, particularly in Japan, Korea, and China. This demographic shift translates into growing demand for advanced medical equipment. America already exports half a billion dollars a year in medical devices to China and Hong Kong, and these exports are expanding 12 percent a year.

We need to do a better job of enforcing our existing trade agreements.

In China, piracy—the theft of American copyrights and patents—is at epidemic levels. In the past 2 years, companies from General Motors to Sony to Cisco have complained that Chinese have stolen their intellectual property. More than 90 percent of software in China is stolen. American innovators are losing billions of dollars a year.

Combating piracy would help the American economy far more than further agreements with countries whose entire economies are but a fraction the size of our losses to piracy alone. I need only mention CAFTA. CAFTA is a blip compared to other commercial interests we should be pursuing.

China also maintains a troubling currency peg. But retaliatory tariffs are not the answer. Tariffs would violate our WTO commitments. Tariffs would inflame already difficult trade relations with China, invite Chinese retaliation in other areas, and make Chinese imports nearly a third more expensive. Tariffs would hurt American consumers who would pay more for many of the goods that they buy. And tariffs would hurt U.S. companies who rely on Chinese inputs to develop their own products.

Having said that, China's currency peg is a problem. It distorts world markets and hurts both America and China itself. China needs to revise its currency policy.

While issues with China dominate the headlines, there are other enforcement priorities, including in our own hemisphere. In Brazil for example, the government recently forced an American pharmaceutical company to reduce its price for one of its medicines. It did so by threatening to break its promise to protect the American company's patent, and to let a state-owned company make generic copies of the medicine, an outrage.

This is blackmail, pure and simple. And it is illegal. This sort of coercion has no place in our trade relations. It hurts our companies and our workers. And it dampens the incentive to create new and innovative pharmaceuticals.

Our problems with Brazil go beyond just pharmaceuticals. Until recently, Brazil banned the sale of genetically engineered seeds for use in agriculture. These are the kind of high-tech seeds American companies like Monsanto and Pioneer Hi-Bred develop and sell all over the world—but not in Brazil. How odd then, that roughly 30 percent of Brazil's soybeans are grown with genetically engineered seeds. The figure is nearly 90 percent in Brazil's southernmost state of Rio Grande do Sul.

How can this be? Theft. These seeds were smuggled in from neighboring countries where they are allowed, and planted illegally. They were not purchased. They were stolen.

And just like piracy in China, piracy in Brazil costs American industries dearly. Last year, American companies lost $930 million in Brazil because of piracy of audiovisual goods. Some estimate that three-quarters of these audiocassettes sold in Brazil are pirated.

Of course we cannot launch a full-fledged WTO dispute to address each and every foreign trade barrier. And the U.S. Trade Representative often rightly attempts to resolve many of these issues through negotiation and other means.

But there can be little doubt that trade enforcement has received a lower priority of late. In the 6 years from 1995 through 2000, the United States filed 67 WTO dispute settlement cases. In the 5 years since, we have filed only 12. That is about an 80 percent decrease.

Too often, our tools to address trade barriers are lying unused, on the shelf. That burdens Americans with economic losses. But what is more, when Americans see that others are cheating, their enthusiasm for trade cools. And we all suffer as a result.

Americans also cool to trade when they see nothing being done to help those who lose from trade. Lowering tariffs and barriers increases competition and benefits many more than it hurts, but it inevitably hurts some.

For more than 40 years, the Government has been helping to retrain workers affected by trade to give them the skills that they need to find new jobs. These programs were expanded in 2002 under the Trade Adjustment Assistance Reform Act, a bipartisan effort and one of my proudest achievements as chairman of the Finance Committee at that time. The reforms expanded eligibility to new categories of workers, created a new health coverage tax credit, and helped older workers with a new wage insurance benefit. Last year, these programs helped nearly 150,000 workers.

TAA is an integral part of a successful trade policy. A few weeks ago, I discussed this very issue with Federal Reserve Chairman Alan Greenspan during a Finance Committee hearing. Chairman Greenspan stated, as he has before, that our trade policy should ''assist those who are on the wrong side of the adjustment'' caused by trade.

Lately, the Government has not supported TAA. This year, the administration's budget zeroed out funding for the TAA for Firms Program, which pretty much everyone agrees has been useful and cost effective. Last month, the Senate Finance Committee passed an amendment offered by my colleague from Oregon, Senator WYDEN, to extend TAA benefits to workers in the service industry. The administration stripped the language out of the CAFTA implementing bill that it submitted to the Congress.

Liberalizing trade requires a grand bargain with workers. Workers agree to be exposed to increased international competition It is helpful. But society agrees to erect a strong social safety net to help workers adjust.

When workers' old skills become obsolete, society helps them learn new skills to compete. If we undercut this bargain, we do so at the peril of further trade liberalization and our international competitiveness.

We must press forward with trade liberalization. For, 600 years later, international trade remains as vital to the world economy today as it was to Ming China.

Trade allows Americans to specialize in what we do best. That allows us to improve our international competitiveness and maximize our standard of living.

What Americans do best today is manufacture capital-intensive goods: airplanes, automobiles, and construction equipment.

Americans invent whole new fields, like biotech and nanotechnology, that lead to new products to make our lives better. University of Michigan scientists recently used nanotechnology to deliver a powerful drug inside cancerous tumor cells, increasing the drug's cancer-killing activity and reducing its toxic side effects.

Americans pioneer new services to make our lives better, like Internet banking. We export our services all over the world. Hollywood movies and American television programs are translated into countless languages and watched around the world. American universities educate students from virtually every country on Earth. American insurance companies insure assets in jungles, deserts, and savannas.

And American ranchers and farmers feed and clothe people around the globe.

Freer trade helps us find and open new markets for what Americans do best. New markets provide new opportunities for American workers and their companies. New markets mean greater demand for what Americans produce. And new markets mean more jobs and more investment opportunities to meet the demand.

As we meet the demand of foreign consumers through trade, American products become global products. American brands become global brands. Coke is Coke, the world over.

I might digress and say 40 years ago I hitchhiked around the world with a knapsack on my back in northern Ghana. I went to a little hut. I got off from the back of a truck. I was riding with the cattle in the back of the truck. My driver stopped to pray. He pointed his little prayer mat toward Mecca. In that little hut there was a little refrigerator, no electricity, and there was Coca-Cola. It was a world brand back then. Just think of all the world brands we could have today. On today's voyages, one can find the familiar yellow arches of McDonald's in Cyprus, Slovenia, and Oman.

The American standard becomes the global standard and the international sign of excellence. Excellence means that half of the world's 20 largest companies are American companies—companies like Citigroup, IBM, and General Electric.

Importing products from our trading partners challenges domestic companies to compete. Competition keeps American companies nimble. American companies are constantly coming up with new products and better ways to make them.

Just look at the number of U.S. patents filed by Americans versus the rest of the world. Americans filed nearly 90,000 patents in 2003. That is 50,000 more than the next most innovative country, Japan. In innovation, we are still number one.

The biggest payoff from international trade goes to the American consumer. As more and more companies trade and produce what they are best at producing, prices in supermarkets and department stores plummet. Cheaper products mean that we can afford more of what we need, and our standard of living improves.

The now-ubiquitous cell phone provides a great example. Ten years ago, it was an unaffordable luxury for most Americans. Using one in public aroused curiosity, but trade forced prices to drop. Now many Americans see cell phones as a necessity.

Leaders have not always appreciated the benefits of trade. After the stock market crash in 1929, America enacted the Tariff Act of 1930. That act imposed the now-infamous Smoot-Hawley tariffs that deepened the Great Depression.

During the Presidential campaign of 1932, President Hoover warned that repealing the Smoot-Hawley tariffs would devastate the U.S. economy, why? Because Americans could not compete successfully with workers in poorer countries with lower wages and lower costs of production. It was Franklin Roosevelt who argued that worldwide reduction of trade barriers would benefit both America and its trading partners.

Roosevelt's victory, along with his signing of the Reciprocal Trade Agreements Act, ushered in the modern era of American trade policy.

During World War II, Secretary of State Cordell Hull argued that economic protectionism had fed the animosities that led to the war. He advocated freer trade in the postwar era as a bulwark for peace and prosperity.

This vision led to the General Agreement on Tariffs and Trade, otherwise known as GATT, negotiated during the Truman administration. This forerunner to today's World Trade Organization brought down the disastrously high Smoot-Hawley tariffs and freed $10 billion of trade from duties.

Democrats can be proud of our role in expanding free trade. Democratic administrations completed and implemented the last three rounds of GATT negotiations. In 1967, the Johnson administration completed the Kennedy Round. In 1979, the Carter administration completed the Tokyo Round. In 1994, the Clinton administration completed the Uruguay Round.

The Clinton administration completed the North American Free Trade Agreement, negotiated the historic bilateral trade agreement with Vietnam, and granted permanent normal trade relations to China, ultimately paving the way for China's membership in the WTO.

The success of trade liberalization has been spectacular, touching the lives and well-being of all Americans. Freer trade has lowered our tariffs from about 40 percent in 1946 to about 4 percent today, and made our trading partners do the same. Freer trade has increased our national income by nearly $1 trillion a year. Freer trade has increased the average American household's income by nearly $10,000 a year. Freer trade with China alone saves American households $600 each year.

Today, 12 million Americans, 1 of every 10 workers, depend on exports for their jobs. International trade now accounts for a quarter of our gross domestic product, up from just 10 percent in the 1950s.

Trade opens our lives to new opportunities and choices. Trade gives us new foods to eat, new movies to watch, and new products to buy.

Strengthening trade ties also contributes to peaceful relations with our trading partners. Our quality of life improves as the world grows ever smaller, shrinking with the better communications and transportation links that develop with increased commerce.

Back in China, Guangzhou Airport has a terminal designed by an American company, boarding gates supplied by a Danish company, and an air traffic control tower engineered by a company from Singapore.

America's Dell Computers is giving the Chinese competitor Lenovo a run for its money in China. Dell now has become China's third-largest seller of PCs, and Dell now produces 3 million PCs in China, as many as Lenovo.

America should welcome China's greater integration into the world market. It may mean that we will have to work a little harder, study a little bit harder, and think a little bit quicker to keep ahead. But those are talents at which Americans excel.

In the middle of the 15th century, China made an abrupt change in foreign policy. Remember just earlier all those ships around the world? China turned inward and abandoned outward-looking trade. Imperial edicts banned overseas travel. To reduce commerce with foreign nations, the new Chinese dynasty burned a swath of land 30 miles deep for 700 miles of its southern coast. Any merchant caught engaging in foreign trade was tried as a pirate and executed.

With the Emperor's death in 1435, the government put a stop to the voyages of the Treasure fleet. Chinese court officials destroyed the plans for the Treasure ships, the accounts of their

voyages, and almost every map and document of the previous period. Sadly, China's golden Ming age came to an end, China's economy fell backward, and the treasure ships became shrouded in the mists of history.

We cannot yet know whether the voyages of today's fleets of Chinese ships will lead to another golden age for China like that of the Ming Dynasty. But we also cannot expect that China will somehow once again abruptly reverse course and turn inward. That will not happen.

Try as regimes after the Ming dynasty did, they could not erase the history of the Ming treasure fleets, whose voyages will leave a memory forever.

Let us respond to today's Chinese fleets with the best spirit of the Ming admiral, and the best spirit of America.

Let us work to advance freer trade, so that for America and for China, we can, in the words of the Ming admiral, ''manifest the transforming power of virtue.''

Let us work to advance freer trade, to make a better world both for ourselves, and for ''regions far away hidden in a blue transparency of light vapors.''

And let us work to advance freer trade, because both in terms of new innovations and new trading partners, America's greatest voyages of discovery still lie ahead of her.

Mr. President, under the previous order, do we have up to 10 minutes reserved for the Senator from Massachusetts, Senator KENNEDY?

The PRESIDING OFFICER (Mr. VITTER). The Senator is correct. The Senator from Massachusetts is recognized.

Mr. KENNEDY. I see my friend and colleague from Arizona on the floor. I understand by previous agreement we are voting at 12:20, so I am glad to divide the time that is remaining.

Mr. MCCONNELL. If the Senator from Massachusetts will yield for a moment, I believe I have the last amount of time before the vote. I ask the Chair, how much time do I have?

The PRESIDING OFFICER. The Senator from Kentucky has 18½ minutes.

Mr. MCCONNELL. I will not likely use the entire 18½ minutes. The vote is scheduled to begin at the end of the time, or do we have a time specific for the vote?

The PRESIDING OFFICER. At the end of the time.

Mr. KENNEDY. Fine. I will proceed then for my 10 because I understand there will be adequate time for the others.

Mr. President, I ask unanimous consent my statement appear at an appropriate part of the debate on this issue.

(The remarks of Mr. KENNEDY are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. KENNEDY. Mr. President, on the matter before the Senate today, the Burma sanctions, I want to point out that this legislation addresses one of the worst human rights tragedies in the world, the atrocious acts of the Burmese junta. They suppress dissent. They jail opponents. They deny the basic rights of free speech, freedom of religion, and freedom of assembly, and they have had Aung San Suu Kyi under house arrest for many years. So the action we take today is appropriate.

I am proud Massachusetts has led the way to encourage sanctions against this abusive government. In 1996, the Massachusetts legislature adopted a law barring State agencies from doing business with companies that do business with Burma. It was the first step toward national action.

I hope our Senate colleagues will support this measure here today.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. I thank Senators MCCONNELL and FEINSTEIN for their leadership in renewing the sanctions contained in the 2003 Burmese Freedom and Democracy Act. I am proud to cosponsor this legislation.

As we renew the sanctions, I note with sadness that the situation inside Burma grows ever dimmer. The military junta in that country controls the population through a campaign of violence and terror, and the lack of freedom and justice there is simply appalling. The Burmese regime has murdered political opponents, used child soldiers, and forced labor, and employed rape as a weapon of war. Political activists remain in prison, including elected members of Parliament, and last month the courageous woman Aung San Suu Kyi celebrated her 60th birthday in captivity. Her resolve in the face of tyranny inspires me and I believe every individual who holds democracy dear. Because she stands for freedom, this heroic woman has endured attacks, arrest, captivity, and untold sufferings at the hands of the regime. Burma's rulers fear Aung San Suu Kyi because of what she represents: peace, freedom, and justice for all Burmese people. The thugs who run the country have tried to stifle her voice, but they will never extinguish her moral courage. Her leadership and example shine brightly for the millions of Burmese who hunger for freedom and those of us outside Burma who seek justice for its people.

I know my friend from Kentucky has been very involved in this issue. I ask unanimous consent the Senator from Kentucky and I engage in a brief colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kentucky is recognized along with the Senator from Arizona.

Mr. MCCAIN. I again thank my friend and colleague from Kentucky for his commitment to democracy and freedom in Burma in general and his continuing advocacy on behalf of this Nobel Prize winner and truly great citizen of the world.

One of the issues I would like to discuss with the Senator from Kentucky is the fact that a few years ago, Burma was allowed into ASEAN on the premise that there would be some kind of progress made and by being part of this organization they would seek some kind of legitimacy.

Now, apparently, next year ASEAN is scheduled to meet in Burma. I wondered about the Senator's thoughts about that. Maybe we should give that some more attention as the time approaches.

Mr. MCCONNELL. I thank my friend from Arizona for bringing it up.

Let me point out to my colleagues that the Senator from Arizona has actually had an opportunity to meet Aung San Suu Kyi. I heard him say before what an inspirational experience that was. I wish I had the opportunity to actually meet her at some point. As the Senator from Arizona pointed out, she basically has been under house arrest for some 15 years.

This outrageous regime in Burma is scheduled, as the Senator from Arizona pointed out, to host in Rangoon the ASEAN meeting in 2006. It will be an interesting test of whether the policies of the governments in ASEAN, which basically add up to constructive engagement, will be honored even through that, and everybody will go traipsing to a meeting in Rangoon.

I had an opportunity to have a few words with the Prime Minister of India. They, like ourselves, abhor the regime there and revere Suu Kyi but nevertheless pursue this policy of constructive engagement. Maybe the scheduled meeting in Rangoon will be a way to bring this whole issue to a head and move the governments in the area in the direction of some kind of policy other than constructive engagement. Obviously, this policy is not going to work. I share the Senator's view.

It is unacceptable for ASEAN to meet in Rangoon while this regime is in power and Suu Kyi is in jail.

Mr. MCCAIN. I thank my friend for his continued sponsorship for and renewal of the Burmese Freedom and Democracy Act. I believe it has had an effect inside Burma. I do believe the people who are in prisons and mistreated, as well as San Suu Kyi herself, are aware of our efforts on their behalf.

I thank my friend from Kentucky for his continued efforts on behalf of these people. I believe we should continue to ask that one day they will achieve their freedom—not if, but when. I think the Senator's efforts and our passage of this legislation will help get them there. I look forward to exploring other options and ways we can put continued pressure on this bunch of thugs to at least allow this brave woman a chance to live some semblance of a normal life. She certainly deserves it.

Mr. MCCONNELL. I make a further observation to my good friend from Arizona. The Prime Minister of India mentioned a meeting that Than Shwe, the head thug of the thug regime that controls Burma, apparently came to in New Delhi sometime within the last

year. One of the arguments he made with reference to reform was that Burma was so ethnically diverse that it simply could not handle democracy. I am sure my friend from Arizona shares my view of the irony of that. What could be a more ethnically diverse country than India?

No one knows this, but India is the second-largest Muslim country in the world, whose President is a Muslim and has had a total democracy by Western standards these many years, going back to independence. India has done a superb job of absorbing all of these different minorities, many of whom do not speak the same language, into a genuine democracy for over 50 years.

India itself is a repudiation of the argument that the head thug was using against any kind of reform in Burma.

Mr. MCCAIN. Mr. President, I know my friend from Kentucky and the Senator from California and all Members will renew our assurance to the people of Burma and their brave leader that we will not rest and we will not stop until they achieve freedom and democracy, which is a God-given right.

I thank my colleague from Kentucky.

Mr. MCCONNELL. I thank, again, the Senator from Arizona for his continuous interest and outspoken involvement in this issue over the years. It has been fun to be in collaboration with him.

I will say a few words on Burma before the Senate votes, and at the end of my remarks I will ask for the yeas and nays on the measure to renew sanctions for another year on Burma.

These sanctions are absolutely necessary. If you do not want to take my word for it, here is what a Thai journalist wrote in a recent opinion piece in that country's newspaper called the Nation:

Whatever momentum was gained from the international calls to free Aung San Suu Kyi and to allow for democracy in Burma on the occasion of the opposition leader's recent 60th birthday must be sustained at all costs. The outpouring of support from presidents, prime ministers, intellectuals, Nobel laureates and activists demonstrated one simple truth—the Lady matters. Contrary to conventional wisdom, perpetuated by junta apologists and other vested interests in the past five years, that the long-suffering opposition leader of the National League for Democracy has been the main stumbling block of progress because of her attitude toward political processes and national reconciliation, Suu Kyi is in fact loved and respected by the Burmese and other people around the world.

He had it right. The Lady matters.

Under the paranoid misrule of Burmese hard-liner Than Shwe, the human rights and dignity of the Burmese people continue to be grossly abused. The litany of atrocities—from the use of rape as a weapon of war to the murder, torture and intimidation of political activists—are well-known and well-documented. It seems as though the only ones denying that a problem exists in Burma are the very miscreants responsible for creating and propagating that problem.

Second, with the SPDC scheduled to assume chairmanship of the Association of Southeast Asian Nations, ASEAN, next year, as Senator MCCAIN and I were just discussing, the time has come for ASEAN to fish or cut bait.

Again, listen to what others from that region are saying, such as former deputy prime minister of Malaysia Anwar Ibrahim who wrote last month in the Asian Wall Street Journal:

. . . It is now evident that constructive engagement [by ASEAN with the SPDC] has not only failed to bring about democratization, but was never seriously intended to encourage any move in this direction. Instead, as far as ASEAN is concerned, the policy amounts to a subconscious manifestation of collective guilt.

I offer that the absence of Secretary of State Condoleezza Rice at the recent security meeting in Laos portends America's involvement with ASEAN should the SPDC be at the helm. The difference might be that no American official attends ASEAN events in her stead.

In case ASEAN members have not noticed, President Bush is a stalwart supporter of freedom in Burma.

As is Secretary Rice. As is the U.S. Congress.

My colleagues may recall that 14 Nobel laureates wrote an open letter on the occasion of Suu Kyi's 60th birthday, which applauded ''those countries that have imposed sanctions to deny the regime the wealth it craves to sustain itself'' and reminded the world that ''Burma was admitted to ASEAN to lift its people up, not to drag the organization down.'' ASEAN members should feel similarly—how could they not?

Finally, the world must press for the immediate and unconditional release of Burmese democracy activists Aung San Suu Kyi and all prisoners of conscience.

Suu Kyi, the National League for Democracy and Burma's ethnic minorities have an indisputable role to play in the peaceful reconciliation of that country's myriad problems. This role cannot, and will not, be fulfilled so long as these courageous individuals remain behind prison walls or in the gun sights of SPDC goons.

Earlier today we had an opportunity to hear India's Prime Minister address a joint meeting of Congress.

In my discussion with Senator MCCAIN in the Senate, I just pointed out the Indian Government certainly does not approve of the regime. I questioned the policy of the constructive engagement of India. They are at least thinking about whether that is the appropriate policy in India for the future. It was interesting and noteworthy the Prime Minister of India happened to be here on the very same day we took this measure up.

I particularly thank Senator MCCAIN, Senators FEINSTEIN, REID, FRIST, and LEAHY, to name but a few, who have been involved in this issue from the beginning. This is an important statement of principle for America. I urge my colleagues to support this measure overwhelmingly.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), and the Senator from West Virginia (Mr. ROCKFELLER), are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—97

Akaka	Dodd	McCain
Alexander	Dole	McConnell
Allard	Domenici	Mikulski
Allen	Dorgan	Murkowski
Baucus	Durbin	Murray
Bayh	Ensign	Nelson (FL)
Bennett	Feingold	Nelson (NE)
Biden	Feinstein	Obama
Bingaman	Frist	Pryor
Bond	Graham	Reed
Boxer	Grassley	Reid
Brownback	Gregg	Roberts
Bunning	Hagel	Salazar
Burns	Harkin	Santorum
Burr	Hatch	Sarbanes
Byrd	Hutchison	Schumer
Cantwell	Inhofe	Sessions
Carper	Inouye	Shelby
Chafee	Isakson	Smith
Chambliss	Jeffords	Snowe
Clinton	Johnson	Specter
Coburn	Kennedy	Stabenow
Cochran	Kerry	Stevens
Coleman	Kohl	Sununu
Collins	Kyl	Talent
Conrad	Lautenberg	Thomas
Cornyn	Leahy	Thune
Corzine	Levin	Vitter
Craig	Lieberman	Voinovich
Crapo	Lincoln	Warner
Dayton	Lott	Wyden
DeMint	Lugar	
DeWine	Martinez	

NAYS—1

Enzi

NOT VOTING—2

Landrieu Rockefeller

The joint resolution (H.J. Res. 52) was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:53 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 3057, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Landrieu amendment No. 1245, to express the sense of Congress regarding the use of funds for orphans, and displaced and abandoned children.

Grassley amendment No. 1250, to prohibit the use of funds to approve or administer a loan or guarantee for certain ethanol dehydration plants.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. OBAMA. Mr. President, I rise today in support of H.R. 3057, the Foreign Operations appropriation bill. I would also like to highlight one aspect of the bill.

Since coming to the Senate 6 months ago, one of the foreign policy and health issues I have focused on relates to the avian flu. I am pleased that this bill includes $10 million to combat the spread of this potential pandemic, adding to the $25 million that the Senate provided in the supplemental appropriations bill in April.

I thank the managers of this bill, Senators MCCONNELL and LEAHY, and their staffs for working with me on this important issue. I know that Senator MCCONNELL has a longstanding interest in Southeast Asia, and Senator LEAHY has always been a champion of international health issues, making the avian flu something I know they both care deeply about.

In the last few weeks, scientists have reported that a deadlier version of the avian flu has now spread to migrant birds that could carry the disease out of Asia and across the world.

While it may not seem that threatening to many Americans at first, this bird flu could easily transform into a human flu. And if it does, it could be one of the deadliest flus mankind has ever known—even worse than the 1918 flu pandemic that killed 675,000 Americans and 50 million worldwide.

Already, there have been 108 human cases of avian flu, resulting in 54 deaths. And while the virus has not yet mutated into a full-blown human flu, recent developments suggest it might be heading in that direction. In recent months, the virus has been detected in mammals that have never previously been infected, including tigers, leopards and cats.

A few weeks ago, the World Health Organization reported that avian flu strains in Vietnam are lasting longer and spreading to more humans. And according to government officials, a few cases of human-to-human spread have already occurred.

Every day, there are new reports about the increasing dangers of the avian flu. Last month, it was revealed that Chinese farmers have tried to suppress outbreaks of the avian flu by using human antiviral drugs on infected animals.

As a result, one strain of the virus has become resistant to these drugs, thus making the drugs ineffective in protecting humans against a possible pandemic. And just this week, researchers found that ducks infected with the virus were contagious for up to 17 days, causing the animals to become—in the researchers' words—''medical Trojan horses'' for transmitting the disease to humans.

Simply put, the world is not ready for a potential outbreak of this deadly flu. In fact, we aren't even close.

There is no known vaccine for the avian flu, and producing one could take months once an outbreak occurs. And while the World Health Organization recommends that every nation stockpiles enough flu treatment to treat a quarter of its population, the United States has only ordered enough to treat less than 1 percent of ours.

We can't just stand by and hope that this virus doesn't reach our shores when it only takes hours to travel from one side of the world to the other. It is time for America to lead the world in taking decisive action to prevent a potential global tragedy.

We should start by doing what we can to fight the virus while it is still mainly in Southeast Asia. That is why I fought for and obtained $25 million for prevention efforts by the CDC, the Agency for International Development, the Health and Human Services Department, and other agencies. And that is why I requested another $10 million in this bill.

In addition, the Senate Foreign Relations Committee approved language that I offered directing President Bush to form a senior-level task force to devise an international strategy to deal with the avian flu and coordinate policy among our government agencies. I hope that the Bush administration forms this task force immediately without waiting for legislation to be passed.

Yet, these are only modest first steps. International health experts believe that Southeast Asia will be an epicenter of influenza for decades. That is why we need to create a permanent framework for curtailing the spread of future infectious diseases—a framework that would increase international disease surveillance, response capacity and public education and coordination, especially in Southeast Asia.

But we must also prepare our own country in the event that a global pandemic reaches America. That is why I recently introduced the AVIAN Act, which helps make sure that Americans are protected from a possible outbreak of the avian flu.

When the threat is this real, we should be increasing research into possible flu vaccines, and we should be ordering enough doses of flu treatment to cover the recommended 25 percent of our population—just like England and other Western countries have done.

We should also ensure that our Health and Human Services Department and State governments put in place a plan as to how they would address a potential flu pandemic, including the purchasing and distributing of vaccines. A year after a draft of a Federal plan was published, a final version has yet to be finalized. We shouldn't have to wait any longer, because the avian flu certainly won't.

We are extremely fortunate that so far, the avian flu has not been found in the United States. But in an age when you can board planes in Bangkok or Hong Kong and arrive in Chicago, Burlington or Louisville in hours, we must face the reality that these exotic killer diseases are not isolated health problems half a world away, but direct and immediate threats to security and prosperity here at home.

Again, I thank Senators MCCONNELL and LEAHY for including this important funding in the supplemental appropriations bill and now including additional funding in this bill. And I thank the distinguished chairman of the Foreign Relations Committee, Senator LUGAR, for his leadership on this issue.

I ask unanimous consent that several articles and editorials about the avian flu be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 18, 2005]

AVIAN FLU VIRUS COULD HIDE IN DUCKS

(By the Associated Press)

WASHINGTON (AP).—Changes in the avian flu virus have made it less deadly to ducks, potentially turning them into medical Trojan horses where the flu can hide while continuing to infect other birds and humans.

Waterfowl such as ducks have been natural hosts of this type of influenza before but rarely became ill from it until 2002, when an evolving strain killed off a large number of the birds.

Since then, however, the virus has continued to change, reverting to a form less dangerous to ducks but still able to cause illness and death in chickens and humans, according to a study in Tuesday's issue of Proceedings of the National Academy of Sciences.

''These results suggest that the duck has become the Trojan horse of Asian H5N1 influenza viruses,'' reported a research team led by Robert G. Webster of St. Jude Children's Research Hospital in Memphis, Tenn.

''The ducks that are unaffected by these viruses continue to circulate these viruses, presenting a pandemic threat,'' the team said.

The researchers infected domestic ducks with flu isolated at various times.

They found that ducks infected with H5N1 from 2003 or 2004 were contagious for 11–17 days, a longer transmission time than pre-2002 strains. The researchers also noted that the virus was transmitted primarily through the upper respiratory tract instead of through fecal matter as in older strains.

When flu virus from ducks that had survived the disease was administered to healthy animals, it no longer caused disease

in ducks, but still caused disease in chickens.

Over the last two years, hundreds of millions of birds, including poultry and wild birds, have died or were slaughtered across Asia because of the H5Nl bird flu virus, which has also infected some humans, killing 51 people in Vietnam, Thailand and Cambodia.

The humans appear to have been infected by contact with birds. Experts fear that if the virus mutates into a form that could be passed easily from person to person it could spark a global pandemic, killing millions.

Webster's research was funded by the U.S. Public Health Service and American Lebanese Syrian Associated Charities.

[From the Washington Post, July 7, 2005]

DEADLY FLU STRAIN SHOWS UP IN MIGRATORY BIRDS

SCIENTISTS' DISCOVERY GIVES RISE TO FEARS THE VIRUS COULD SPREAD BEYOND EAST ASIA

(By David Brown)

The strain of bird flu responsible for the deaths of tens of millions of chickens and 54 people in east Asia over the past two years is now circulating in long-distance migratory birds, potentially opening a way for the deadly virus to reach India, Australia and Europe.

That is the conclusion of two research teams whose findings were rushed into print by the rival journals Science and Nature yesterday.

Spread of the virus beyond its current home in China and neighboring countries could cause billions of dollars in losses to poultry farmers around the world. It could also give influenza A/H5N1—the virus's formal name—further ,opportunity to adapt to human as well as avian hosts, a development that theoretically could lead to a global flu epidemic.

Until now, the H5N1 virus has chiefly attacked chickens and ducks in farms and markets. It also killed a small number of birds in two Hong Kong nature parks in late 2002, and since then has been found sporadically in hawks, herons and swans. Those birds presumably acquired it from direct contact with poultry.

Now, however, it appears the virus is being transmitted among wild birds that have had no known contact with domesticated birds.

''It has been difficult to tell whether the true migrating birds had been infected by this terrible virus. This leaves no doubt in my mind,'' said Robert G. Webster, a flu virologist at St. Jude Children's Research Hospital in Memphis who helped analyze virus samples collected during a recent die-off of birds at a huge saltwater lake in western China.

Since the first reports emerged on April 30, between 1,000 and 6,000 birds have died on the shores and islands of remote Qinghai Lake. The species most affected is the bar-headed goose, a large bird whose migration over the Himalayas to Burma, India and Pakistan starts in about a month. Illness and death were also recorded in brown-headed gulls, black-headed gulls and great cormorants.

There is a web of migratory flyways around the globe. The ones taken by the species congregating at Qinghai Lake intersect with others that lead to Europe. That theoretically provides a way for the H5N1 virus to reach that continent.

H5N1 influenza virus was first detected in southern China in 1996. In 1997, it caused a major outbreak in Hong Kong, which led to the death of 1.5 million poultry and six people.

The virus most recently emerged in South Korea in late 2003. Since then, it has led to the death of 100 million to 200 million chickens in China and Southeast Asia. It has also infected 108 people (most of them in Vietnam), of whom 54—exactly half—have died. Most human victims had direct contact with dead or dying chickens, but in a few cases it appears the virus was acquired directly from an infected person.

While person-to-person spread of H5N1 influenza is rare and occurs with difficulty, the more the virus circulates the greater its chance of acquiring genetic changes that permit easy human transmission.

If that occurs, the virus would have ''pandemic potential''; it could travel quickly and infect much of the world's population, which has no immunity to it.

There is no guarantee H5N1's presence in migratory birds will lead to global dissemination. It simply increases the chance.

For there to be further spread, a significant number of infected birds would need to be healthy enough to start their migration. They would need to establish a ''chain of transmission'' in the migrating flock, with new birds acquiring the virus as the infected ones died or recovered. At their destinations, they would have to make contact with poultry, igniting a new chicken outbreak and again putting the virus into contact with human beings.

The likelihood of any of these steps is unknown.

''What would migratory birds contribute to the possibilities of disease outbreak? That is the question we don't know the answer to,'' said David E. Swayne of the U.S. Department of Agriculture's Southeast Poultry Research Laboratory in Athens, Ga.

How the Qinghai Lake birds acquired H5N1 influenza is unknown.

There are chickens in Qinghai Province, but ''there is no H5N1 infection in those chickens—they don't have it,'' George F. Gao of the Institute of Microbiology of the Chinese Academy of Sciences said in a telephone interview from Beijing. He is the lead author of the paper that was published online by Science.

Both his team and one from the University of Hong Kong, whose report is published online in Nature, detected in the Qinghai Lake samples the three genetic defects and mutations found in the H5N1 strains responsible for high mortality in chickens and humans.

According to the two reports, the wild-bird strain bears genetic features of the virus found in chickens in China in 2003 and 2005 and in a peregrine falcon in Hong Kong in 2004. It is not identical to any of them, however.

The leader of the Hong Kong team, Yi Guan, a microbiologist at the University of Hong Kong, said the Chinese Ministry of Agriculture closed the Qinghai Lake area to his colleagues in mid-May.

''We hope they will open the door and let us in to do long-term surveillance,'' he said yesterday from Hong Kong. ''There are a lot of questions waiting for answers.''

[From the New York Times, July 17, 2005]

UNPREPARED FOR A FLU PANDEMIC

If a much-feared pandemic of avian influenza starts sweeping through the world's population anytime soon, neither the United States nor international health authorities will be prepared to cope with it. There is not enough vaccine or antiviral medicine available to protect more than a handful of people, and no industrial capacity to produce a lot more of these medicines quickly.

The best that can be hoped is that no pandemic will materialize for the next several years, allowing time to become better prepared, or that a potential pandemic can be spotted early enough to allow international health officials to snuff it out before the virus runs amok.

It has been 37 years since the last influenza pandemic, or widespread global epidemic, so by historic patterns we may be due for another. And a particularly ominous strain of avian influenza that has devastated poultry flocks in Asia seems poised to wreak havoc in humans. This strain, known as H5N1, first became a matter of health concern in 1997 when it was found to have jumped from birds to humans in Hong Kong in an outbreak that failed to spread widely. Since then, the virus has looked more and more threatening. It has infected poultry, domestic ducks and migratory birds in nine countries, making the virus almost impossible to contain. More ominously, the virus has developed the ability to jump to a range of mammals, including pigs, mice, tigers and domestic cats.

The human toll has been slight. Only 108 people have been infected, of whom 54 have died, an alarmingly high mortality rate but one that seems to be diminishing. It is reassuring that millions of people have lived and worked in close proximity to infected birds without harm and even more reassuring that the flu strain has not yet developed the ability to spread easily from one person to another, the sine qua non for a pandemic to take off. But that could change in a trice if the virus mutates or combines its genes with a human influenza virus.

No one knows whether the world is headed toward a health disaster or a false alarm, but virtually all experts agree we need to strengthen our defenses. American health authorities have taken the lead in testing vaccines against two strains of avian flu and have contracted to buy two million doses of a vaccine against H5N1. That is a tiny fraction of the amount that would be needed if a pandemic hit, but will give the manufacturer experience that would prove useful in a crisis. Officials have also stockpiled enough antiviral medicine to treat 2.3 million people, again a fraction of what would be needed in a pandemic.

Yet the best defense might be to go on the offensive. The most urgent need is to control the disease in poultry and other animals that might spread the virus to humans. Some countries have done a good job. Others, including Vietnam, which accounts for almost 80 percent of the human cases, need more prodding and international assistance. If the virus breaks through this line of attack, authorities should try to quench an incipient outbreak before it can really get started. The Bush administration is wisely pumping millions of dollars into an international effort to improve surveillance of the disease in humans and animals in the infected regions of Asia, and the World Health Organization has amassed a small stockpile of antiviral drugs that will soon be enlarged and could be rushed to the scene of any outbreak.

Many experts are doubtful that it would be possible to detect and contain an outbreak of transmissible influenza in time to head off a pandemic. But that may be the best hope we have until we are able to upgrade today's fragile and unreliable vaccine production system with new processes that can expand output quickly to meet a crisis.

[From the Washington Post, June 18, 2005]

BIRD FLU DRUG RENDERED USELESS

CHINESE CHICKENS GIVEN MEDICATION MADE FOR HUMANS

(By Alan Sipress)

HONG KONG.—Chinese farmers, acting with the approval and encouragement of government officials, have tried to suppress major bird flu outbreaks among chickens with an antiviral drug meant for humans, animal

health experts said. International researchers now conclude that this is why the drug will no longer protect people in case of a worldwide bird flu epidemic.

China's use of the drug amantadine, which violated international livestock guidelines, was widespread years before China acknowledged any infection of its poultry, according to pharmaceutical company executives and veterinarians.

Since January 2004, avian influenza has spread across nine East Asian countries, devastating poultry flocks and killing at least 54 people in Cambodia, Thailand and Vietnam, but none in China. World Health Organization officials warned the virus could easily undergo genetic changes to create a strain capable of killing tens of millions of people worldwide.

Although China did not report an avian influenza outbreak until February 2004, executives at Chinese pharmaceutical companies and veterinarians said farmers were widely using the drug to control the virus in the late 1990s.

The Chinese Agriculture Ministry approved the production and sale of the drug for use in chickens, according to officials from the Chinese pharmaceutical industry and the government, although such use is barred in the United States and many other countries. Local government veterinary stations instructed Chinese farmers on how to use the drug and at times supplied it, animal health experts said.

Amantadine is one of two types of medication for treating human influenza. But researchers determined last year that the H5N1 bird flu strain circulating in Vietnam and Thailand, the two countries hardest hit by the virus, had become resistant, leaving only an alternative drug that is difficult to produce in large amounts and much less affordable, especially for developing countries in Southeast Asia.

''It's definitely an issue if there's a pandemic. Amantadine is off the table,'' said Richard Webby, an influenza expert at St. Jude Children's Research Hospital in Memphis.

Health experts outside China previously said they suspected the virus's resistance to the medicine was linked to drug use at poultry farms but were unable to confirm the practice inside the country. Influenza researchers at the U.S. Centers for Disease Control and Prevention, in particular, have collected information about amantadine use from Chinese Web sites but have been frustrated in their efforts to learn more on the ground.

China has previously run afoul of international agencies for its response to public and agricultural health crises, notably the SARS epidemic that began in 2002. China's health minister was fired after the government acknowledged it had covered up the extent of the SARS outbreak by preventing state-run media from reporting about the disease for months and by minimizing its seriousness.

In interviews, executives at Chinese pharmaceutical companies confirmed that the drug had been used since the late 1990s, to treat chickens sickened by bird flu and to prevent healthy ones from catching it.

''Amantadine is widely used in the entire country,'' said Zhang Libin, head of the veterinary medicine division of Northeast General Pharmaceutical Factory in Shenyang. He added, ''Many pharmaceutical factories around China produce amantadine, and farmers can buy it easily in veterinary medicine stores.''

Zhang and other animal health experts said the drug was used by small, private farms and larger commercial ones. Amantadine sells for about $10 a pound, a fraction of the drug's cost in Europe and the United States, where its price would be prohibitive for all but human consumption.

Two months before China first reported a bird flu outbreak in poultry to the World Animal Health Organization in February 2004, officials had begun a massive campaign to immunize poultry against the virus. They have now used at least 2.6 billion doses of a vaccine.

But researchers in Hong Kong have reported that the H5N1 flu virus has been circulating in mainland China for at least eight years and that Chinese farms suffered major outbreaks in 1997, 2001 and 2003. Scientists have traced the virus that has devastated farms across Southeast Asia in the last two years to a strain isolated from a goose in China's Guangdong province in 1996.

The U.N. Food and Agriculture Organization has long recommended that countries try to eradicate infectious animal diseases by slaughtering infected flocks and increasing safety measures on farms. Last year, the FAO also suggested that countries consider vaccinating their poultry against bird flu. But the guidelines never recommended the use of antiviral drugs such as amantadine, which, unlike vaccination, has been proven to make viruses resistant, officials said.

In 1987, researchers at a U.S. Department of Agriculture laboratory demonstrated that bird flu viruses developed drug resistance within a matter of days when infected chickens received amantadine.

Still, a veterinarian with personal knowledge of livestock practices across China said Chinese farmers responded to the bird flu outbreak by putting the drug into their chickens' drinking water. The veterinarian asked that his name not be published because he feared for his livelihood.

''This would explain why we're seeing such high resistance levels,'' said Michael T. Osterholm, director of the Center for Infectious Disease Research and Policy at the University of Minnesota. While various antibiotics have lost their effectiveness because of overuse, he said, the emergence of resistance to amantadine is unprecedented because it is an antiviral.

''This is the first example of an antiviral drug that was used for animal production that has major implications for human health,'' Osterholm said.

A popular Chinese handbook, titled Medicine Pamphlet for Animals and Poultry, provides farmers and livestock officials with specific prescriptions for amantadine use to treat chickens and ferrets with respiratory viruses. The manual, written by a professor at the People's Liberation Army Agriculture and Husbandry University and issued by a military-owned publishing company, prescribes 0.025 grams of amantadine for each kilogram of chicken body weight.

Farmers also use the drug to prevent healthy chickens from catching bird flu, giving it to their poultry about once a month or more often when the weather is liable to change and chickens are considered susceptible to illness, veterinary experts said. The antiviral is often mixed with Chinese herbs, vitamins and other medicine.

In the United States, amantadine was approved in 1976 by the Food and Drug Administration for treating influenza in adults. Amantadine and it sister drug, rimantadine, known collectively as amantadines, work by preventing a flu virus from reproducing itself. Both are now ineffective against the H5N1 strain.

International health experts stressed that amantadine could have been vital in stanching the spread of the bird flu virus in the early weeks of an epidemic.

Now, the only alternative is oseltamivir and closely related zanamivir, which stop the flu virus from leaving infected cells and attacking new ones. Oseltamivir is easier to use and has far greater sales.

''Amantadine is the cheapest drug against flu,'' said Malik Peiris, an influenza expert at the University of Hong Kong. ''It is much more affordable for many countries of the region. Now, it is clearly no longer an option.''

AMENDMENT NO. 1264

Mr. OBAMA. Mr. President, I also want to make a brief statement on amendment No. 1264, which is offered on behalf of Senator HAGEL, Senator GREGG, Senator LEAHY, and myself.

It is a very simple amendment. It provides $13 million for the Special Court for Sierra Leone to help make up for a shortfall in international contributions to the Court.

While the amendment is simple, it is critically important to promoting the rule of law in Africa; helping advance security and stability in West Africa; and holding accountable some of the worst war criminals of the 20th century.

The Special Court was established by the United Nations Security Council with strong U.S. backing. The Court is working, as we speak, to bring to justice those most responsible for the atrocities committed in Sierra Leone during wars there in the 1990s.

The Court, however, currently has one major piece of unfinished business—Charles Taylor.

Although Mr. Taylor has been indicted by the Special Court on 17 counts of war crimes and crimes against humanity, he continues to live in exile in Nigeria, enjoying the protection of the Nigerian government.

What is worse is there are credible reports that Mr. Taylor has repeatedly broken the terms of his agreement with the Nigerian government, continues to meddle in the affairs of Liberia and other West African nations, is involved in a number of activities that threaten to destabilize the region, and has associations with al-Qaida.

There is no question that the United States and the international community owe the Nigerian government a debt of gratitude for helping to remove Mr. Taylor from power. However, the job of promoting regional peace and security cannot be completed until Mr. Taylor appears before the Special Court to answer to the charges against him.

I would also point out that transferring Charles Taylor to the Court also is widely supported within Nigeria. Prominent members of Nigeria's military and civil society have vigorously opposed the decision to shield Taylor.

This bipartisan amendment makes clear that bringing Mr. Taylor to justice is a top U.S. foreign policy priority. It makes clear that the Court is not going away anytime in the near future. It makes clear that the transfer of Mr. Taylor to the Court will help reduce transnational threats in West Africa, promote peace and security in the region, and enhance respect for the rule of law throughout Africa.

I understand that the managers are in the process of working this amendment out, and I look forward to working with them to get this accepted. I would like to thank the cosponsors who played a leadership role Senators HAGEL, GREGG, and LEAHY.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S SUPREME COURT NOMINEE

Mr. CORNYN. Mr. President, just a few moments ago, we all learned, through the miracle of modern technology, that the President intends to announce his Supreme Court nominee tonight at 9 p.m. when he addresses the Nation.

This is certainly the culmination of an unprecedented consultative process that this President has undertaken with the Senate, spending more than 2 weeks now, I believe, reaching out to Senators on both sides of the aisle, asking for their suggestions.

Now, the President believes that it is appropriate for him to name the successor to Justice Sandra Day O'Connor on the U.S. Supreme Court.

It is my hope that tonight's announcement will be met with some restraint on the part of the Members of the Senate, that we will hold our fire, and that we will not prejudge this nominee or seek to use this as an opportunity to perhaps disparage the nominee before we have had a chance to ask questions, before the nominee has had a chance to meet with Members, and before we have had a chance to conduct a hearing before the Senate Judiciary Committee, as we will surely do either in late August or early September.

We can do better in the Senate than we have done in the recent past when it comes to judicial nominations. I think we have shown that we can conduct ourselves with dignity and civility, even as we have disagreed. Indeed, that is one of the great things about this body—that even people who disagree can debate, but then turn that debate over to our colleagues for an up-or-down vote and the judgment of the American people.

I hope we have a dignified process and one that reflects well on the Senate, that treats this nominee fairly, and allows the President to have his nominee considered in the regular course of our business.

Throughout this debate, even before the President has named a nominee, various Senators have come to the floor and opined about how this process should go forward. I will respond to some of the comments made earlier today by the senior Senator from Massachusetts regarding the process.

The senior Senator from Massachusetts envisions a step in this process where the President gives him and his colleagues the ability to veto particular nominees—in other words, suggesting that the President ought to perhaps share some on his short list with the Senate before the President can name a particular nominee. Nothing in the Constitution provides for or requires such a step. The President is under no obligation to give any Senator the power to veto his nomination.

The Constitution entrusts the President with the power to nominate, and there is no requirement for the President to do anything further. Indeed, as I mentioned a moment ago, this President has gone above and beyond the call and consulted in an unprecedented manner. But certainly the Constitution doesn't give this President, or impose upon this President, the obligation to allow Senators to co-nominate their particular choice along with the President. Rather, it provides for separate and distinct functions for the President to nominate and then for the Senate to conduct hearings, to act in its role of advice and consent, and then to vote on the nominee.

The senior Senator from Massachusetts has said he wants the President to nominate someone who is independent and impartial. I submit that the best way to do that is to do precisely the opposite of what the senior Senator from Massachusetts says he intends to do; that is, he says he intends to demand that the nominee answer questions about how he or she will rule on particular questions or particular issues.

The Senator has stated his intention to ask nominees how they would rule on a host of different issues. Today, he mentioned several of them—everything from retirement benefits to college admission standards. He even noted that all of these issues are likely to be subjects of future Court decisions. It would, however, undermine the independence of the nominee and the judiciary to demand that he or she answer questions about issues that are likely to come before the Court.

How can a nominee be truly independent from the Congress if they are required to make a pledge to certain outcomes in the Senate in order to get confirmed? Well, simply stated, they cannot be independent and make such a pledge. So it would be inappropriate for any nominee to make that pledge. While certainly I recognize and respect the right of any Senator to ask any question he or she wants, no nominee worthy of confirmation would in fact answer those questions and make such a pledge.

It would also undermine the impartiality of the person nominated to demand that he or she answer questions on issues likely to come before the Court. Imagine if you came before a judge and you find out that that judge already, during the confirmation process, stated his or her belief in the correctness of a certain outcome, before you have even had a chance to present your case to the Court. Imagine if that judge promised the President or a Senator that he or she would rule against you no matter what you said.

That is not equal and open-minded justice. That is not a judicial process but rather a political process, and one we ought to avoid at all costs.

It is also not how we have conducted our business in the recent past. Justice Ginsburg was confirmed by the Senate by a vote of 96 to 3. Before her service on the Federal bench, Justice Ginsburg served as general counsel of the American Civil Liberties Union, a liberal organization that has championed the abolition of traditional marriage laws and challenged the Pledge of Allegiance because the words ''under God'' are invoked in that pledge.

Before she became a judge, now-Justice Ginsburg expressed opposition to laws prohibiting bigamy and prostitution. She wrote that the Boy Scouts and Girl Scouts were discriminatory institutions, and that taxpayer funds should be used to pay for abortions—hardly views that the American people would view as mainstream. Yet the Senate did not engage in asking her to make prejudgments about cases she later would rule on from the Supreme Court. They did not ask her to make promises to politicians about how she would perform once confirmed. Indeed, Republicans and Democrats alike set aside such concerns and approved her nomination.

Make no mistake, I am just as curious as anybody else about what the private views of a nominee might be. But the need to assure a fair process and an independent judiciary and to avoid the hyper-politicalization of this process more than outweighs a results-oriented curiosity on my part or on the part of any other Senator, I submit.

Finally, the Senator from Massachusetts said he also wants the President to nominate a consensus choice to the Supreme Court. But it will be up to the Senator and his other colleagues whether the nominee meets their definition of what actually constitutes a consensus choice. The President has said he intends to nominate someone in the mold of Justice Scalia. Justice Scalia was confirmed by a vote of 98 to 0. That is quite a consensus.

So long we do not change the standard from when the nomination of Justice Scalia was considered or Justice Ginsburg was considered, then we will have a relatively easy time confirming the President's selection if they meet the basic qualifications of legal scholarship, high ethical rectitude; in short, the type of person we would entrust with making the weighty decisions that are made by the Supreme Court.

But if we, to the contrary, revert to a political process, one that is accusatory of this nominee before we actually have a chance to investigate their background and fitness for this office, if we engage in asking nominees to make promises to politicians about how they will rule in the future, I

think we will not have conducted ourselves in the best traditions of the Senate, and certainly not in a way that befits the awesome responsibility imposed upon the Senate under the Constitution of the United States.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I have come to the floor to speak about an amendment to the pending matter, the Foreign Operations appropriations bill. But the focal statements of my friend from Texas lead me to say a word about the apparently imminent nomination by the President of a Justice to the Supreme Court to replace Justice O'Connor.

I want to particularly identify myself with Senator CORNYN's call that to the extent possible, we dispatch our very important responsibilities to advise and consent to the President's nomination to the Court in a nonpolitical manner.

I have been in politics all my adult life, so I am not naive. I know when you have a political environment such as today, which is intensely partisan, when you have a Supreme Court, such as we have today, which is quite closely divided on some of the major issues facing our country, that it is going to be hard for this to be a totally nonpolitical process. But I do think, to the extent possible, that is what the Framers of our Constitution, the Founders of our country wanted us to do, and that is what our responsibility as Senators in this Chamber calls on us to do.

The fact is, in the magnificent framework that the Founders created for the American Government, which has stood this great democracy, this great Republic so well for now more than two centuries, the Supreme Court was intended to occupy a unique place. It is the least political of the branches of Government. It is the branch of Government that is not occupied by elected officials. Supreme Court Justices, appointed by the President, serve life terms, going well beyond, in most cases, the term of the President who appointed them.

The Supreme Court, in the contemplation of the Founders of this country, was meant to be that branch of Government that is most separated from the political passions of the moment that might lead the legislative or executive branch to take a particular action. The Supreme Court is there to apply, if you will allow me to say so, the eternal values incorporated in our Constitution and the Bill of Rights to the matters of the moment that come before them. They are human, so they obviously are sensitive to what is happening around them.

The high calling of the Court is to look beyond the moment, including the political controversies of the moment, and do what they think the Constitution requires them to do and what the future of this constitutional Republic of ours requires them to do.

This is a big moment which, to the best of our ability, we should try to keep as nonpolitical as possible, nonpartisan as possible, to focus on the nominee in a thoughtful way.

I agree, it would be an unusual circumstance if people started to jump to conclusions immediately as to whether they were for or against the person the President will apparently announce tonight. It is going to require some consideration of the person's record, some thoughtful consideration. The Judiciary Committee will hold hearings. There will be public questioning. So we are going to have ample time to find out more about the nominee.

There may be partisans on both sides, Democrats and Republicans, both ideological sides—left and right—who will want to immediately and, in some sense already have, make this nomination a matter of controversy, confrontation, division. That is their right in our democracy. But ultimately this comes down to 101 people: the President of the United States who, in the first instance, the most significant by virtue of having been elected, has earned the right to make this nomination, and then the other 100, of course, are the Members of this Senate. For the President and for the 100 of us privileged to serve in the Senate today, this is one of the big moments in our service because Supreme Court Justices have so much to say over the course of a generation or two about the quality of American freedom, about the quality of our Government, about the balance of rights, about the adjudication of controversies in our country. We are all going to be tested.

I look forward to a nominee being named tonight who, I hope, will fill the President's pledge that he will nominate somebody who is mainstream, but he will not apply litmus tests. I thank the White House, including the President, for the consultation that has gone on with Members of the Senate of both parties leading up to this nomination tonight. Most of all, I hope we in this Chamber, because this is our responsibility, will conduct ourselves in a way that will be thoughtful; that not only will lead to an appropriate result in regard to the confirmation or failure to do so of the nominee, but will also bring some honor to this Chamber, and at a moment, as I said a moment ago, when there is too much polarization in our politics, that we will together do what is right for our country, at home and abroad.

AMENDMENT NO. 1248

Mr. President, I came to the floor today to thank the floor managers, Senators MCCONNELL and LEAHY, for their stewardship of this very important bill, the Foreign Operations appropriations bill. I also specifically came to thank them for accepting an amendment on refugees that I offered to this bill with Senators BROWNBACK and KENNEDY, a bipartisan measure.

Senators MCCONNELL and LEAHY have a longstanding commitment to the well-being of refugees, and this priority is reflected in the legislation they have reported out of the committee which devotes $900 million to refugee assistance. This is a worthy expenditure of America's money. That figure is more than the administration had requested. And I hope that in future years, the many supporters of refugees in both the Senate and the House—on both sides of the aisle—can work together to increase our support for refugee assistance.

This Nation of ours has been the home to so many who have come here seeking freedom and a better life. It is the essence of what America is about, and that includes addressing the systemic problems that have kept so many refugees in exile, confined in camps without a real home.

Senator KENNEDY and Senator BROWNBACK have been leaders in calling attention to the longstanding plight of refugees in the world. Earlier this year, I was privileged to cosponsor a resolution they submitted condemning the so-called warehousing of refugees.

The amendment we offered, which was accepted yesterday by the floor managers, builds on that antiwarehousing resolution by directing the expenditure of funds on programs that can help move refugees out of these camps and ease their assimilation into normal communities. The amendment addresses the heartrending conditions of millions of refugees who have been confined in these camps for many years.

Here is a number that may stun people who are listening. Worldwide, there are 8 million refugees who have been confined to camps or other restricted settlements for longer than 5 years. That is a number that represents more than half of all refugees in the world—8 million in camps for at least 5 years.

In many cases, the refugees have been confined in camps for decades. These warehouse refugees include people who have fled oppressive regimes, civil wars, even genocide. Their confinement deprives them, in my opinion, of the guaranteed right of the U.N. Refugee Convention of 1951, such as the right to work, to travel, to own property, and to receive a basic education. Generations of refugees are born and die in camps. They cannot support their families. Their living conditions too often are horrendous. Their inherent potential as human beings, as recognized by our own Declaration of Independence, is suppressed and squandered.

Unfortunately, the neighboring countries that have absorbed a sudden inflow of refugees are often the least equipped to care for them. So it is with the Burmese, the subject of the resolution adopted today, sanctioning the Burmese Government for antidemocratic policies. So it is with the Burmese who have fled to Thailand during this circumstance, to Bangladesh and India, the Angolans in Zambia, the

Bhutanese in Nepal, and the Somalians and Sudanese in Kenya.

In response to immediate humanitarian needs, refugees are frequently massed in camps where nongovernmental organizations and the United Nations Commissioner for Refugees can more easily get aid to them. That is an understandable short-term reaction.

Too often the camps have become long-term realities. We cannot expect developing countries such as Africa, Asia and Latin America to shoulder alone the burden of assimilating refugees, but neither can we accept a status quo that allows millions to remain massed at border camps indefinitely. Instead, we must work with countries that host refugee communities to develop alternatives to confinement in camps, and that is what the language of this amendment that Senators KENNEDY, BROWNBACK, and I have introduced will do.

Our amendment directs the Secretary of State to work with the UNHR, with nongovernmental organizations, and with host countries to develop programs that support refugees outside of camps, programs that facilitate the integration of refugees by promoting their access to schools, health care, and other local services in the communities in which the camps are located.

The international donor community will need to be responsive to local needs and, of course, local sensitivities. We have to create incentives for the host communities so they can see the local assimilation of refugees as an opportunity, not a threat. For example, refugees with special skills can help create economic opportunities for others around them. Our aid can pay for doctors, teachers, and facilities that are shared by the refugees and the local communities, thus benefiting the local community as well, or for job training and job creation programs that also would benefit the people in the surrounding communities. Our amendment calls on the State Department to fund programs that encourage dialog among local communities, the United Nations, and nongovernmental organizations.

There is no easy solution to this refugee crisis that exists around the world, but it does cry out to us as the strongest and, in my opinion, greatest and most humanitarian nation in the world to do something to assist these people, these fellow citizens of this Earth.

In some instances, conditions will improve sufficiently so that refugees can return to their home countries. Many nations offer to resettle refugees, but relatively few of the world's refugees actually get that opportunity. Permanent integration into the country of first asylum is also rare, and that leaves a temporary solution that is neither temporary nor a solution, which is confinement in camps.

Many in Congress and others around the world are speaking out against the warehousing of refugees. They are looking for a better way. Helping to improve the lives of refugees will take work, it will take money, and it will take perseverance, but that is what this country is all about. It is worth it when we consider the living conditions of the Sudanese, Burmese, and other refugee children. Let us think about the children who are born in these camps and will die in these camps unless we do something to help them. Without our help, they will never have a future beyond the confinement of these camps.

When we think about what this $900 million can do to open up the possibility of a future to these children, we know it is worth it. That is why I am honored to have worked with Senators KENNEDY and BROWNBACK on this amendment, and again I am very grateful to Senators MCCONNELL and LEAHY for accepting it. It was amendment No. 1248.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, are we now on the Foreign Operations bill?

The PRESIDING OFFICER. That is correct.

AMENDMENTS NOS. 1276, 1277, 1278

Mr. MCCONNELL. Mr. President, I send a managers' package to the desk. It is a series of amendments by Senators BROWNBACK and KENNEDY regarding Vietnamese refugees; Senator LEAHY, regarding the Extractive Industries Transparency Initiative Trust Fund; and Mr. BROWNBACK, regarding education programs in Egypt.

I send these amendments to the desk. They have been cleared on both sides. I ask for their immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments will be set aside and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky (Mr. MCCONNELL) proposes amendments numbered 1276, 1277, 1278, en bloc.

Mr. MCCONNELL. I ask unanimous consent the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further debate on the amendments?

Mr. MCCONNELL. I ask unanimous consent that the amendments be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 1276

(Purpose: To extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees)

On page 326, between lines 10 and 11, insert the following:

VIETNAMESE REFUGEES

SEC. 6113. Section 594(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (enacted as division D of Public Law 10809447; 118 Stat. 3038) is amended by striking ''and 2005'' and inserting ''through 2007''.

AMENDMENT NO. 1277

(Purpose: To provide a United States contribution to the Extractive Industries Transparency Initiative Trust Fund)

On page 173, line 6, after the colon, insert the following:

Provided further, That of the funds appropriated under this heading, not less than $1,000,000 should be made available for a United States contribution to the Extractive Industries Transparency Initiative Trust Fund:

AMENDMENT NO. 1278

(Purpose: To ensure certain funds are used for educational programs in Egypt)

On page 169, lines 23 and 24, after ''programs'', insert the following: '', not less than $50,000,000 should be used for education programs''.

Mr. MCCONNELL. I move to reconsider the votes on those amendments and move to lay that motion on the table.

The motions to lay on the table were agreed to.

AMENDMENT NO. 1264

(Purpose: To support a United States contribution to the Special Court for Sierra Leone)

Mr. MCCONNELL. There are filed amendments which I will designate which I will send to the desk. They have been cleared on both sides. I call up amendment No. 1264, offered by Mr. OBAMA and Mr. HAGEL. I ask its immediate consideration. I ask that Mr. GREGG and Mr. LEAHY be added as cosponsors.

The amendment has been cleared on both sides of the aisle.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kentucky (Mr. MCCONNELL), for Mr. OBAMA, for himself and Mr. HAGEL, Mr. GREGG, and Mr. LEAHY, proposes an amendment numbered 1264.

The amendment is as follows:

On page 173, line 6 after ''Nepal:'' insert the following:

Provided further, That of funds appropriated under this heading, $13,000,000 should be made available for a United States contribution to the Special Court for Sierra Leone:

The PRESIDING OFFICER. Is there further debate? If not, without objection, the amendment is agreed to.

The amendment (No. 1264) was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1238, AS MODIFIED

Mr. MCCONNELL. I call up amendment No. 1238, offered by Senator ALLEN, and send a modification to the desk. I ask Senator LEAHY be added as a cosponsor. The amendment, as modified, has been cleared on both sides of the aisle.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky (Mr. MCCONNELL) for Mr. ALLEN, for himself and Mr. LEAHY, proposes an amendment numbered 1238, as modified.

The amendment is as follows:

At the appropriate place, insert the following:

COMBATTING PIRACY OF UNITED STATES COPYRIGHTED MATERIALS

SEC. ____. (a) PROGRAM AUTHORIZED.—The Secretary of State may carry out a program of activities to combat piracy in countries that are not members of the Organization for Economic Cooperation and Development (OECD), including activities as follows:

(1) The provision of equipment and training for law enforcement, including in the interpretation of intellectual property laws.

(2) The provision of training for judges and prosecutors, including in the interpretation of intellectual property laws.

(3) The provision of assistance in complying with obligations under applicable international treaties and agreements on copyright and intellectual property.

(b) CONSULTATION WITH WORLD INTELLECTUAL PROPERTY ORGANIZATION.—In carrying out the program authorized by subsection (a), the Secretary shall, to the maximum extent practicable, consult with and provide assistance to the World Intellectual Property Organization in order to promote the integration of countries described in subsection (a) into the global intellectual property system.

(c) FUNDING.—Of the amount appropriated or otherwise made available under the heading ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'', $5,000,000 may be available in fiscal year 2006 for the program authorized by subsection (a).

The PRESIDING OFFICER. Is there further debate? If not, without objection, the amendment is agreed to.

The amendment (No. 1238), as modified, was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1253, AS MODIFIED

Mr. MCCONNELL. I call up amendment No. 1253 offered by Senator FEINGOLD and send a modification to the desk. The amendment, as modified, has been cleared on both sides.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky (Mr. MCCONNELL), for Mr. FEINGOLD, proposes amendment numbered 1253, as modified:

On page 326, between lines 10 and 11, insert the following:

REPORT ON ANTI-RETROVIRAL DRUG PROCUREMENT

SEC. . Not later than 180 days after the date of enactment of this Act, the Coordinator of United States Government Activities to Combat HIV/AIDS Globally shall make available to the public a report setting forth the amount of United States funding provided under the authorities of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7601 et seq.), or under an amendment made to that Act, to procure anti-retroviral drugs in a country described in section 1(f)(2)(B)(VII) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(f)(2)(B)(VII)). The report shall include a detailed description of the anti-retroviral drugs procured, including—

(1) the amount expended for generic and for name brand anti-retroviral drugs;

(2) the price paid per unit of each such drug; and

(3) the vendor from which such drugs were purchased.

The PRESIDING OFFICER. Is there further debate on the amendment? Without objection, the amendment, as modified, is agreed to.

The amendment (No. 1253), as modified, was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1262, AS MODIFIED

Mr. MCCONNELL. I call up amendment No. 1262, offered by Senator SALAZAR, and send a modification to the desk. The amendment, as modified, has been cleared on both sides.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky (Mr. MCCONNELL), for Mr. SALAZAR, proposes an amendment numbered 1262, as modified.

The amendment is as follows:

On page 183, line 15, strike the period at the end and insert '': *Provided further*, That of the funds appropriated under this heading, not less than $10,000,000 should be made available for law enforcement programs to combat the prevalence of violent gangs in Guatemala, Honduras, and El Salvador.''.

The PRESIDING OFFICER. Is there further debate? If not, without objection the amendment, as modified, is agreed to.

The amendment (No. 1262), as modified, was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1273, AS MODIFIED

Mr. MCCONNELL. Mr. President, I have a modification to an amendment already filed, No. 1273. I send the modification to the desk.

The assistant legislative clerk read as follows:

The Senator from Kentucky (Mr. MCCONNELL), for Mr. GRASSLEY, proposes an amendment numbered 1273, as modified:

The amendment is as follows:

On page 326 between lines 10 and 11 insert the following:

EXPORT-IMPORT BANK

SEC. 6113. None of the funds made available in this Act may be used by the Export-Import Bank of the United States to approve or administer a loan, guarantee, or insurance policy, or an application for a loan, guarantee, or insurance policy, for the development, or for the increase in capacity, of an ethanol dehydration plant in Trinidad and Tobago.

Mr. MCCONNELL. Mr. President, Senator LEAHY and I are aware of only a few amendments to this bill which must be disposed of prior to final passage.

Let me reiterate for all of our colleagues who are interested in amending this bill, we are not interested in encouraging that sort of thing, but if we are going to do it, since both the majority leader and Democratic leader have indicated we are going to finish this bill today, I think it would be considerate of all the Members of the Senate, and helpful, if we were to dispose of these amendments while the Sun is still up rather than this evening, because Members typically have many responsibilities in the evening. We would all like to finish up in the late afternoon.

If you have an amendment that you simply must offer, come over and discuss it with us. Hopefully we can take it. If not, we will look for a short time agreement, a vote, and move toward final passage this afternoon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1283

Mr. MCCONNELL. Mr. President, I send an amendment to the desk on behalf of Senator BROWNBACK, Senator LEAHY, and myself and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. BROWNBACK, for himself, Mr. LEAHY, and Mr. MCCONNELL, proposes an amendment numbered 1283.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding the forced repatriation of refugees in Cambodia)

On page 326, between lines 10 and 11, insert the following:

FORCED REPATRIATION OF REFUGEES IN CAMBODIA

SEC. . It is the sense of the Senate that—

(1) the United States Government is deeply concerned with reports of the planned repatriation to Vietnam of 107 Montagnard refugees by the Government of Cambodia;

(2) the United States Government strongly condemns any forcible repatriation of refugees by the Government of Cambodia; and

(3) these refugees should be provided unobstructed legal assistance from an independent organization in connection with their appeals for fair review of their refugee claims, and all such claims should be credibly and thoroughly reviewed by the Office of the United Nations High Commissioner for Refugees in Geneva.

Mr. MCCONNELL. The amendment has been cleared on both sides. I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1283) was agreed to.

Mr. MCCONNELL. I move to reconsider the vote, and I move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the pending amendment be set aside in order to offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1271

Mr. CHAMBLISS. Mr. President, I call up amendment No. 1271, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Georgia [Mr. CHAMBLISS] proposes an amendment numbered 1271.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prevent funds from being made available to provide assistance to a country which has refused to extradite certain individuals to the United States)

On page 326, between lines 10 and 11, insert the following:

GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN EXTRADITIONS

SEC. 6113. None of the funds made available in this Act for the Department of State, other than funds made available in title III under the heading ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'', may be used to provide assistance to any country whose government has notified the Department of State of its refusal to extradite to the United States an individual, or has not within a reasonable period of time responded to a request for extradition to the United States of an individual, charged with committing a criminal offense in the United States for which the maximum penalty is life imprisonment without the possibility of parole, or a lesser term of imprisonment, regardless of the individual's citizenship status.

Mr. CHAMBLISS. Mr. President, I offer an amendment to the appropriations bill for State and Foreign Operations in regard to an issue that is very troubling to me. When an individual is charged with a crime and flees to a foreign country, it is the responsibility of the U.S. Department of State to seek extradition of that fugitive.

In some instances, countries will refuse extradition. A common reason is where the prosecutors in the United States intend to seek the death penalty. Oftentimes, the prosecutors will waive the death penalty in order for the extradition to proceed successfully. I suppose this is an understandable bargain because not all countries around the world accept capital punishment.

I am greatly concerned, however, about other instances where extradition is denied. For example, let me explain what happened to the son of a man named David Fulton, who is a constituent of mine from Hampton, GA.

On December 21, 2002, Mr. Fulton's son, CPL Joshia Fulton of the U.S. Marine Corps, was murdered right here on the streets of Washington, DC. At the time of his murder, Corporal Fulton was a member of the elite Presidential protection program called Yankee White, an assignment through which he had the honor of traveling abroad with the President of the United States. Corporal Fulton was awaiting assignment for service as a guard in the West Wing of the White House when he was killed.

After an investigation by the District of Columbia police department, a criminal complaint was filed charging a suspect named Carlos Almanza with the murder of Joshia Fulton. Almanza, however, fled the United States to his home country, the Republic of Nicaragua, where that country's constitution prohibits extradition of its citizens.

If Nicaragua refuses to turn this murder suspect over to the U.S. authorities so he can be brought to justice in the United States, where this heinous crime occurred, then Nicaragua should not receive any financial aid from the United States under the appropriations bill now before the Senate. Nicaragua's constitutional ban on extradition of its citizens who are fugitives from justice is simply no excuse. That law needs to change if they want to continue to receive American aid.

Mr. President, let me point out another situation in which extradition of criminal suspects has been frustrated in recent times; that is, where countries will not extradite fugitives not because they face the death penalty but because they face life in prison without parole.

For example, in October 2001, the Mexican Supreme Court ruled that extradition of a person from Mexico who faces life imprisonment in the United States would violate the Mexican Constitution's bar on cruel and unusual punishment. This decision has resulted in a serious setback to the United States-Mexico so-called bilateral relationship.

Since that court decision, the Mexican Government has asked the United States for assurances that life imprisonment would not be imposed on persons extradited to this country. In the absence of such assurance, they refused to extradite.

The impact of the Mexican Supreme Court decision has been ''severe,'' as described by the Department of Justice. Not only have extradition requests been denied by the courts, but many prosecutors hesitate to seek extradition due to the requirement of lessening a sentence.

Costa Rica, Spain, Venezuela, and Portugal have also sought non-imposition of life sentences. Some of these countries have even set term limits for the maximum number of years a criminal faces before they will extradite. In Costa Rica, it is 50 years; in Venezuela, it is 30 years; in Portugal, it is 20 years.

My amendment reads simply as follows:

None of the funds made available in this Act for the Department of State, other than funds made available in title III under the heading ''International Narcotics Control and Law Enforcement,'' may be used to provide assistance to any country whose government has notified the Department of State of its refusal to extradite to the United States an individual, or has not within a reasonable period of time responded to a request for extradition to the United States of an individual, charged with committing a criminal offense in the United States for which the maximum penalty is life imprisonment without the possibility of parole, or a lesser term of imprisonment, regardless of his or her citizenship status.

My intent in offering this amendment is not to deny aid to any country but, rather, to provide a substantial incentive for recalcitrant countries to reform their extradition laws so that suspected criminals can be brought to justice in the United States, which I submit to you offers the greatest due process protections to those who stand accused of a crime of any country in the world.

Mr. President, I applaud the House of Representatives for recently passing similar amendments to the State-Foreign Operations appropriations bill that will deny U.S. aid to countries that refuse to extradite fugitive criminal suspects to the United States. My colleague, Congressman NATHAN DEAL of Georgia, offered such an amendment in the House, and it passed by a vote of 294 to 132. Likewise, Congressman BOB BEAUPREZ of Colorado offered an amendment that would withhold funds to any country that refuses to extradite a fugitive cop-killer suspect. His amendment passed on a vote of 327 to 98.

The thought behind my amendment, as well as those passed by our colleagues in the House, is that financial assistance from the United States is a privilege—a privilege that can and should be revoked where a recipient country refuses to extend to the United

States the simple courtesy of sending back those who have been charged with breaking our laws. These fugitives should not be allowed to seek refuge under the laws of countries who would purport to be our friends.

Friendship should be reciprocal and, consequently, privileges like foreign aid can be revocable. The bottom line on my amendment is that we should not spend the tax dollars of hard-working Americans to assist countries that don't want to treat us with the respect that a friendship deserves.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MARTINEZ). Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I want to make a report to Republican Members of the Senate. We are down to a handful of amendments. I am aware of only one at the moment that may require a rollcall vote. So let me announce to our Republican colleagues that time is running out for them to come over and let me know for sure whether they need to offer an amendment so we can find out whether it can be worked out.

As I indicated, at this moment, there is only one Republican amendment we know that will require a rollcall vote, and we have a tight time agreement on it that the author is willing to enter into.

I know my friend and colleague Senator LEAHY has worked hard to reduce the possible number of amendments on the Democratic side. I will yield the floor and hope we get a report to him on how we stand and see if he is making the same progress.

Mr. LEAHY. Mr. President, I commend the Senator from Kentucky for trying to move this bill along. I have been trying to do the same on my side. I am hoping we can.

In fairness, if people actually have amendments, they should bring them forward. We have had several hours of quorum calls today. It would not seem to make a great deal of sense that we be here at midnight tonight finishing the bill. I join with the Senator from Kentucky. We could easily have had it finished by now. I will make one last call on our Members, but I am very eager to go to third reading.

I see other Senators seeking recognition. I yield the floor.

Mr. MCCONNELL. Mr. President, let me add, we are going to finish the bill tonight. We hope to finish it late this afternoon. We have made good progress on this side of the aisle in whittling down the number of amendments. We would like to talk to anyone remaining on the Republican side who has an amendment they may want to offer, and Senator LEAHY, of course, is open for business on the Democratic side.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I will make a few comments before I call up a couple of amendments.

No. 1, I am disheartened that the committee, as well as the administration, would not take our restrictions on the USAID program for malaria. The Federal Financial Management Subcommittee of the Homeland Security and Governmental Affairs Committee had a very insightful and revealing hearing that revealed in testimony that the vast majority of the funds to help those in Africa suffering from malaria, both in terms of prevention and treatment, were not going for that purpose, but yet were being consumed by consultations and travel, and very little of the $90 million that is allocated each year actually is going to treat malaria.

One million African children under 5 years of age each year die from a totally preventable disease, malaria. It takes 90 cents to treat them and cure them of that disease.

I am markedly disappointed in the process that even though the administration has a great new program for malaria in Africa, limitations on the present program would not be agreed to and put in place. I assure this body and the administration that within 3 months, we are going to look at the USAID program for malaria again and if, in fact, they are still wasting money the way they are today and not achieving the goals of prevention and treatment for malaria, then we will be bringing another piece of legislation to the floor to modify the expenditures and put a limitation on them.

I also am somewhat disheartened that the State Department failed to recognize the contribution of 47 individuals in Iraq and that, through their own inappropriateness and lack of ability to follow the law, overpaid these individuals. Their average work time was 16 to 18 hours a day, 7 days a week over the last year, and the State Department has now made a very onerous and difficult situation for those people, who are still in Iraq, to now have to pay back money inadvertently overpaid. This is a small price to pay. The cost to collect the overpayments is going to be more than the forgiveness would have been. But yet we have a stiff rule that we seem to be more interested in doing what the State Department wants in terms of its technical problems instead of doing what is probably the best thing to do for these people who have sacrificed greatly in Iraq.

We are going to be debating a couple of amendments in a few moments. One amendment will be an amendment under which Senator BOXER and I limit some funds of the Export-Import Bank in terms of financing sales of nuclear powerplants to China. It is a fairly straightforward amendment. There is no question we want to promote jobs in this country. It is important for us to stay competitive. But competing with the French in terms of subsidizing a British corporation, not an American corporation, and subsidizing that to the intent that it will, in fact, allow technology that Westinghouse Electric, which is owned by British Nuclear Fuels which is owned by the British Government, that technology 10 years from now will belong to the Chinese. We are in essence through an American taxpayers' loan, subsidizing the Chinese to take more of our technology.

The press is rife, the reports are rife, our trade people also recognize intellectual property is not something that is honored by the Chinese Government. There are some very significant inconsistencies in our policy that I think we need to reinforce, and this amendment with Senator BOXER is intended to do that.

The other amendment I will be calling up has to do with the expenditure of USAID in terms of entertainment. There is no question that we have much to do in terms of our foreign policy internationally and that the USAID can and should be the agent of a lot of those changes. However, there are significant problems associated with that, and we will be discussing that.

I ask unanimous consent to set aside the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1241 AND 1242, EN BLOC

Mr. COBURN. I call up amendments Nos. 1241 and 1242.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes amendment No. 1241.

The Senator from Oklahoma [Mr. COBURN], for himself, and Mrs. BOXER, proposes an amendment numbered 1242.

Mr. COBURN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1241

(Purpose: To prohibit funds from being made available to the United States Agency for International Development for entertainment expenses)

On page 206, strike lines 6 through 10, and insert the following:

LIMITATION ON EXPENSES

SEC. 6004. None of the funds appropriated or made available pursuant to this Act may be used for entertainment expenses of the United States Agency for International Development.

(Purpose: To prohibit any funds from being used by the Export-Import Bank of the United States to approve a loan or a loan guarantee related to a nuclear project in China)

On page 326, between lines 10 and 11, insert the following:

EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. 6113. Notwithstanding any other provision of this Act, none of the funds appropriated or made available pursuant to this Act may be used by the Export09Import Bank of the United States to approve an application for a long-term loan or a loan guarantee related to a nuclear project in the People's Republic of China.

Mr. COBURN. Amendment 1241 has to do with entertainment expenses associated with USAID. I have a couple of charts that I will refer to. We are going to run a true on-budget deficit this year of $541 billion. It is inappropriate for bureaucracies of our Government to spend money in ways that are not appropriate when, in fact, that money can do much greater things.

In the current bill, and since 1999, there has been a limitation of $5,000 in the USAID budget for entertainment. Much of this entertainment has gone for personal gifts, for live entertainment, for dinners. One of the things I found quite striking was what the USAID handbook states about spending.

The USAID handbook states: For budget purposes, entertainment includes food and drink, receptions, banquets, live or recorded music, live artistic performances, personal gifts and furnishings.

The USAID handbook also states: The USAID has the authority to use program and regular operating expense funds for entertainment under the necessary expense doctrine. GAO decisions to the contrary are not binding on the executive branch. There are no restrictions on the use of the entertainment account or representation allowances for alcoholic beverages.

Let us talk about what $5,000 per pop could do. Five thousand dollars per pop in Africa today is enough to prevent 1,250 babies from getting HIV. Are we going to have a party or buy gifts for officials of African governments, or are we going to cure babies of HIV and prevent the transmission?

Five thousand dollars is enough to prevent 5,000 children from dying of malaria. Are we going to have a party with USAID, are we going to have entertainment, or are we going to direct USAID back to their directed purpose, which is carrying out the good will and the financial assets of Americans to make an impact on the health, lives, and prosperity of those we are attempting to serve?

Five thousand dollars would buy 5,000 5-gallon bottles of clean water for the multitudes of cities that have no clean water. Are we going to spend it on entertainment—and we do not care what the GAO says, we do not care what Congress says—are we going to spend it on entertainment and furnishings?

Five thousand dollars would buy 300 bags of rice, oats, and wheat for communities in need of food and nourishment. Are we going to have entertainment for USAID, or are we going to send the money?

The problem the American people have with our foreign aid is not that they do not want to help people. They want to help. The problem is they have become skeptical that their tax dollars are actually getting to the very people they intend and want to help. USAID can limit this. They can make a bigger difference if, in fact, they will eliminate the entertainment portions of their budgets.

Five thousand dollars can buy 10 additional body armor units for our troops. Are we going to have entertainment by USAID, or are we going to have additional body armor units for our troops?

I am not a prude. I think there is an appropriate time for us to greet in a diplomatic fashion, in a way that is commensurate with what is protocol, but I do not think USAID has to be doing that. There are other areas within the State Department that should be doing that.

The last thing I would say is $5,000 may seem like an inconsequential amount one at a time, but when it is done multiple times, it is not inconsequential, No. 1. No. 2, it could be the difference of life and death for the very people USAID proposes to want to help.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Mr. President, I will be sending an amendment to the desk.

Mr. MCCONNELL. Would the Senator from New Jersey yield for just a moment?

Mr. CORZINE. Certainly.

Mr. MCCONNELL. Would the Senator from New Jersey be willing to withhold until I get a time agreement on one of the Coburn amendments, and then the Senator from New Jersey will be recognized again?

Mr. CORZINE. I would be happy to yield for that.

Mr. MCCONNELL. Mr. President, it is my understanding after discussions with the Senator from Oklahoma, the ranking member of the subcommittee and myself, we have an agreement on voting on the Coburn-Boxer amendment.

I ask unanimous consent that there be 60 minutes for debate in relation to the Coburn-Boxer amendment No. 1242, with Senator COBURN in control of 20 minutes, Senator BOXER in control of 20 minutes, and 20 minutes under my control; provided further that following the use or yielding back of time, the Senate proceed to a vote in relation to the amendment, with no amendments in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Reserving the right to object, and I shall not—I discussed this with the Senator from Kentucky before—I will make two additions, one to add 5 minutes for the Senator from Vermont, which I do not expect to be using but just because of the way it is broken down, just to make sure that I have time; and secondly, this debate not start until such time as the Senator from New Jersey, the Senator from Wisconsin, and the Senator from New York who are on the floor, each waiting to speak briefly, make their statements before we begin the Coburn-Boxer amendment. With those provisos, the additional 5 minutes for myself, plus the time for the three of them, I have no objection.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. They are asking, as I understand it, for 10 minutes.

Mr. CORZINE. If the Senator from Vermont would yield, I ask unanimous consent for up to 10 minutes for myself, 5 minutes for Senator KOHL, and 5 minutes for Senator SCHUMER.

Mr. LEAHY. I make that as part of the agreement.

Mr. MCCONNELL. After which we would move to the Coburn-Boxer amendment?

Mr. LEAHY. That is right.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Jersey is now recognized.

AMENDMENT NO. 1290

Mr. CORZINE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from New Jersey [Mr. CORZINE], for himself, Mr. DEWINE, Mr. DURBIN, Mr. BROWNBACK, and Mr. OBAMA, proposes an amendment numbered 1290.

Mr. CORZINE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make funds available for the African Union Mission in Sudan)

On page 326, between lines 10 and 11, insert the following:

TRANSFER OF FUNDS

SEC. 6113. Of the funds appropriated in title III under the heading ''CONFLICT RESPONSE FUND'', $50,000,000 shall be transferred to, and merged with, the funds appropriated in title IV under the heading ''FOREIGN MILITARY FINANCING PROGRAM'' and made available to provide assistance to support the African Union Mission in Sudan.

Mr. CORZINE. Mr. President, I rise once again to speak out on the subject that I have addressed on the floor a number of times and feel passionately about—a number of us do—and that is the continuing genocide in Darfur.

I offer an amendment to the Foreign Operations bill to provide funds for the African Union to provide the troops that will protect and stop the genocide if we have the will to take the steps to have the resources made available.

Hundreds of people are dying every day, some by guns, some by illness, disease, and a whole host of things. There have been over 300,000 lives lost over the last 2 years and 2 million people displaced. One year ago this Friday, the Senate recognized this genocide and spoke about it. Our Secretary of State testified in the Senate Foreign Relations Committee to the fact that genocide was taking place.

To the President's credit, before he left for the G8, he spoke out again against the genocide that is taking place here and now. There is complete recognition that this is a tragedy that is unfolding, maybe more in slow motion today than it was 6 months or a year ago, but it is very much still taking place. People are losing their lives. Our President, the Congress, and the American people understand it is time to stop this genocide.

Last weekend, there was a national weekend of prayer and reflection for Darfur based on a Senate resolution that Senator BROWNBACK and I put forward. It was unanimously accepted by this body. Churches, synagogues, mosques, and other communities of faith, people across this country with conscience and compassion spoke up together that they want this genocide stopped.

In New Jersey, I attended services at the B'nai Jeshurun Congregation at the Barnert Temple in Franklin Lakes and the Shiloh Baptist Church and First United Methodist Church in Trenton. People of all backgrounds, all religious faiths, people of conscience want us to act. The people are demanding that we act.

We have looked at the history across the last century. We have seen the Holocaust, the genocides in Rwanda, Cambodia, Armenia, and we constantly are saying: Never again. Never again, we say, will we accept the slaughter of our fellow human beings; never again will we stand by while systematic crimes are being inflicted on humanity. Now is the time to put deed with words on ''never again.''

The amendment I am offering provides critical assistance to the African Union and Darfur. My colleagues, Senators DEWINE, DURBIN, BROWNBACK, and OBAMA, were seeking to provide the African Union with $50 million. Frankly, that is not enough. It does not meet what the State Department knows is necessary. It does not meet what is necessary to get the proper amount of troops on the ground in Darfur, Sudan. I am disappointed that we cannot figure out how we can declare this emergency funding, whatever it takes, to make sure that we put deeds with words on ''never again.''

The African Union has been deployed. Where it has been deployed, it has been successful. The attacks have stopped. Keep in mind, Darfur is the size of Texas. The current deployment of about 3,300 troops just does not get the job done. There has to be a sustained presence. Civilians are protected one day, they move on to the next spot, and they are no longer.

The African Union has a plan to put 7,700 troops there by the end of September. They need the funding. They do not have the resources. The real need is 12,000. There is a plan to have that done by next May. We are working with the United Nations on that.

The United States has to step up and help. If we know that genocide is occurring, we have a moral obligation to help. It is tragic that we are not putting our money where our mouth is; we are not putting money for the deeds that match the words that we so willingly put out.

Again, I compliment President Bush for speaking out on this and being attentive to it, as well as the State Department, but we need to make sure the resources match the stated policy. The Government of Khartoum is still not doing those things that are necessary. We ought to have a full policy with regard to putting a special envoy on the ground. We need to make sure that we are putting an arms embargo against the state of Sudan, all of Sudan. We need to make sure there is pressure about real sanctions on those who have been responsible for those crimes and that they are held accountable. All of this has been in legislation that Senator BROWNBACK and I have brought before this body and have had passed unanimously at other times.

The American people are watching us to see whether we have the will to address the moral challenge of genocide. They are watching to see whether we can make the choices to do something about it. Last weekend, Americans of faith and conscience spoke. I hope we will do that with regard to this amendment, but I hope we will go further and make sure we have all of the resources that are necessary to fulfill this plan of getting 7,700 troops on the ground by September and 12,000 by next spring.

This is a moral challenge to the people in this body. It is a moral challenge to our country. I hope we accept it and work together to address something that we all know is necessary.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. KOHL. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S SUPREME COURT NOMINEE

Mr. KOHL. Mr. President, we have all just heard the President will announce this evening a candidate to replace Supreme Court Justice Sandra Day O'Connor. Then, the Senate will begin its constitutional duty to examine the nominee and give or withhold our consent. As the Senator from Connecticut said earlier on the floor, this is one of our most important jobs. Whomever we put on the Supreme Court will affect the lives of every American. Further, that person will receive a lifetime appointment, unchecked by elections or any other accountability to the people for whom we work. The confirmation process is our only chance to make sure whomever we put in this very powerful job embraces our values, respects our laws, and protects our Constitution.

We need to make sure this nominee is well-qualified and approaches legal issues with an open mind and no partisan, political agenda. He or she must have a keen understanding of the law and the ability to explain it in ways the American people will understand.

Second, we hope he or she is someone who will represent the views of people all across America, someone who will respect the Constitution.

Third, a qualified nominee must understand that the law is more than an intellectual game and more than a mental exercise. The law is about real people, often facing the all-too-real challenges of raising families and earning a living. Justice, after all, may be blind, but it should not be deaf.

Finally, a nominee has to be willing to tell us how she or he will exercise the enormous power of their position. We need to know how the nominee sees the world and what he or she thinks about basic issues.

The Senate is about to begin one of its most solemn and important duties. As the confirmation process unfolds, I sincerely hope we continue to talk to and listen to each other, regardless of party and, more importantly, to the people we represent.

I yield the floor to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, if reports are correct, less than 5 hours from now, President Bush will announce to the Nation his first nomination to the Supreme Court. This process and his choice will surely make up a large part of his lasting legacy.

The President no doubt spent a great deal of time and thought before making the selection he will announce tonight, and I am hopeful—still hopeful—that it will be a truly consensus nominee, one we can all support and one that will serve this country well on the highest court in the land.

I must admit to some disappointment that President Bush did not do more to consult with the Senate on this pick because, as many of us have said all along, it is such consultation that helps ensure a smooth confirmation process and a unified vote.

Had we been given some names beforehand, we would have been able to do some due diligence before any announcement and be able to suggest to the President who might quickly succeed and who might face a tougher road to confirmation, just as Orrin Hatch did with President Clinton.

But be that as it may, tonight we start fresh and likely with a nominee who has not been vetted with the Senate beforehand. This will make the upcoming hearings on this nominee that

much more important—perhaps the most important we have had in several generations. We, in the Senate, will soon begin to fulfill our constitutional duty to advise and then to give or withhold our consent on the President's nominee. Whomever the nominee, whether Edith Clement, as many are rumoring, or another, there will be many tough questions on a broad range of issues. It is my hope that every Member of the Senate will take this solemn duty seriously and move forward with dignity, diligence, and a view toward coming to a deliberate, but not dilatory, conclusion on whether the coming nominee should be on the Supreme Court.

Because Justice O'Connor was such a swing vote on so many issues vital to Americans, the answers this nominee gives at the hearings will be of incredible importance in determining whether the nominee is suitable for the Court.

So tonight is a momentous night—for President Bush, for the nominee, for the Senate, and most of all for the country. We must renew our determination to fulfill this sacred trust with vigor and fairness, but with thoroughness as well.

I yield the floor.

AMENDMENT NO. 1242

The PRESIDING OFFICER. Who yields time on the Coburn amendment?

Mr. MCCONNELL. Mr. President, for the information of Members of the Senate, what we are trying to do is set up a series of three votes, between an hour and 1½ hours on two Coburn amendments and a Dorgan amendment. I will be back at the conclusion of Senator COBURN's remarks to propound a unanimous consent agreement that would lock in those three votes around the time that I just suggested.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I wonder if I might ask consent that I be recognized following the debate on the Coburn-Boxer amendment to offer my amendment. I would say I only require 15 minutes for myself on my amendment. My guess is we would want to allocate 15 minutes to perhaps the Presiding Officer or others in the Chamber who would oppose the amendment, but that would be acceptable. I want to get it locked in so I could offer that amendment following the debate on the Coburn-Boxer amendment.

Mr. MCCONNELL. I suggest that there be 15 minutes under the control of the Senator from North Dakota; 15 minutes under the control of the occupant of the chair or myself; 15 minutes under the control of Senator MARTINEZ, and that debate commence at the expiration of the time allocated that is about to start momentarily related to the Coburn amendment.

Mr. DORGAN. I make that unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time on the Coburn amendment?

The Senator from North Dakota.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, is the Coburn-Boxer amendment pending?

The PRESIDING OFFICER. Yes, it is. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I rise in support of an amendment that I called up earlier, the Coburn-Boxer amendment, banning the Export-Import Bank of the United States from funding construction of nuclear facilities in the People's Republic of China.

I want the American people to know, and especially this body, that we are walking down a road using taxpayers' funds for low-interest loans to finance a British Government-owned company to sell U.S. nuclear technology to the Chinese Government, which has already said that after they get that technology, they are going to take it and then they are going to start utilizing it to resell the same nuclear technology around the world. To me, that seems insane, that we would give a subsidy to finance the export of technology—American technology owned by the British Government through the British Nuclear Fuels Corporation—to the Chinese, who will then take that technology, once they build nuclear plants, own it themselves, and then sell that product around the world.

We are going to take the largest amount of money the Export-Import Bank has ever used, $3.2 billion, a sum bigger than the Export-Import Bank has ever loaned—$1.8 billion was the highest in the past—and we are going to subsidize a country that is holding $165 billion worth of our notes. We already owe them $165 billion. They have plenty of cash to finance this themselves. And the reason we are told we are going to do this is it is going to help hold on to 5,000 jobs.

The fact is, if we take that same kind of subsidy, through our Export-Import Bank, and put it into venture capital, small business, research in this country, we would create hundreds of thousands of jobs. So the only rationale for doing this is to hang on to some jobs. And we are going to ask the American taxpayer to subsidize this.

What happens if the Chinese do not pay back the loan? The American taxpayer has to pay $5 billion. That is what happens if they, in fact, do not pay it back. I do not know if that is realistic or not. I don't know what is going to happen over the next 10 years to a $5 billion loan to a country that already is attempting to buy, through their Government, assets of this country's oil infrastructure.

I think it behooves us to have a vigorous debate on what our policy should be with the Export-Import Bank and whether it is a shortsighted policy to save 5,000 jobs. The actual logic behind that is that if we don't do it, France will do it; France will beat us on this contract because the French Government will do it.

If we are going to invest $5 billion or put that on the line, let's loan it to small businesses across America. Let's invest in technology here rather than invest in a corporation that is owned by the British. Let's invest in American corporations. Let's give American companies this kind of benefit.

But, in fact, we have chosen to go down this path for a very good reason. It is important to save jobs. I don't mean to demean that whatsoever. But it is a short-range answer to a very long-range problem. If, in fact, $5 billion will save 5,000 jobs in the United States, that is $100,000 a job. It is important for us to be clear about what the intent is. The Export-Import Bank was designed to help us enhance our exports.

First of all, there are some jobs in California and Pennsylvania and Louisiana that are affected by this deal. It is not to say that those jobs will not be there if this deal doesn't go through. As a matter of fact, I would say, as we look at the need for nuclear energy in the future in this country, most probably we are going to see some greater demand from these companies. But I find it very ironic that a country that has a trade surplus with us approaching $200 billion, that has a significant growth factor that is greater than ours, that is ''cash rich'' at this time to the tune of $165 billion just in U.S. Treasury securities, that the taxpayer ought to be financing the sale of nuclear powerplants and nuclear technology to China.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, my understanding is I have 20 minutes; is that correct?

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator is correct.

Mrs. BOXER. I ask to be notified when I have used 14 minutes.

The PRESIDING OFFICER. The Senator will be so notified.

Mrs. BOXER. Mr. President, I thank Senator COBURN for his work on this amendment. I am very pleased to be a cosponsor.

As he explains, this amendment will stop the Export-Import Bank from financing a project to construct nuclear powerplants in China. Earlier this year, the Ex-Im Bank agreed to provide $5 billion in loans or loan guarantees to the American subsidiary of a British company, Westinghouse Electric Company, so the company could bid on a contract to build nuclear powerplants in China.

This deal will, if we do not stop it, be the largest deal in the history of the Ex-Im Bank. In fact, it would be nearly

three times larger than the bank's previous deal, a $1.7 billion transaction in the mid-1980s. So this is not some small, inconsequential amendment. This is a big deal because this would be the biggest deal of the Ex-Im Bank since the 1980s, and three times the size of that deal. According to the Ex-Im Bank itself, some of these loans may go not to the company but directly to the Government of China. What is going on here?

Over the last decade, China has emerged as an economic power. It is the sixth largest economy in the world with a gross domestic product of over $1.65 trillion. The economy is growing at 9.5 percent.

What about our economic relationship with China? Last year, the United States had a trade deficit of $162 billion with China. This year, the trade deficit may go over $200 billion. This is in part because China purposely undervalued its currency in order to dump projects in America.

Just last month, a company that is majority-owned by the Chinese Government offered to buy the American company, Unocol, for $18.5 billion. In addition—and this shocks me every time I read it—the Chinese Government owns $230 billion of our Treasury bonds on which we are paying billions of dollars of interest. The Chinese Government is not poor, and it does not need a loan backed by U.S. taxpayers.

What would that $5 billion loan be used for? It would be used to help Westinghouse build nuclear powerplants in China, one of the riskiest investments possible. Remember, as Senator COBURN has explained, Westinghouse is the American subsidiary of a large British company.

Since 1948, in the United States the nuclear power industry has received more than $66 billion of Federal research and development funding. I am the first to say, the majority of Senators support these types of subsidies. Why? Because we have not seen a nuclear powerplant built in America since 1973. Why? Because it is too risky an investment. But the Ex-Im Bank is prepared to put our American taxpayer dollars at risk for nuclear powerplants in China. Nuclear power is not only a risky investment here, but think about nuclear powerplants being built in China where the terribly weak standards on workplace safety glare out at us and the terribly weak standards of environmental protection stand out. That in itself takes the risk to a whole new level.

There are several other aspects of this deal that do not make sense. It comes down to the same bottom line: Why should we use American taxpayer dollars for this risky investment? Again, the beneficiary is not an American company but a subsidiary of a British-Government-owned company. The Brits are great allies. We love them. But let them put their taxpayers on the line. Why do we have to put our taxpayers on the line?

As Senator COBURN points out, the biggest argument against our amendment is this will create 5,000 American jobs if we agree to this risky loan. Let's ignore for a minute that the Chinese Government says it fully intends to develop for itself the ability to manufacture the parts that Westinghouse would be selling to them—a point made very dramatically by my colleague, Senator COBURN. The fact is, those 5,000 jobs will not last very long when the Chinese learn how to do the work. But, given that, that the 5,000 jobs will be created, we need to put that number in context. We are talking about $5 billion in loans and loan guarantees. It will create 5,000 jobs.

U.S. manufacturers have estimated that China's undervaluation of its currency has resulted in the loss of 2 million American jobs. So why don't we do something to change this persistent unfair trade practice and create 2 million jobs—if everything was fair—not 5,000 jobs? If we can't do this through pressure by convincing the Chinese to change their practice or by pursuing a complaint with the WTO, surely there are easier ways to create 5,000 jobs.

For example, spending $100 million—2 percent of the size of this deal—on transportation projects would create 5,000 jobs. According to the measurements used by the Small Business Administration, $5 billion in loans and loan guarantees to American small businesses would create 100,000 new jobs. What is wrong with this picture? If we are so ready to give loan guarantees, let's look at giving them right here to our small businesses. Of course we are not going down that path today. It is a point of priorities.

Count me out for this. The 5,000 jobs are not real. They will not last long. It is a British-owned company. And we can do much more with $5 billion in loan guarantees to our small businesses and create 100,000 jobs.

This Chinese nuclear powerplant deal is a bad deal from an American jobs standpoint. Another thing that makes no sense is that in order to build the nuclear powerplants, we would be selling our advanced nuclear technology to China. I say to my colleagues, wake up.

Chinese Major General Zhu Chenghu said:

> If the Americans draw their missiles and position-guided ammunition into the target zone on China's territory, I think we will have to respond with nuclear weapons.

The date was July 15, 4 days ago, that this major general threatened us with nuclear weapons.

The same major general said on the same day to the Asian Wall Street Journal on the Financial Times:

> Of course the Americans will have to be prepared that hundreds of, or two hundreds of (or) even more cities will be destroyed by the Chinese.

I believe this was stated in the context of the Taiwan situation.

We are at the brink of giving a $5 billion loan, or loan guarantee, part of which, according to the Ex-Im Bank, will go directly to China to give them the technology they need so that this general can run around and make threats to use nuclear weapons. This is beyond belief. I hope and pray and maybe go so far as to trust this general is not reflective of reality in China.

But even if you do not believe this guy has any clout, what a time to give them nuclear technology when one of their top military people is threatening us. What a time to give them the opportunity to steal our technology.

China is one of the largest violators of U.S. intellectual property rights in the world. That is indisputable. Coming from California, I know too well the piracy of American movies, music, software, and other products committed by China. It costs American businesses billions of dollars every year. A movie and a record represents millions and billions of loss to my business people and American jobs, but it cannot kill. We are talking about nuclear technology. That can come back and bite us. We have to assume that the Chinese will pirate our nuclear technology if they pirate all our other technologies. They admit they are going to learn how to use it. When all is said, something is wrong with this picture.

I conclude this portion of my remarks in this way. I will paint the picture as succinctly as I can. If the Ex-Im Bank's deal goes through, U.S. taxpayer dollars will be put at risk so that the Chinese Government can pay an American subsidiary of a British company to send U.S. nuclear technology to China where a major general has threatened to use nuclear weapons against the United States—all of this in order to undertake an incredibly risky financial investment, building nuclear powerplants. Not only is something wrong with this picture, something is horribly wrong with this picture.

Am I permitted to refer to a House vote on the Senate floor?

The PRESIDING OFFICER. The Senator may so refer.

Mrs. BOXER. In the House of Representatives a very similar amendment was offered. It passed with the type of coalition we see here, across the aisle. It passed 3 to 1. We have an opportunity today to follow the lead of our colleagues who ask us to stand with them.

This deal makes no sense. The Coburn-Boxer amendment stops this deal in its tracks. I urge my colleagues to vote for this amendment.

I retain the remainder of my time and defer to Senator MCCONNELL.

Mr. MCCONNELL. Mr. President, Senator SANTORUM wishes to use the time in opposition to the amendment. I believe he is on his way.

Mr. COBURN. How much time remains?

The PRESIDING OFFICER. The Senator has 14 minutes 38 seconds.

Mr. COBURN. I will yield such time as I may consume. I ask the Presiding

Officer to notify me when I have 5 minutes remaining.

The PRESIDING OFFICER. The Senator will be notified.

Mr. COBURN. A couple of points: No. 1, this is not just the British-owned corporation; this is a corporation owned by the British Government. There is a big difference. It is not a privately held corporation. The British Government owns British Nuclear Fuels, which owns Westinghouse. If there is a subsidized loan that ought to go anywhere, it ought to come from the British, not the American taxpayers.

Second, I spoke in error. It is not $100,000 per job but $1 million per job; $5 billion for 5,000 jobs is $1 million a job. That is what we are putting at risk to save 5,000 jobs.

The third point I make is we are not just offering a loan subsidy and guarantee to a Westinghouse power generation subsidiary of British Nuclear Fuels owned by the British Government. We are also allowing a subsidy for Mitsubishi Heavy Industries that also has a large portion of this deal. What we are doing is financing just as many jobs out of the country as we are in the country. So the claim that we want to do this to save 5,000 jobs means we are going to enhance the ability of the Japanese steel manufacturers to compete with our steel manufacturers because we are going to give them a guaranteed loan to supply the steel for this facility.

It makes no sense. How do we best create more jobs in this country? We trim Government spending. We cut taxes. We allow the entrepreneurs of this country, the people who have paid 14 percent more taxes this year already, to have the money with which to invest. If we are not going to do that, then let's subsidize the small businessmen, the venture capitalists in this country. Let's put it into our own research and development, our own science and our own technology. If we are going to put the taxpayer on hold for $5 billion, I would much rather do that than trying to collect it, because I think we would have a tough time trying to collect it from the Japanese if they did default. I don't think that would happen. But we start putting American taxpayers', Americans' future at risk on something that does not make any sense.

I have a difference of opinion with the Senator from California about the need for nuclear power. We differ on that. There is no question about that. I happen to believe this very deal will come back to haunt us. I believe 20 years from now we will be buying nuclear powerplants from the Chinese rather than them buying from ourselves or from the British, because if you look at every other major manufacturer that has a deal in China, one of the components to have the deal in China is to give up your technology at the specified period of time. There isn't one manufacturer over there today that has not agreed to license or give away their technology for the opportunity to enter that market. That is not free trade. That is extortion and that is what is going on in China today. To get into that big market and to have access to that labor market, what American companies are doing is giving up their future. They are giving away their technology. And this is more of the same. It is bad medicine for America. It is bad medicine for American workers. It is bad medicine for investment in our own future technology. And it is bad medicine for the American taxpayer.

With that, I will reserve the remainder of my time.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANTORUM. I thank the Chair.

The PRESIDING OFFICER. Who yields time to the Senator?

Mr. SANTORUM. Mr. President, I yield myself such time as I may consume under the agreement.

Am I in control of the time in opposition?

Mr. MCCONNELL. I say to my friend from Pennsylvania, he controls the time. He can use as much as he wishes.

Mr. SANTORUM. I thank the Senator.

Mr. President, I rise in opposition to the amendment. I did not get a chance to hear all of the comments of Senator COBURN, and I did miss the comments of the Senator from California, but let me address this issue as someone who represents a State—Senator SPECTER and I were in a meeting so we could not be here for the debate, but we represent a State where a lot of these jobs are going to be located. Westinghouse Nuclear is a large and important entity in our State, in western Pennsylvania, and so for those who do not believe that jobs will accrue to the United States, let me assure you that I talked with the folks there and they most certainly will. This technology is commercial technology. This is not a technology that is any threat from a national security point of view. This is commercial nuclear power technology. As we all know, China has nuclear powerplants and we also know China has also nuclear weapons.

The idea that this is a national security issue is not a relevant one, No. 1. No. 2, is this an appropriate use of taxpayer dollars? I think I heard the Senator from Oklahoma say he does not expect the Chinese Government to default on the purchase of these nuclear reactors and I think it is pretty safe to say they will not default. So this idea that this is putting taxpayer money at risk is probably overstating the point, that in fact this $5 billion loan guarantee is only going to cost the taxpayers dollars if in fact the Chinese Government defaults. The likelihood of that, according to the Senator from Oklahoma, is very slim. So the question is should the Export-Import Bank get involved in financing and supporting an American company that wants to do business in competition in China versus a European and Russian competitor, when the European and Russian competitor is, like the U.S. Ex-Im Bank, supporting and financially backing the transaction? I guess the answer could be no, we don't want to participate, we don't want to compete in China, we don't want to have this technology be used in the construction of 4 good, safe nuclear plants, with a prospective 24 plants being built in the future. The 5,000 to 7,000 jobs that we talk about are real jobs, they are high-paying jobs, they are high-tech jobs. When we build a powerplant, we are not building something we can provide to China from here in the United States. We can't send power to China. It is not as though we are going to be able to build something here and export it to China. This is energy capacity they need in China.

I might ask the question, well, what if we do not build nuclear plants? If we don't, then they are going to put more demand on the global need for oil and gas as well as coal. So if they are not building technology, they are going to be driving up demand for fuels we need and driving up the cost of those fuels. So we should be encouraging them to build this kind of technology, just as many of us are encouraging us to build this kind of technology so we don't put more demand on our petroleum resources, natural gas resources, and coal resources. I think it is a wise move for China to be building this kind of generating capacity. It is good for the global economy that they are building this kind of generating capacity. It is good for American jobs that we are in fact competing to build this generating capacity using American technology, something that can't be built here.

I understand people have very strong feelings about China right now, and I am one of them. I voted for some of the toughest measures we have dealt with here on the Senate floor trying to send a message to China, but I don't know how this sends a message to China, to say that, well, now we don't want these jobs, let the French and let the Russians have these jobs, and let them create economic prosperity in those two countries, and let them build the technology in China, and we will sacrifice the jobs at no cost to the American taxpayer, if we accept the fact they are not going to default on this loan.

Mr. COBURN. Will the Senator yield?

Mr. SANTORUM. Yes, I will be happy to yield to the Senator from Oklahoma.

Mr. COBURN. I understand we are competing in the global economy and the French or the Russians are going to subsidize it, but the fact is this is a

very low interest rate. We are borrowing money from China today and paying over 4 percent and we are going to finance this at less than that, so the cost to the taxpayer is real. There is a real cost to the American taxpayer. It is the difference between at what rate they invest and the interest rate we pay to them and at what rate we are going to subsidize this loan. So there is a cost to the taxpayer.

The other thought I hope the Senator would agree with is, this is not just to Westinghouse, which is owned by the British Government, not a British corporation. This is also to Mitsubishi Steel because we are now going to take American taxpayer dollars, the difference between what we are paying on their notes that they are investing, their cash investment here, and we are going to subsidize a Japanese company. I hope the Senator would agree we shouldn't be doing that.

Mr. SANTORUM. Two things. First, the Senator is right, Westinghouse is owned by an entity owned by the British Government. As you probably also know, there have been widely spread reports that they are selling that division, they are selling Westinghouse. So probably by the time this deal goes through, it will not be owned by the British Government and will be—by the way, I don't have anything against the British Government. They have been great allies and I don't want to suggest somehow that I am speaking ill of that entity. All I am suggesting is Westinghouse is clearly, according to news reports, going to be spun off and sold and maybe recapitalize itself as an American company. Nevertheless, the jobs are here. The benefit is here. With respect to Mitsubishi, if it is your test then to suggest that any project being built has to be built with all-American steel, all-American concrete, all-American—obviously, in a global economy that is not going to happen, particularly if you are building a product in China.

Mr. COBURN. Will the Senator yield?

Mr. SANTORUM. In one second. So I would suggest, yes, there will be lots of corporations around the world that are part of this deal to build this reactor that would benefit from this, just as probably you could make the argument—and I don't want to make it for you, but I will make it for you—there may be an American company that benefits from the French building this reactor but certainly not to the extent if Westinghouse builds it.

Mr. COBURN. Would the Senator agree that today this is a British-Government-owned company and that the profits from this will accrue to the benefit of the Mitsubishi Corporation and Shaw Corporation? Why in the world wouldn't those two governments be subsidizing the loan rather than this government?

Mr. SANTORUM. Well, again, Westinghouse is a company based in the United States. As you know, we have multinational companies that are headquartered all around the world. But the bottom line is Westinghouse is a U.S. company, it pays U.S. taxes, it has a U.S. payroll, and that is where the AP1000 is being built. The AP1000 is something that was designed—I went and saw it in Pittsburgh, PA. These are the folks who have the technology. These are the folks who are going to be building and constructing this plant.

I am sure there may be some profit. Obviously, I am sure they would not be bidding if they didn't think there was profit. But the profit is in this U.S.-based subsidiary. And so I would suggest that the overwhelming benefit is coming to the United States, not to the British holding company.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Oklahoma.

Mr. COBURN. The Senator from Pennsylvania didn't hear the debate about the $5 billion loan guarantee, and what that would turn into if we did the same type of thing for other American-owned corporations and invested here. As the Senator from California outlined, the difference is a $100 million investment in highways will produce 5,000 jobs; $100 million invested in small businesses will produce 5,000 jobs.

I still stand by the contention that this subsidy—and that is what it is. We need to make sure we talk about what this really is. This is a subsidy by the American taxpayer, and it is going to cost them money because we are going to loan money at lower than we are borrowing now so there is a net cost to the American taxpayers for doing this. Even if they do pay it back, we are still going to be losing the jobs.

What we have to recognize is our fiduciary responsibility. The fastest growing cost to the Federal Government is net interest. We are going to boot it up $5 billion, times about 1.5 percent, and that happens to be about $50 million a year that we are going to ask our grandkids to pay to subsidize this deal. Take $50 million. Can't we invest that $50 million in a better way? Can't we invest the true cost of this deal, about $50 million a year to the American taxpayer, in some other way to create 5,000 jobs in the future that will be here forever? We have already heard them say they have every intention of taking this technology; at the end of 10 years, it will be their technology and they will build their own plant, and there will be no benefit to Westinghouse or the British Government or Mitsubishi Steel or Shaw Corporation. There will be none because they will do as they have done on every other issue: They take the technology; once it becomes theirs, they will just duplicate it. Or if it doesn't become theirs legally, they reverse engineer it.

Mrs. BOXER. Will the Senator yield to me?

Mr. COBURN. I am happy to.

Mrs. BOXER. Again, I thank the Senator for his leadership on this issue.

Mr. COBURN. Will the Senator yield so I can find out how much time I have?

Mrs. BOXER. Yes.

The PRESIDING OFFICER. The Senator has 7½ minutes remaining.

Mr. COBURN. Mr. President, I reserve the remainder of my time. I will be happy to yield time if the Senator comes up short.

Mrs. BOXER. All right. Very good.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, what I was going to ask the Senator—but it is more a rhetorical question—is, Why does China need this money anyway? We already owe China $230 billion they have loaned us buying our Treasury bills. We pay them now billions of dollars of interest—billions, multibillions. I was going to ask my friend a question, but it was a rhetorical question. The Chinese do not need any more dollars. They have dollars all right. They have so many dollars it is unbelievable: dollars from the trade deficit that is huge and climbing. They have the interest payments that we pay them.

Now they need another $5 billion? This is the most outrageous thing I have seen come across my desk. I will tell you this: If we cannot win this amendment, I say to my friend, I do not know who we are here fighting for. It does not make any sense. Set aside our differences on nuclear power, that does not even have to come into it. My friend from Pennsylvania says there is not a risk? Give me a break. Talk to any American businessman who has done business in China. I meet them all the time in California. Oh, everything is promised. Oh, it is all going to be great. Somehow it does not happen, and they are left holding the bag.

I wish I could protect my California businesspeople. I cannot. But I sure can protect my California taxpayers. For 5,000 jobs in Pennsylvania—which, by the way, the Chinese Government admits they are going to take the technology. They admit it. I will give them that. And they are going to replace those 5,000 workers.

In light of what the general said 4 days ago: The Americans will have to be prepared that hundreds of or two hundreds of or even more cities will be destroyed by the Chinese with nuclear weapons—he says: We'll have to respond with nuclear weapons—that is what he said in light of a conversation about Taiwan.

So what is wrong with this picture? We are putting taxpayers on the hook for $5 billion in loans and loan guarantees to a British-Government-owned subsidiary, where it will create, in the short term, 5,000 jobs, what the Chinese say will not be long-lasting, to give them nuclear technology so they can build better weapons against us and have more materials to use against us. It makes no sense.

I want to create 100,000 jobs in America. I want to create 2 million jobs in America. Do you know how we can do

that? By cracking down on the way the Chinese deal with their currency. If they would allow their currency to float, we would create more than 2 million jobs in America, and it would not put the taxpayers on the hook for anything.

As my colleague from Oklahoma said—as we both have said—if you want to put up $5 billion in loan guarantees, why not do it for American small businesses, and instead of creating 5,000 jobs, create 100,000 jobs. If that is my choice, I come down on the side of the American worker. This is 5,000 jobs, at $1 million a job. This makes no sense whatsoever—and putting the taxpayers on the hook.

So no matter how I look at it, the Chinese do not need this money. And do you know what I say? Let the Russians have this deal. Let the French have this deal. Let the French put their taxpayers at risk. Let the Russians put their taxpayers at risk. I am not moving forward toward this deal, which is the largest deal ever done by Ex-Im Bank, to benefit a country that has threatened us with nuclear weapons, at least the major general has.

This is insane. If anything should garner a big bipartisan vote, it is the Coburn-Boxer amendment. We do not team up that often. We have a couple times. This is really interesting. And we do it for different reasons. But do you know what? Overall, it is looking out after the taxpayer. That is the bottom line of this particular amendment.

There are many issues where I could stand up on this floor and say to my tax-paying constituents: There are certain things that I think are worth investing in. I think it is worth investing in No Child Left Behind and making sure our kids can read and write. Yes, it is going to cost money. Yes, it is a bit of a risk because some of the kids may not learn, and that is a problem. I guess you could argue with that. But I think, overall, the benefits outweigh the risks.

What is the benefit here to give over technology that the Chinese say they are going to learn; they are going to replace the American workers; they will have technology they can use against us? I think it is a bad deal. It is bad for the American taxpayer. It is a terrible message to send from a foreign policy point of view. The jobs we are creating are costing $1 million a job. They are very few jobs. They will not last long.

I cannot say enough how I hope this amendment will be adopted with an overwhelming vote.

Mr. President, I reserve the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from California withhold the suggestion of an absence of a quorum?

Mrs. BOXER. Yes, I do.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I yield 9 minutes to the Senator from California, Mrs. FEINSTEIN.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I always regret having to oppose an amendment proposed by my friend and colleague from California, but I am afraid I must. I have a very hard time understanding this amendment and understanding why we would even do it.

I believe, if this amendment is adopted, it is a free gift to the French, the Russians, and other European contractors who would have been provided a majoring advantage over their U.S. counterparts. Secondly, it will only lead to a further increase of greenhouse gases in China. Thirdly, it will result in the initial loss of American jobs and potentially many thousands in the future. Finally, it would mean a lost opportunity to address our rising trade deficit with China and to cooperate in finding efficient sources of energy.

I have been going to China for over 30 years now. I try to go every year. As mayor, I started a relationship with Shanghai. I traveled east, west, north, and south in China. China needs energy. All anybody has to do is be in China in the middle of the summer or the winter and see the effect of this coal-burning country.

Do you remember when they wanted to build hydroelectric power and build the Three Gorges Dam and people in this country objected to it? They said: It is too big. And the Three Gorges Dam, the largest hydroelectric dam in the world, will only handle 5 percent of the energy needs of China. So China has to go somewhere. China has to find a source of clean power.

This provision, I believe, would essentially shut out U.S. firms from being able to compete with their counterparts in Europe and, for all practical purposes, cede billions of dollars worth of contracts to non-American companies.

No matter what our personal views on nuclear power and the construction of nuclear powerplants in the United States—that is our business—it is clear that China intends to proceed with at least 30 nuclear powerplants, the most advanced and the cleanest yet known to man, over the next decade. This is China's decision, and it is their right to make this decision.

China, as its economy continues to expand by over 9 percent annually, is deeply concerned about an energy shortfall. As the world's No. 2 consumer of energy, China currently imports 40 percent of its oil supplies.

As its economy continues to grow—and it will—China will need to find additional and greater sources of energy. We do not want them to rival us as we look for those sources of energy.

Let me give you an example. The International Energy Agency, in its 2004 annual report, predicts that China's oil imports will increase by some 500 percent by 2030.

Despite the negative impacts on its citizens' health and its contribution to greenhouse gases, China remains the world's largest producer and consumer of coal. Coal continues to make up two-thirds of energy consumption in China, and it is predicted that coal consumption will only double over the next two decades.

Currently, the second largest emitter of greenhouse gases—behind us—China is expected to surpass the United States as the world's largest emitter of greenhouse gases by 2025. In an attempt to increase its reliance on cleaner, more efficient energy sources, China has been working to develop natural gas, hydroelectric power, and nuclear energy.

Now, while nuclear energy is not a panacea for all of China's energy needs, it offers one of the most efficient and cleaner sources of energy. And it is certainly superior to coal.

In the next 20 years, China is expected to top the world in nuclear power development. So I ask, what is the point of this amendment? Why would we want to pass legislation that would hurt American companies and try to tell China what sort of energy it can develop?

I could understand if this was sensitive nuclear technology and had national security implications. But it has been vetted, and that is simply not the case. The administration—and, in particular, the Department of Commerce and the Department of Energy—has reviewed this technology and has offered its unequivocal support for American firms bidding or subcontracting on these projects.

In the first project that would involve American technology, a multinational consortium, including the American Shaw group, is looking to design and construct four AP1000 pressurized water reactors on two sites in central and southern China. This AP1000 advanced nuclear powerplant will be the new standard for nuclear power throughout the globe and lead to thousands of high-tech jobs for Americans for many years to come.

In February 2005, the Ex-Im Bank gave a preliminary commitment to provide $5 billion of assistance to this consortium. Should this amendment pass today, it would mean the loss of at least 5,000 high-tech jobs throughout the Nation and could well set a precedent that precludes any American company from bidding on nuclear powerplant projects in China.

By passing this amendment, we essentially hand the contract to either the French or the Russians, who have the full support and backing of their respective governments.

With our trade deficit with China nearing $200 billion, I simply cannot understand why we would not want to provide American firms the best opportunity to successfully bid on these projects in China. For those, like myself, who have raised concerns with Chinese leaders about this unacceptable trade imbalance, it would seem counterproductive to support such an amendment.

Some have raised concerns about the decision by the Ex-Im Bank to provide financial assistance to a multinational consortium that includes non-American companies, suggesting that the bank is going beyond its mandate.

But the fact is, the Ex-Im Bank's primary responsibility is to assist in creating American jobs and export growth for the U.S. economy.

With this mission in mind, since 1987, the Ex-Im Bank has financially supported equipment and services for several overseas nuclear power projects, providing these loans at fee-for-service.

Despite what you may hear, American taxpayers do not subsidize these Ex-Im Bank loans to other countries and are not at credit risk.

Even in cases where the primary contractor may not be an American-owned company, these projects will spawn millions of dollars' worth of business for American subcontractors.

The fact is, China already has extensive nuclear power production. This is China's choice to pursue the construction of nuclear powerplants. We should not be telling China, which needs an increasing number of energy options, what to do.

Energy sufficiency has increasingly become a central component of China's long-term economic growth and development, and could have deep security implications as well.

I believe it is vital for the United States and China to cooperate in order to avoid future tensions and conflicts over securing energy resources. If this amendment passes, you can be sure there will be these conflicts. Therefore, in my view, working with China is important.

I oppose this amendment. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I listened very intently to the words of the Senator from California. I am somewhat confused. If in fact the American contractor, i.e. Bechtel, working with the British-owned company, not an American company, gets this contract, it will have an effect on reducing coal utilization. But in her first statement, the Senator said if the American company consortium doesn't get it, the French or Russians will. So the argument about coal and greenhouse gases doesn't fly. They are going to go with nuclear, much like this country should be doing, except we don't have the wisdom to do that.

The fact is, we will be subsidizing the difference in the rate. Loans for nuclear powerplants are high-risk loans. There are not many commercial lenders that will lend for that, and when they do lend for it, you pay a premium. This is going to be a subsidized loan that will cost somewhere between $50 million and $100 million per year to the American taxpayer. What could we do with another $50 million or $100 million to produce jobs? I am all for producing jobs. I want Westinghouse to produce lots of nuclear plants. I believe it is safe and smart for us to use nuclear power. Every time we have seen a problem in this country, the power systems and safety systems have worked.

The debate is not whether I want nuclear power. I have been on record for nuclear power for a long time. I am not an advocate of us subsidizing the British Government, the Japanese Government, and their businesses, and having the American taxpayers pay for it.

Mr. SANTORUM. Will the Senator yield for a question?

Mr. COBURN. I am happy to yield for a question.

Mr. SANTORUM. My staff has been checking this. We cannot figure out where the Senator is coming up with the $50 million to $100 million figure, since the Ex-Im Bank has not decided how they are going to structure the transaction yet.

Mr. COBURN. The assumption is, if this becomes an Export-Import Bank loan, then it, in fact, will be at a rate less than what China could borrow in the international markets for the same thing. If you go out and check loans on nuclear powerplants, what you see is they are high-premium loans because there is a lot of risk. Whatever they do, if they, in fact, finance it, or if they, in fact, guarantee it and don't finance it, the rate is going to come down, so that builds the risk for the American people. I agree, they probably will pay it back. My argument is, whatever it is, if we are subsidizing it, either through the auspices of a guarantee or a loan through a reduced rate, what could we be using that same buying power for here?

So there is an economic cost. If we put $5 billion over here, it is going to cost us by not putting it somewhere else in terms of loan guarantees. The question is not whether we ought to have a vibrant nuclear power industry in this country. The question in my mind is this. I understand the global economy. You are talking about the vast majority of the major players in this not being American companies—the vast majority. Although Westinghouse employs Americans, the profits that inure to Westinghouse through a loan guarantee for subsidy go to the British, not to Americans. That government owns it through the nuclear power unit, the research fuels unit of the British Government, British Nuclear Fuels. They own it 100 percent.

We can muddy the water on who owns it. The fact is, American taxpayers should not be on the hook for subsidizing or guaranteeing what should be subsidized or guaranteed by the Japanese and British Governments. If they think this is a great deal—and I am all for reducing our deficit with China. I voted for looking at the floating of the currency, so I am with the Senator from Pennsylvania; but I don't believe we should put our grandchildren and our children at risk when we can use the money much more wisely and our credit rating more wisely.

Mr. SANTORUM. Will the Senator yield?

Mr. COBURN. Mr. President, I inquire how much time remains?

The PRESIDING OFFICER. There remains 3 minutes 10 seconds.

Mr. SANTORUM. Mr. President, I ask this question. You are aware that there is an exposure fee that is paid by the company to the Ex-Im Bank, which is calculated to cover the credit risk of the transaction, so the credit cost to the taxpayer would be zeroed out through this exposure.

Mr. COBURN. Would the Senator like to yield back to me?

Mr. SANTORUM. I am asking a question.

Mr. COBURN. The fact is, there should be no risk to the American people on this deal, period. There is risk. There is a guarantee for the full faith and credit of the United States through the Export-Import Bank to finance the vast majority of a British-owned company—a British-Government-owned company, not by the taxpayer, but a British-owned company and a Japanese company and a smaller American company. So my basic position is we should not have that risk placed on our children or grandchildren.

The other issue that is important is that they have already said they are going to take the technology at the end of 10 years. I cannot believe we are saying at the end of 10 years whatever advantage we have they are going to get. We agreed in this deal that they get it. They are going to be turning around and selling nuclear powerplants to us.

We ought to be doing something different. If this is the only way we can put jobs out there, by competing on subsidies with the French and Russians, we have lost the innovative spirit of America. We need to get back to investing in hard reserve, entrepreneurship, and in small business. We will create more jobs and more industries. If we keep playing the game of government-run subsidies and guarantees to buy business—because that is what we are doing. Why did the Chinese choose this one over the others? Because it is the best economic deal. They are essentially equivalent as to what they can buy. We are buying business. When you start buying business, it marks the end of your ability to compete.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time? The Senator from Pennsylvania has 1 minute. The Senators from Oklahoma and California have a minute each. The Senator from Vermont has 5 minutes.

Mr. SANTORUM. I will reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I would be willing to yield back my time, if the others are, to accommodate the chairman of the subcommittee.

Mr. MCCONNELL. Under the unanimous consent agreement, I believe we immediately move to debate on the Dorgan amendment as soon as time expires on the Coburn-Boxer amendment. Am I hearing that all of the remaining time might be yielded back?

Mr. SANTORUM. I just need a minute and then I am done.

Mrs. BOXER. I will take just 30 seconds.

Mr. MCCONNELL. I think I am hearing that Senators SANTORUM and BOXER would like to use the remainder of their time.

Mr. LEAHY. Once they have finished their time, I will ask unanimous consent that my time be yielded back.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SANTORUM. Mr. President, this is about reducing the trade deficit with China, about creating American jobs, and about creating high-tech, high-quality, good-paying jobs in America, to build something that we cannot export to China, something that we cannot build here and send to China, something that China desperately needs.

As the Senator from California said, it will reduce emissions in China. The reason we will get this contract is because we have the best technology. AP–1000 is the best technology. They are not going to buy the best technology if we are uncompetitive in the financing and because of the subsidies of the French and Russian Governments.

We are trying to put up the best technology, developed with the best know-how, which is what the Senator from Oklahoma said we should be doing, but we cannot compete on an uneven playing field. This will even up the playing field. It costs nothing to the taxpayers. There is an exposure fee covering the credit risk.

In all likelihood, there will be a guarantee. If anybody believes the Chinese Government will not come through on their guarantee, I have a bridge to sell you. Thank you.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, the Coburn-Boxer amendment will stop us from putting at risk $5 billion of taxpayer money. My colleague from Pennsylvania can say all he wants that he believes the Chinese will never default, no problem, just come and talk to the business people who have made investments in China. It hasn't been a pretty picture.

The fact is, if this is about creating jobs, the Senator from Oklahoma and I and others have shown much better ways to create far more jobs that will really benefit the American people. This is something that we should not do.

I am on the Foreign Relations Committee with my colleague in the chair, and we are very proud of that committee. We want to be known as ''Uncle Sam.'' We don't want to be known as ''Uncle Sucker.'' I think we have a chance tonight to say we are Uncle Sam; we are not Uncle Sucker. We are going to protect the taxpayers and American jobs. I hope we will have an overwhelming vote, just as the House voted for a similar amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I ask our colleagues to look at this for what it is. In the long run, we don't win; we lose. Even if it costs us nothing in terms of finance charges, in the long run the technology goes to China. We need to be investing in real jobs, real science, real entrepreneurs, and small business. We can create high-paying jobs. We have done that. I hope the body will do that.

I yield back the remainder of my time.

Mr. LEAHY. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, is it correct that the pending business now is the Dorgan amendment?

The PRESIDING OFFICER. That is correct. The order anticipates the offering of the Dorgan amendment.

Mr. MCCONNELL. The time division on that amendment is 15 minutes for Senator DORGAN and 15 minutes under the control of Senator MARTINEZ.

The PRESIDING OFFICER. The Senator is correct.

The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, my colleague from Florida, the senior Senator from Florida, I understand is interested in participating in the debate. At the request of the majority whip, I will be happy to yield a portion of my time. I have not discussed that.

Mr. MCCONNELL. Mr. President, I suggest that the Senator from Florida go ahead and begin his remarks. If his colleague arrives, he can make sure he has time left to yield to him.

Mr. MARTINEZ. I thought maybe the proponent would want to go first. I am happy to have him go, and I will respond once he has an opportunity to present his amendment.

Mr. DORGAN. Mr. President, are we in a quorum call?

The PRESIDING OFFICER. The Senate is not in a quorum call. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I am waiting a minute for something to be delivered from the cloakroom. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1294

Mr. DORGAN. Mr. President, I am offering an amendment. The amendment I offer today is very simple. It is an amendment that will eliminate the $21 million in this appropriations bill for something called Television Martí and will instead use that $21 million to restore funding for the Peace Corps. The Peace Corps has been cut by $25 million. This would restore most of that $25 million. It would restore, in fact, the $21 million that is allocated for Television Martí.

Let me talk for a moment about Television Martí. It is for the purpose of broadcasting signals into the island of Cuba, apparently to tell the Cubans the truth, to tell them Castro is an awful person. I would agree with that, that they ought to live free. We ought to find a way to move Cuba toward freedom.

We have Radio Martí that sends radio signals into Cuba. I have been to Cuba. The Cuban people told me they receive the radio signals. Of course, they can also receive the signals of the Miami radio stations, but Radio Martí is something that is valuable, is important, we should fund and will fund. I support it.

Television Martí, on the other hand, is a tragic, complete waste of money. We have now spent a substantial amount of money, $189 million, sending television broadcast into Cuba that the Cuban people cannot see.

Let me tell you how we do that. This is a picture of Fat Albert. Fat Albert is an aerostat balloon. We have this balloon go way up into the air and then, on a big tether, it broadcasts television signals into Cuba. Castro, through his technology, blocks the signals so the Cuban people cannot see them. So we have $189 million we have spent to send broadcast signals to Cuba that the Cuban people cannot receive.

We will hear people say today: That is not true, the Cuban people are receiving it. I am sorry, they are not. They just are not. There is no evidence they are receiving it, except very sporadically and in only a few spots in Cuba.

In fact, there have been some surveys that used to be taken and they have discontinued them because they could not find anyone who saw Television Martí and it was kind of embarrassing. On June 6, 2002, Brian Conniff, the acting director of the International Broadcasting Bureau, testified before the House subcommittee and said this. He is speaking of TV Martí:

> Transmission to Cuba has been consistently jammed by the Cuban Government.

Let me say that again. This is not me. This is the person in the administration who is the acting director of the International Broadcasting Bureau. He said:

> Transmission of these signals to Cuba has been consistently jammed by the Cuban Government.

So we spend $189 million to send television signals that they cannot see in Cuba. Maybe it makes people feel better to waste that money. It does not make me feel any better. There is $21 million proposed in this appropriations

bill. I say better use that to restore the funding for the Peace Corps where we need the money.

This Fat Albert aerostat balloon was up on a tether broadcasting signals no one could see. Fat Albert actually got loose once. They tracked it down. It flew over by the Everglades. They had to grapple up and find the hooks to get ahold of Fat Albert.

In all, $189 million of the taxpayers' money has been spent to send television signals into Cuba that the people cannot see. That was not enough, however. The President announced he was going to get tough with Cuba recently so he restricted the right of people to travel in Cuba. I am talking about United States visitors to Cuba, including, by the way, Sergeant Lazo, who earned the Bronze Star Medal for bravery in Iraq. He came back to this country and had a sick child in Cuba and was denied the freedom by this Government to visit his sick child. We had a vote on that issue on the floor of this Senate. Sixty Senators voted to let him see his child. We needed 63 votes. So this Senate decided to deny a soldier who won the Bronze Star Medal in Iraq the freedom to see his sick child in Cuba. That is another debate for another time, but it shows the obsession of this policy with Fidel Castro.

Castro has lived through 10 Presidents. This embargo doesn't work. We understand it. This is a big, fat batch of politics dealing with particularly Florida, also New Jersey, and a couple of other spots in the country.

The President announced he is going to get tough. On October 10, 2003, in the Rose Garden, he said: We are going to get tough with Cuba. He says now instead of just Fat Albert, we are going to use Commando Solo C–130s. There are only a few of these planes. These are some real technology-laden airplanes that have been developed to use in combat areas for communications, specific communication areas. And so they fly this airplane.

I didn't mention, by the way, that the broadcast signals from old Fat Albert into Cuba occurred from 3:30 in the morning until 8:30 in the morning. Under the best of circumstances—let's assume nobody is jamming signals—one would wonder what kind of audience exists at 3:30 in the morning in Cuba. Notwithstanding that, they come up with this airplane. They expropriate this airplane from the National Guard, one of a few airplanes called Commando Solo. The C–130, with very special equipment, is now flying 4½ hours a week—let me say that again, 4½ hours a week—broadcasting signals into Cuba—signals, by the way, which are still jammed.

They say this jamming has now been overcome by this Commando Solo, this new airplane. Let me quote Chris Courson, former chairman of the President's Board Of Advisers on Broadcasting to Cuba. He was appointed to that position by the first President Bush. Until 6 years ago, TV Martí used to conduct exit interviews with Cubans coming to the United States on rafts and to determine whether Cubans, in fact, watch TV Martí. From the interviews, it was clear TV Martí was seen by virtually no one in Cuba. And finally, they stopped doing interviews altogether, and they have no idea whether anybody from Cuba is watching these programs. In fact, these programs are being jammed.

We are going to hear, I am sure, today somehow somebody in Cuba is picking up the television signal. There is no credible evidence of that, except at most for a few sporadic reports from isolated spots in the Cuban hinterlands.

This is a terrible waste of the taxpayers' money. First with a big, old balloon, an aerostat balloon called Fat Albert, and second with Commando Solo. And now to top it off—failure is not anything that slows anybody down around here or at the White House—to top it all off, they want to buy a new airplane. They took one from the National Guard, Commando Solo, a handful of special airplanes, but that wasn't enough. Now they want to buy an entirely new airplane. They get $21 million this year. Better it should be used, in my judgment, for the Peace Corps.

I have often wondered whether everything has a constituency in this Congress. It is quite clear, to me at least, that waste has a constituency. Waste has a relentless constituency. This is not the first time we have tried to shut this funding down. I think my colleague Dale Bumpers and I some years ago were trying to shut this down. But this keeps moving along. Waste has an enormous constituency here. Keep doing it. It doesn't matter if they can't see it; if it doesn't work, it doesn't matter what the facts are, keep doing it. It is as if the taxpayers have pockets with no bottoms. Have them ante up for a big balloon, ante up for an airplane, and send signals nobody can see.

People in Cuba are jumping on rafts to come here. They deserve to be able to have a new government. They deserve freedom and democracy. Radio Martí gives them the hope of that; it gives them some information. So, too, does Cuban radio off the radio stations in Miami or the regular radio stations in Miami which they can pick up. But Television Martí? If they can't get the signal, do we keep sending it?

Mr. President, how much time remains?

The PRESIDING OFFICER (Mr. CHAMBLISS). The Senator has 5 minutes 20 seconds remaining.

Mr. DORGAN. Mr. President, I send my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

Mr. DORGAN. I send this amendment to the desk on behalf of myself and Senator WYDEN.

Mr. NELSON of Florida. Will the Senator yield?

The PRESIDING OFFICER. The clerk will first report the amendment.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself and Mr. WYDEN, proposes an amendment numbered 1294.

Mr. DORGAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that no funds may be made available to provide television broadcasting to Cuba, to increase by $21,100,000 the amount appropriated to the Peace Corps, and to reduce by the same amount the amount appropriated under title I to the Broadcasting Board of Governors for broadcasting to Cuba)

On page 227, beginning on line 13, strike ''headings 'Foreign Military Financing Program' and 'Broadcasting to Cuba''' and insert ''heading 'Foreign Military Financing Program'''.

On page 326, between lines 10 and 11, insert the following:

PROHIBITION ON TELEVISION BROADCASTING TO CUBA

SEC. 6113. (a) None of the funds appropriated under this Act may be made available to provide television broadcasting to Cuba.

(b) The amount appropriated by title III under the heading ''PEACE CORPS'' is hereby increased by $21,100,000.

(c) The amount appropriated by title I to the Broadcasting Board of Governors under the heading ''BROADCASTING TO CUBA'' is hereby reduced by $21,100,000.

Mr. DORGAN. Mr. President, I ask the Senator from Kentucky how we allocate the time. I know we have two Senators who want to speak in opposition.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I believe there is 15 minutes on the side of the opposition. I think I heard the junior Senator from Florida offer to divide the time with the senior Senator from Florida.

I will take a moment to propose a unanimous-consent request related to several amendments so we can stack these votes for the very near future.

I ask unanimous consent that following debate on the current amendment, the Dorgan amendment, that there then be 5 minutes for Senator LEAHY and 5 minutes for Senator COBURN in relation to amendment No. 1241. I further ask unanimous consent that the Senate then proceed to a vote in relation to amendment No. 1242, which is the Coburn-Boxer amendment, on which we have already had debate, to be followed by a vote in relation to amendment No. 1241, which is the Coburn AID amendment, on which we have already had debate, to be followed by a vote in relation to the Dorgan amendment related to TV Marti.

Mr. LEAHY. Reserving the right to object, and I shall not object, should we not have 2 minutes between each vote evenly divided between the sides in the usual form to discuss the next vote?

Mr. MCCONNELL. Mr. President, I had not put that in the request. We can

do that. I so amend the unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the request as modified? Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, will the Senator from North Dakota yield for a question?

Mr. DORGAN. Mr. President, I am yielding on the time of the Senator from Florida. I will be happy to.

Mr. NELSON of Florida. Mr. President, I ask the Senator if we can see that photograph of the airplane, the C–130. Would the Senator be more amenable to this situation if he realized that the aircraft called Commando Solo has to fly all the way from Harrisburg, PA, to the Florida Keys on Saturdays to do the broadcasts, and what the Broadcasting Board of Governors is proposing is instead to buy a small aircraft that would be located in the Florida Keys so it would be close by and the broadcasts could be much more frequent? Would the Senator recognize that might be a wise thing?

Mr. DORGAN. Mr. President, since my colleague from Florida is going to oppose my amendment, I will not give him a lot of satisfaction with my answer except to say this: Sending another airplane closer to Cuba to send signals that the Cubans cannot receive does little for the American taxpayer, in my judgment.

Mr. MARTINEZ. Mr. President, if I may, I would like to be heard on the amendment. I rise to oppose the amendment because anytime someone would offer an amendment that is going to deny the Cuban people the opportunity to hear the voices and see the signs of freedom, I do not believe that is an appropriate amendment, and I oppose it.

I want to correct a couple of misperceptions. The Senator from North Dakota relishes showing the balloon photographs. I have heard him on several occasions discuss the unfortunate incident where apparently the wind blew it into the Everglades, which is inconsequential as to whether, in fact, it reaches Cuba.

The fact is that technology began and the Cuban Government began to jam it. The Cuban Government jams that information coming into the Cuban people and the images of TV for some reason or another. It is obvious to them that it does harm to their political interests for the people of Cuba to see these images of freedom. So I would discount the fact that because Cubans do choose to take that dangerous route of coming through dangerous, treacherous waters, where more than one-third of them perish and die, and they do understand the difference between freedom and tyranny, and out of desperation may come to this country, that the information that they receive through the images of TV Martí are, in fact, remarkable and important.

I also say that while Radio Martí does reach Cuba, the quantum importance of adding the images of television to those of radio are the same impact of the reasons I would daresay that most of us who have run for office in recent years choose to do television ads in preference over radio ads even though television ads are much more expensive, because the power of the images on the television set are much more powerful than those of the spoken word over the radio. That is why it is so important that not only Radio Martí but TV Martí also reach the people of Cuba.

I add to that, even though it has been jammed by the Cuban Government, the Cuban Government has been unable to jam the flights of Commando Solo, which is why they are so important as an added measure of policy of the United States towards Cuba.

In fact, the Cuban people were able to see me take my oath of office as the first Cuban American in the history of this Nation to become a United States Senator from the very floor of this Senate with images of TV Martí broadcast to Cuba. So I would daresay that the information that I receive anecdotally but certainly reliably is that the people of Cuba do see the Commando Solo flights, do see the images reaching them on television. The power of these images on television cannot be understated or minimized.

The fact is, the people of Cuba recently have suffered the ravages of yet another hurricane. As a result of that hurricane, it is unquestionable that the people of Cuba are desperate to know the facts of free information flow. For instance, the Cuban Government has refused humanitarian aid from the U.S. Government. We hear that most of Cuba today has blackouts given the fact that the hurricane destroyed large parts of the electrical system. Would it not be good to get the information to the people of Cuba that their dictator, their tyrant, while he sleeps in a comfortable, dry bed, does not want them to have the humanitarian assistance that our Government would provide?

We know from reports that are received that the audio and video signals are seen in the provinces of Havana, where more than one-third of the population of Cuba lives, also in Matanzas and Villa Clara provinces. Villa Clara happens to be the part of the country where I come from.

The fact is, the images in Cienfuegos, Pinar del Rio, Ciego de Avila, and Sancti Spiritus also have been seen and are seen frequently with the assistance of the airplane which cannot be jammed.

Why would Castro, why would this dictator, why would this tyrant, jam the signals that come into Cuba if it was of no significance to them politically?

The policy towards Cuba changed on that day in the Rose Garden where I had the honor, by the President of the United States, to be appointed to a Cuba study commission, which I co-chair with Secretary Powell. One of the important tenets of this policy toward Cuba was, in fact, to include information flow and to make it effective, which is why we shifted from the balloon to the airplane, a way in which the information could get to the people of Cuba.

I would finally say that the same arguments that are being made today against TV Martí are the same arguments as those that have been made against Radio Martí. The words that are being used on this Senate floor to further this amendment, the fact that the voices and sounds and signs of freedom are given no importance, is a completely different message than that which we sent to the world when Radio Free Europe was piercing the Iron Curtain, when Radio Free Europe was beaming signs of hope and a better future to the people of Eastern Europe.

In talking to the Natan Sharansky and other heroes of those days, we know that they value greatly the partnership and the solidarity with the United States as they sought to stand up for freedom.

As the dissident movement in Cuba, each and every day growing, seeks to get a foothold and a toehold, the information from Radio and TV Martí is essential to the creation of voices of freedom, of people who live on an imprisoned island without the ability to get information that we today regard as casual and everyday, which is the evening news or the broadcast of any events that may take place in the world.

I yield time to my senior colleague, the Senator from Florida, so that he might speak on this issue.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, we have been through this only a few weeks ago on another appropriations bill. This is the identical amendment that was offered then. It was defeated by a very strong vote of 65 votes against it and 35 votes in favor of it.

Senator DORGAN, who is one of the fiscal watchdogs of this Chamber, is clearly well motivated in his attempt to find waste, but I want to lay out why I do not think this is a good place for him to look.

Cuba successfully jammed TV signals before, when we were beaming them from a tower located in the Keys or when we were beaming them off of the ionosphere coming down where the Castro government could get a fix on the signal. Likewise, they were successful in jamming it when they could get a fix on a signal coming from a satellite. That is the reason the airplane is so useful. They cannot get a fix on the signal because the airplane is moving.

That is why I asked the Senator from North Dakota my question earlier: why is it not reasonable to think that we could save money, which is what the Broadcasting Board of Governors wants to do, instead of flying this C–130 all the way from Pennsylvania to off the

coast of Cuba every Saturday? Let us have a smaller aircraft stationed nearby so that it can go more frequently and at much lower cost.

Is there any reason why Castro wants to jam the broadcast? He wants to keep the information from getting in, but the Cuban people are hungry for this information.

My position on this goes back to when I was 17 years old, when I was sent by this country as a representative of its youth to speak to young people behind the Iron Curtain on Radio Free Europe. We know the success of that program. We know that they tried to jam the broadcast, but some broadcasts got through and were the lifeline for those people who ultimately—we know the story. The Iron Curtain came down.

Eliminating this funding would eliminate the Broadcast Board of Governors' radio and TV broadcast operations. With a dictator in Cuba who is trying to keep his people's minds enslaved, as well as their bodies, this is not the time to end these broadcasts.

I hope our colleagues will defeat this amendment even more strongly than they defeated the last one. Let us see how our broadcasts operate under this new system. Let us see how, under the new leadership and administration of Radio and TV Martí and all other forms of U.S. outreach and support to the island, this can demonstrate our commitment to the Cuban people and to all the oppressed people around the world.

If we were to end our support now we would be turning our backs on the dissidents who have been so brave to sign the petition in the Varela project, a petition signed by over 11,000 courageous Cuban citizens demanding greater freedoms. They made this petition in accordance with Cuban law, and yet were ignored by the Cuban Government.

So I urge our colleagues, on behalf of my colleague from Florida and this Senator from Florida, to oppose this amendment.

Mr. MARTINEZ. How much time remains?

The PRESIDING OFFICER. The Senator from Florida has 2 minutes 30 seconds remaining.

Mr. MARTINEZ. In closing, I would like to say a couple of words about the broader policy toward Cuba because I know that part of this has to do with whether, in fact, we believe that the policy of this country toward Cuba is misguided or actually correct.

The policy of this country toward Cuba has been enshrined in a study that was carried out by Secretary Powell, myself, and others on behalf of President Bush to try to arrive at a consensus way in which we would look at Cuban policy well beyond the fact of an embargo. An embargo had been in place for a long time, but that in and of itself did not constitute a policy. The fact is, it was then a multifaceted approach that was chosen. Included among those facets, one of the most important underpinnings of it was the free information flow to the people of Cuba. Radio and TV Martí are only one of the means in which it is done.

One has to understand this in the context of a society that is closed, that does not permit people to seek information as casually as we do today by going on the Internet. The Internet is denied to the people of Cuba. Access to news and information is denied to the people of Cuba.

Cuba has always had the unfortunate circumstance of being an island, which has deprived it of communication and contact with other people in the Western Hemisphere. As a result of that, the ease of information control is greater there than it would be in many other places. That has been a great detriment to the Cuban people in being unable to free themselves from the shackles of oppression for now over 45 years.

Today we ought to defeat this amendment. We did so just a couple of weeks ago. This, again, is the same issue, the same time, the same misguided look at the way in which we want to see the people of Cuba have the opportunity for the free flow of information. So I urge my colleagues to defeat this amendment and to, once again, allow the people of Cuba to hear and see the voices and sounds of freedom, the voices and sounds of liberty, as they seek to themselves regain that for themselves.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. How much time remains?

The PRESIDING OFFICER. The Senator has 4 minutes 35 seconds.

Mr. DORGAN. Mr. President, let me just say that the case with respect to this country's dealing with Cuba is a case study in failure. I will not debate that at the moment, but it is absolutely absurd. We plead that the way to move China and Vietnam in a more constructive direction, both Communist counties, is through trade and travel and engagement. We take exactly the opposite position with respect to Cuba. This policy is the best friend Fidel Castro ever had, and that is why he is still in office.

Aside from all of that, this amendment does not deal with the whole Cuba trade policy. It deals with the issue of Fat Albert, and, yes, the new airplane they want to buy. They say they are going to get a new little airplane, fly it off the coast of Florida, and we will get some television signals into Cuba.

The fact is, they have already wasted $189 million. Apparently, now after 10 years, or however many years it is, there is a new approach. I don't believe it will work.

Let me read something from the Chicago Tribune Foreign Correspondent, October 2004. He went right to the heart of this. Do the Cubans see these signals with Commando Solo or Fat Albert, the balloon? He says: In interviews on the island, speaking of Cuba, it is difficult to find anyone who says they have ever seen TV Martí, although one Havana resident said she picked up some of the audio portion of a Saturday evening broadcast.

That viewer said: There was no picture but I could hear it and the static was very loud.

One person hearing a voice without a picture on a television station.

My colleague from Florida, Senator MARTINEZ, said at the start of his presentation that Fidel Castro jams these signals. Yes, he does. That is exactly my point.

I am willing to do all kinds of things to send additional information to Cuba, to give them additional information, but I am not willing to sit by and say: Let's keep wasting money. If we send big fat balloons up in the air or send Commander Solo or buy a two-engine plane and run it off the coast of Florida and believe we are doing something, all we are doing is wasting the American taxpayers' money.

Maybe I am confused. Maybe I am just hopelessly confused and misguided. I thought when you spend money that is not yours—and the money here is the taxpayers' money—I thought you should spend it wisely. When you find somebody wasting it, you stop it. Maybe I am confused about that. I thought surely if all the evidence—I am talking about the evidence of the people who ran this thing, TV Martí—if all the evidence is you are sending television signals that no one can receive and spending $189 million doing it, maybe at some point you would stop and say this doesn't make any sense. This doesn't pass any litmus test.

What I suggest is this: $21 million, once again, $21 million more to send a television signal that no one can see. That $21 million is better spent by sending it to the Peace Corps, which is underfunded by $25 million. The Peace Corps is something of which I am enormously proud. It gives me great pride, these people moving around the world representing our country in the Peace Corps in all corners of the world. Underfunding $25 million to the Peace Corps and sticking $21 million into this? Maybe next time it will not be Commander Solo or an aerostat balloon, or maybe they will train an eagle with some sort of transmitter. Who knows? No matter what it is, no matter what the waste is, no matter they spend millions and millions—now $180 million—no matter, there will be people here representing that waste.

Vote for this amendment. Move this money to the Peace Corps where it will be used for the good of this country.

Have the yeas and nays been requested on my amendment?

The PRESIDING OFFICER. They have not.

Mr. DORGAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. Mr. President, am I correct we are now into a 10-minute debate on the Coburn amendment, or have we already had that?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. Five minutes is under the control of Senator COBURN and 5 minutes is under the control of Senator LEAHY. Then, let me say for my colleagues, we are unaware of any other amendments on either side that will require votes. We are also unaware that there will be a request for a recorded vote on final passage. So we are very close to the end of consideration of the Foreign Operations bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 1242

Mr. COBURN. Mr. President, we are about to have a vote on the Coburn-Boxer amendment. It is a very straightforward amendment that says the U.S. Export-Import Bank should not subsidize a $5 billion loan for the sale of nuclear powerplants to China. We are opposed to it. I am personally not opposed to nuclear power. I am not opposed to the Chinese having nuclear power. But I am opposed to financing a company owned by the British Government through the British Nuclear Fuels Company, which is wholly owned by the British Government, which wholly owns Westinghouse Nuclear Powerplant Division. This Export-Import Bank financing will also finance Mitsubishi Steel out of Japan.

The question that has been raised in the debate is if we don't do it, the French or Russians will. The fact is, if we have the best technology and the best quality, then we ought to earn it on the merits. The American taxpayers should not be put on the hook for financing.

The second issue is that when we buy business in this country—which is what we are doing; we are buying business by subsidizing and giving a deal to compete—what we are doing is taking away moneys and Export-Import financing that could be used elsewhere. This is by far the largest, by 250 percent, of any Export-Import Bank loan in the history of the Export-Import Bank. I don't believe our grandchildren should be on the hook for it, but I also don't believe this is the best use of that money.

I am an advocate of nuclear power both in this country and around the world. I think it can be used safely. These are great companies, but it is time we get out of the idea of buying business and out of the idea of putting our kids and our grandkids at risk for something that fully should be subsidized by the governments that are going to benefit the most from it.

I yield my time.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, yesterday on the floor I suggested that I might offer an amendment to this bill dealing with the CNOOC Chinese oil company's purchase of Unocal. I wanted to tell the ranking member that I decided not to offer this amendment to this appropriations subcommittee bill. There are other avenues with which to discuss and describe that issue. It is very controversial. It is something which I believe very strongly the Congress—the Senate needs to deal with, but I have elected not to do it on this particular piece of legislation because other opportunities will exist in the days ahead.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I thank the Senator from North Dakota. Then, as the Senator from Kentucky said earlier, I think it is pretty clear we on our side do not have any amendments beyond the unanimous-consent agreement that would require rollcall votes. I know of nobody on this side, nor am I, requesting a rollcall vote on final passage, insofar as we are going to have to have a rollcall vote when the conference report comes back, in any event.

AMENDMENT NO. 1241

The PRESIDING OFFICER. The Senator has 5 minutes on the Coburn amendment.

Mr. LEAHY. I have spent almost 30 years on this committee, cutting out areas where I believed we spent tax dollars frivolously. This, however, is talking about $5,000 overall throughout AID regarding hospitality for visiting dignitaries. I have had disagreements with various Directors of AID over the years on particular programs, but I am not going to come on the Senate floor and seek to micromanage AID to the extent that if they have visiting dignitaries and they are trying to move through a program, they would be unable to even have recorded music for that or pay a modest honorarium to a local singer or something like that to come in and entertain, much the same way other countries do with us. We are talking about for the whole world—$5,000 in a multimillion dollar budget.

Frankly, I will give the Bush administration—as I have since I have been in the Senate the Ford administration, the Reagan administration, the first Bush administration, the Clinton administration, and now the Bush administration—the benefit of the doubt that out of this multibillion dollar budget, they can handle this $5,000.

I will vote against the amendment, and I yield the remainder of my time.

AMENDMENT NO. 1242

The PRESIDING OFFICER. The question is on agreeing to the Coburn amendment, numbered 1242.

Mr. LEAHY. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. Do we now have rollcall votes on all three stacked amendments? Have they been requested of all three?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Mr. President, further parliamentary inquiry: Is it the intent of the distinguished Republican leader to request subsequent votes after this first one be 10-minute votes?

Mr. MCCONNELL. I ask unanimous consent that the second and third votes on the three stacked amendments be 10-minute rollcall votes, and as was suggested earlier, there will be a minute on each side to describe each of the amendments prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

The PRESIDING OFFICER (Mr. THUNE). Is there any Senator in the Chamber desiring to vote?

The result was announced—yeas 37, nays 62, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—37

Allard	Enzi	Reed
Bayh	Feingold	Salazar
Boxer	Gregg	Sarbanes
Brownback	Harkin	Schumer
Byrd	Inhofe	Sessions
Clinton	Inouye	Smith
Coburn	Johnson	Snowe
Collins	Kennedy	Stabenow
Conrad	Leahy	Sununu
Dayton	Levin	Talent
Dorgan	Martinez	Wyden
Durbin	Mikulski	
Ensign	Obama	

NAYS—62

Akaka	DeMint	Lugar
Alexander	DeWine	McCain
Allen	Dodd	McConnell
Baucus	Dole	Murkowski
Bennett	Domenici	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Pryor
Bunning	Grassley	Reid
Burns	Hagel	Roberts
Burr	Hatch	Rockefeller
Cantwell	Hutchison	Santorum
Carper	Isakson	Shelby
Chafee	Jeffords	Specter
Chambliss	Kerry	Stevens
Cochran	Kohl	Thomas
Coleman	Kyl	Thune
Cornyn	Lautenberg	Vitter
Corzine	Lieberman	Voinovich
Craig	Lincoln	Warner
Crapo	Lott	

NOT VOTING—1

Landrieu

The amendment (No. 1242) was rejected.

AMENDMENT NO. 1241

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Coburn amendment No. 1241.

The Senator from Oklahoma.

Mr. COBURN. Mr. President, the claim is that this is micromanagement

of USAID. USAID's role is to deliver goods, health care, and support to the needy people around the world. What this amendment does is negate what they have already said they are going to ignore anyway. I will read: USAID has the authority to use program and regular operating expense funds for entertainment under the necessary expense doctrine. GAO decisions to the contrary are not binding on this Agency.

This is a small amount of money, but it should send a signal to USAID, their job is to deliver what we want as American taxpayers in terms of health care and food and medicine to people in need. The best example of that is not to spend the money on furnishings, not on live recording artists, not on gifts for other bureaucrats but on food and medicine for those people who need it. That is what this amendment is about. It is not about micromanaging. It is about sending a signal: Do what you are expected to do.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I have had questions about what six different administrations have done, since I have been in the Senate, in their operation of USAID, but I have never seen such micromanagement. This would could cost far more than it would save. It would actually cost far more money than this amount in debating it. It would not have been done in the Ford administration, the Nixon administration, the Reagan administration, the former Bush administration, the Clinton administration, and I would not support this kind of micromanagement in the current Bush administration. We would simply spend more money debating it than we could save, and I hope we would vote against it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LEAHY. Have the yeas and nays been ordered?

The PRESIDING OFFICER. No.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—59

Alexander	Bunning	Coleman
Allard	Burns	Collins
Allen	Burr	Conrad
Bayh	Byrd	Cornyn
Bennett	Chambliss	Craig
Bond	Coburn	Crapo
Brownback	Cochran	Dayton
DeMint	Isakson	Smith
DeWine	Johnson	Snowe
Dole	Kyl	Specter
Domenici	Lott	Stabenow
Ensign	Lugar	Stevens
Enzi	McCain	Sununu
Frist	McConnell	Talent
Graham	Murkowski	Thomas
Grassley	Roberts	Thune
Gregg	Salazar	Vitter
Hatch	Santorum	Warner
Hutchison	Sessions	Wyden
Inhofe	Shelby	

NAYS—40

Akaka	Feinstein	Mikulski
Baucus	Hagel	Murray
Biden	Harkin	Nelson (FL)
Bingaman	Inouye	Nelson (NE)
Boxer	Jeffords	Obama
Cantwell	Kennedy	Pryor
Carper	Kerry	Reed
Chafee	Kohl	Reid
Clinton	Lautenberg	Rockefeller
Corzine	Leahy	Sarbanes
Dodd	Levin	Schumer
Dorgan	Lieberman	Voinovich
Durbin	Lincoln	
Feingold	Martinez	

NOT VOTING—1

Landrieu

The amendment (No. 1241) was agreed to.

AMENDMENT NO. 1294

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Dorgan amendment No. 1294.

The Senator from North Dakota.

Mr. DORGAN. Mr. President, we have now spent $198 million sending television signals to Cuba that the Cubans cannot see. It is called Television Martí. The President proposes to spend another $21 million in the coming year, including buying an airplane to send these signals. Let me say that the Chicago Tribune foreign correspondent recently reported on this and said he couldn't find anybody who had ever seen TV Martí. In all of the surveys that have been done on people who came over by raft and so on, they couldn't find anybody who saw TV Martí. Why? Because it was jammed. So we are spending another $21 million in the next year to send television signals the Cubans can't see. Meanwhile, we have now cut $25 million in this bill from the President's budget request for the Peace Corps. I say let's take the $21 million we now spend on television signals the Cubans can't watch and spend it on the Peace Corps which will invest in the future of this country and promote a better world.

I don't think I need to say much more about this. I could speak about Fat Albert and Commando Solo and the aerostat balloon, but I shall not do that at the moment.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, a few weeks ago this same amendment was defeated in the Senate by a large majority. I urge my colleagues once again to defeat this bad amendment. The fact is, the people of Cuba have had these signals jammed by the Cuban Government because the Cuban Government places such a high value on controlling information and because it places such a high value on controlling how the people of Cuba think. With the addition of airplane flights, we have now been able to get the signal to the Cuban people because the signal is not in one fixed point. It can move about. As it moves about, the people in Cuba can, in fact, receive the signal and did, in fact, see me take my oath of office on the Senate floor. As the first Cuban American in this Senate, it was a historic moment for the people of Cuba, and it was an exciting thing for them to see.

These are the kinds of voices and visual images that are encouraging the dissident movement within Cuba that is increasingly becoming more known and better known by the people of Cuba through the signals and the radio transmissions of Radio and TV Martí.

I urge my colleagues to join with me and my colleague from Florida, Senator NELSON, in defeating the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, let me announce to all of our colleagues, this will be the last vote tonight. We are unable to finish the bill tonight. We will have to wrap it up tomorrow. But this is the last rollcall vote tonight.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1294.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 33, nays 66, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—33

Akaka	Durbin	Levin
Baucus	Enzi	Lincoln
Bingaman	Feingold	Mikulski
Boxer	Feinstein	Murray
Byrd	Harkin	Obama
Cantwell	Inouye	Pryor
Carper	Jeffords	Reed
Conrad	Johnson	Rockefeller
Dayton	Kennedy	Stabenow
Dodd	Kohl	Sununu
Dorgan	Leahy	Wyden

NAYS—66

Alexander	Craig	Lott
Allard	Crapo	Lugar
Allen	DeMint	Martinez
Bayh	DeWine	McCain
Bennett	Dole	McConnell
Biden	Domenici	Murkowski
Bond	Ensign	Nelson (FL)
Brownback	Frist	Nelson (NE)
Bunning	Graham	Reid
Burns	Grassley	Roberts
Burr	Gregg	Salazar
Chafee	Hagel	Santorum
Chambliss	Hatch	Sarbanes
Clinton	Hutchison	Schumer
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Coleman	Kerry	Smith
Collins	Kyl	Snowe
Cornyn	Lautenberg	Specter
Corzine	Lieberman	Stevens

Talent	Thune	Voinovich
Thomas	Vitter	Warner

NOT VOTING—1

Landrieu

The amendment (No. 1294) was rejected.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I think Senator SANTORUM is here and is prepared to offer an amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

AMENDMENT NO. 1260

Mr. SANTORUM. Mr. President, I call up amendment No. 1260 and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SANTORUM], for himself and Mr. DURBIN, proposes an amendment numbered 1260.

Mr. SANTORUM. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To transfer $100,000,000 from the Economic Support Fund to provide for an additional contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria)

On page 326, between lines 10 and 11, insert the following:

TRANSFER OF FUNDS

SEC. 6113. Of the funds appropriated in title III for Other Bilateral Economic Assistance under the heading ''ECONOMIC SUPPORT FUND'', $100,000,000 shall be transferred to and merged with funds made available in title III for the United States Agency for International Development for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria under the heading ''CHILD SURVIVAL AND HEALTH PROGRAMS FUND. The funds made available for contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria in this section shall not be available for obligation prior to September 30, 2006.''.

Mr. SANTORUM. Mr. President, I thank the managers of this bill for agreeing to accept this amendment. We have been working diligently over the last few days to make sure this amendment could become part of the bill. Senator MCCONNELL, in particular, has been exceptionally helpful in allowing this amendment to be entered into the managers' package, which I am told the Senator will be offering.

It is an amendment Senator DURBIN and I have been working on to add $100 million to the Global Fund for HIV/AIDS. It is an important $100 million in that it brings the U.S. contribution up to the level of one-third the amount that is estimated to be contributed to the Global Fund.

A few years ago, we passed a piece of legislation on the floor of the Senate that the President signed into law that said that we would provide $1 for every $2 of international contributions to the Global Fund to help fight this scourge that is killing 270,000 people a month—a month—on the continent of Africa. It is just remarkable. The number is almost too much for all of us to comprehend, the devastation occurring on the continent of Africa.

Senator DURBIN and I have in the past worked together on a bipartisan basis to try to provide the money to the Global Fund as an incentive for other countries to make their contribution and to up their contributions. So this $100 million puts the marker out there, that those in the international community believe is the right marker for where they believe the international community will come in with contributions.

It is keeping the American commitment. It is a commitment the President of the United States, as recently as the G8 summit, says he believes we should, in fact, keep a 1-to-2 ratio of funds for the Global Fund.

This money is being used effectively. We are not only using the Global Fund effectively, but our bilateral aid, for which the President requested $3 billion, is being used effectively to treat hundreds of thousands of people with antiretroviral drugs, as well as treatment for malaria and tuberculosis, not just in Africa, but the Global Fund reaches beyond the continent of Africa into other countries where there is a rapid increase in the infection of HIV/AIDS.

This is a vitally important amendment to keep our commitment, to keep the pressure on the international community to come up with the money necessary to help fight this pandemic in Africa and in many other countries around the world.

It is an opportunity for the Senate to go into conference with the House with a stronger number, with the right number, and hold that number. The way we have offset this—again, we had a lot of cooperation from Senator MCCONNELL and Senator GREGG on the Budget Committee. We understand we are going to have to work on it in conference to make sure the offset squares a little better than what we actually have in this amendment. We are willing to work with the managers, as well as the chairman of the Budget Committee, to make sure we do this in a way that will meet with their satisfaction.

But we have laid down the marker tonight. This amendment is going to be adopted. We are going to be at $3 billion in bilateral aid and $600 million for the Global Fund, so the total U.S. commitment is going to be $3.6 billion—$500 million with this amendment, and Senator SPECTER, in the Labor-HHS appropriations bill, has an additional $100 million, which brings the total to $600 million, as I said before.

This is a very gratifying day, I know, for Senator DURBIN. I appreciate his support and the support of all the Members on the Democratic side of the aisle who have been stalwart supporters of the Global Fund and making sure that America keeps its commitment it has made to those who are suffering from this pandemic around the world.

Mr. President, I thank again the Senator from Kentucky, the manager of this bill, for his tremendous cooperation. I thank all those who have worked very hard, all the outside groups who have been lobbying Members of Congress in the House and Senate and spending a lot of energy on this issue trying to get to this number, $3.6 billion, with $600 million in the Global Fund. That has been the target for this year. With the adoption of this amendment, all of that work has at least taken one big step in the right direction. Now our job is to make sure we hold this number in conference so we can do what is right for the people who are affected with this pandemic around the world.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, I rise to speak about the Santorum-Durbin global AIDS amendment, which addresses the deadliest epidemic in modern times.

The amendment before us presents a simple choice: fighting AIDS, or funding cost overruns. Providing lifesaving treatment for tens of thousands of the most vulnerable people in the world, or allocating scarce funds for excess, and perhaps questionable, reconstruction costs in Iraq.

A number of my colleagues and I have argued on the floor of this Chamber that budgets are moral documents, that budgets are about choices.

If budgets are moral documents, then appropriations bills are where our moral principles are put into practice. Appropriations bills are where we decide, line by line, where the people's money will be spent.

The choice before us is simple: we cannot place cost overruns ahead of lifesaving treatment.

AIDS is the deadliest pandemic of our times, killing 3 million people every year. That is one person ever 10 seconds.

AIDS kills individuals, impoverishes families, orphans children, imperils economics, destabilizes societies, and steals hope.

This disease can undermine the stability and economies of nations, to such a degree that the CIA has called HIV/AIDS a threat to our national security.

Dr. Condoleezza Rice, while National Security Adviser, said that ''fighting the scourge of HIV/AIDS is both a moral duty and a strategy priority.''

I would like to commend the Appropriations Committee, which has demonstrated their strong commitment to fighting HIV/AIDS around the world. The bill before us fully funds the President's request for bilateral HIV/AIDS programs. It also provides $400 million for the global fund to fight AIDS, Tuberculosis, and Malaria. When combined with the $100 million provided to

the global fund in the Labor-HHS appropriations bill, the total U.S. contribution for fiscal year 2006 to the global fund will be $500 million.

This is a good start, but it leaves us $100 million short of what the global fund needs to simply renew existing programs and ensure that people receiving lifesaving treatment will not lose their access to care. Making sure that no one loses their access to care is the moral minimum that we as a nation must meet.

The global fund is an important complement to our bilateral programs. It supports projects in 130 countries, complementing the bilateral program's efforts in 15 focus countries. The fund tackles tuberculosis and malaria, which together kill 3 million people a year, along with HIV/AIDS.

The global fund also provides a unique opportunity for American leadership to directly result in increased contributions from others. The bill that created the President's emergency plan for AIDS relief established an important benchmark for the global fund. For every dollar that we put in, we asked other donors to put in $2. This has helped to make the global fund a truly global effort, by encouraging other countries to step up their contributions to the fund. In response to the fund's needs, Japan recently tripled its donation to the fund, and France doubled its donations. The United States should also put in its share. I believe strongly that no one should lose their access to lifesaving treatment because the United States didn't come up with its share of the needed funds.

I have met a number of the individuals whose lives are being saved by global fund programs. I have met their young children and listened to their hopes for the future. I can't imagine that anyone in this Chamber would wish to cut off lifesaving care to any of these individuals. This is why our amendment provides an additional $100 million for the fund.

To offset the $100 million increase for the global fund, the Santorum-Durbin amendment reduces funding to Iraq programs in the ecomomic support fund by $100 million. The Senate Appropriations Committee provided the full requested level of $3 billion for the economic support fund, including $360 million in new money for Iraq programs. However, Congress has already provided over $18 billion for Iraq relief and reconstruction programs in supplemental appropriations. Nearly $12 billion of these funds remain unspent, including nearly $5 billion that have not even been obligated.

A very small portion of this nearly $5 billion in unobligated funds could be used to make up for our proposed reduction of $100 million to the economic support fund.

I would like to be clear that I strongly support the rebuilding and reconstruction efforts in Iraq. Reconstruction is vitally important for the people of Iraq, for stability in the Middle East, and for the spread of democracy around the globe.

But, it is also clear that there is more money currently available for Iraq reconstruction than is being used. Over 18 months after Congress appropriated over $18 billion for reconstruction, nearly $5 billion remains unobligated.

Moreover, according to the White House, there is $1.3 billion that has not even been committed to programs. This $1.3 billion is instead intended for ''security-related cost overruns.'' This means that 7 percent of the total amount Congress appropriated for reconstruction is being reserved for ''cost-overruns.''

If cost overruns are preventing the use of reconstruction dollars for their intended purpose, Congress should be hearing about this so we can work with the administration to get these expenditures under control.

If the nearly $5 billion in unobligated funds is not adequate to make up the $100 million reduction imposed by our amendment and additional funds are determined to be needed, I would support replenishment of these funds in future appropriations bills.

I have voted for every penny for our troops, and I am committed to Iraqi reconstruction as part of our mission in Iraq. But if $5 billion is still unobligated, including $1.3 billion intended for ''cost overruns,'' then I believe that $100 million of these funds could be better served for another vital mission: saving lives.

President Bush has described AIDS as ''an individual tragedy for all who suffer and a public health catastrophe that threatens the future of many nations.''

And, Dr. Rice, while National Security Adviser, warned, ''History will treat us unkindly if those of us who had the means and those of us who had the way were unresponsive to this great crisis.''

We have the ability today to literally save the lives of millions. This $100 million can provide antiretroviral treatment to 35,000 people, and provide over 2 million mosquito nets to keep children safe from malaria.

This is why I support an additional $100 million contribution to the global fund. I hope my colleagues will join me in supporting this amendment.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, no one has been more tenacious in fighting for adequate funding for HIV/AIDS than the Senator from Pennsylvania. I thank him for his important contribution.

His amendment is such a good idea that it has been approved on both sides of the aisle. Mr. President, I recommend we move forward and approve the amendment on a voice vote.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, without objection, the amendment is agreed to.

The amendment (No. 1260) was agreed to.

Mr. MCCONNELL. I move to reconsider the vote.

Mr. SANTORUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1250 WITHDRAWN

Mr. MCCONNELL. Mr. President, I ask unanimous consent that amendment No. 1250 be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1290

Mr. MCCONNELL. Mr. President, I call up amendment No. 1290, as it has been cleared on both sides, and ask that we adopt it.

The PRESIDING OFFICER. The amendment is pending.

Is there further debate? If not, without objection, the amendment is agreed to.

The amendment (No. 1290) was agreed to.

Mr. MCCONNELL. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DURBIN. Mr. President, I am a cosponsor of this amendment to provide $50 million in assistance for the African Union in Darfur, Sudan. The African Union is today our only line of defense against genocide in Darfur. As the President restated at the G8 meeting earlier this month, what is happening in Darfur is genocide. And, as he said, the human cost is beyond calculation.

The African Union has struggled to raise the numbers of peacekeeping troops needed in Darfur, but it has nonetheless made a difference. The AU has saved lives, but it has not been able to create conditions of security. To make a greater difference, it will have to increase the number of troops on the ground.

This amendment earmarks $50 million from the newly drafted Conflict Response Fund to the Foreign Military Finance Account for the African Union mission in Darfur.

The administration has asked for a Conflict Response Fund to respond to conflicts that may emerge in the next year. The conflict in Darfur has already emerged. It must be addressed.

And the State Department has said that it needs at least $100 million to support the expansion of the African Union mission. This amendment at least gets us halfway there.

You might ask why the administration didn't ask for this money for the African Union directly. Apparently when the budget request was formulated, they did not think that the AU mission would have to be scaled up still further. Evidence on the ground tells us that expanding the mission is a necessity, and so is the additional funding.

This spring, the Joint Assessment Team of the EU, the U.N., the AU, and

the U.S. conducted assessment of the AU's Darfur mission.

The assessment found that where the current AU mission has deployed, the security situation has improved. The Joint Assessment Team also found that the general security level remains unacceptable. That is still true today.

The Joint Assessment report concluded that the African Union mission should be doubled by September, followed by a subsequent expansion ''to contribute to a secure environment throughout Darfur in order to enable full returns of displaced persons.''

To accomplish this task—even to undertake it—will require additional assistance from the United States. The AU is on the front lines against genocide. We have to help.

There are those who think that the crisis in Darfur is over because today the villages in the region are no longer on fire.

Sadly, the fires are out, not because the Sudanese Government has necessarily changed its policies, but because so many villages have already been burned to the ground.

Darfur is still the scene of terrible violence and terrible fear.

There are still hundreds of thousands, even millions of people who are living in displacement camps in Sudan or in refugee camps outside its borders. And these people are still under attack. Women and girls are still at risk of rape every time they go to collect firewood or water.

People are still being killed. Children, especially, are still dying from the diseases that plague refugee camps.

If the African Union cannot create conditions of greater security, these people cannot go home. If the AU cannot create conditions of safety, these people will not go home.

Right now, they would rather risk the misery, the disease, and the danger of the camps than go home and risk facing the jingaweit and the Sudanese army.

The violence, food insecurity, and enormous numbers of displaced persons combine to make Darfur still one of the most desperate places on the planet. This is not yesterday's tragedy.

Over 2 million people have been driven from their homes. Over 300,000 have probably been killed, maybe even more. The insecurity makes humanitarian assistance difficult, meaning still more people will die. Increasing our assistance to the African Union is, frankly, the very least that we can do—I believe we should do far more—but at the very minimum we should help the African Union try to end this slaughter.

AMENDMENT NO. 1254, AS MODIFIED

Mr. MCCONNELL. Mr. President, I call up amendment No. 1254 and send a modification to the desk. It has been cleared on both sides as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. FEINGOLD, proposes an amendment numbered 1254, as modified.

The amendment is as follows:

On page 326, between lines 10 and 11, insert the following:

SUPPORT FOR DEMOCRACY AND GOVERNANCE ACTIVITIES IN ZIMBABWE

SEC. . Of the funds appropriated under the heading ''Economic Support Fund'' not less than $4,000,000 should be made availabe to support democracy and governance activities in Zimbabwe consistent with the provisions of the Zimbabwe Democracy and Economic Recovery Act of 2001 (Public Law 107–99; 22 U.S.C. 2151 note).

The PRESIDING OFFICER. Is there further debate on the amendment? If not, without objection, the amendment, as modified, is agreed to.

The amendment (No. 1254), as modified, was agreed to.

Mr. MCCONNELL. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1285, AS MODIFIED

Mr. MCCONNELL. Mr. President, I call up amendment No. 1285 and send a modification to the desk. This also has been cleared on both sides.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. NELSON of Florida, for himself and Mr. COLEMAN, proposes an amendment numbered 1285, as modified.

The PRESIDING OFFICER. Without objection, the reading of the amendment is dispensed with.

The amendment is as follows:

On page 326, between lines 10 and 11, insert the following:

VENEZUELA

SEC. 6113. Of the funds appropriated under the heading ''ECONOMIC SUPPORT FUND'' up to $2,000,000 should be used for democracy programs in Venezuela administered through grants by the National Endowment for Democracy.

The PRESIDING OFFICER. Is there further debate? If not, without objection, the amendment, as modified, is agreed to.

The amendment (No. 1285), as modified, was agreed to.

Mr. MCCONNELL. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1274, AS MODIFIED

Mr. MCCONNELL. Mr. President, I call up amendment No. 1274 and send a modification to the desk. This, too, has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. SESSIONS, proposes an amendment numbered 1274, as modified.

The PRESIDING OFFICER. Without objection, the reading of the amendment is dispensed with.

The amendment is as follows:

(Purpose: To prohibit the use of funds for any loan to the United Nations in excess of $600,000,000 for the renovation of its headquarters in New York, New York)

On page 326, between lines 10 and 11, insert the following:

SEC. 6113. It is the sense of the Senate that the amount of any loan for the renovation of the United Nations headquarters building located in New York, New York should not exceed $600,000,000. *Provided,* That, if any loan exceeds $600,000,000, the Secretary of State shall notify the Congress of the current cost of the renovation and cost containment measures.

The PRESIDING OFFICER. Is there further debate? If not, without objection, the amendment, as modified, is agreed to.

The amendment (No. 1274), as modified, was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1273, AS MODIFIED

Mr. MCCONNELL. Mr. President, I call up amendment No. 1273, as modified. This, too, has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The amendment is now pending.

Is there further debate? If not, without objection, the amendment is agreed to.

The amendment (No. 1273), as modified, was agreed to.

Mr. MCCONNELL. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1287, AS MODIFIED

Mr. MCCONNELL. Mr. President, I call up amendment No. 1287 and send a modification to the desk. This also has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. VITTER, proposes an amendment numbered 1287, as modified.

The PRESIDING OFFICER. Without objection, the reading of the amendment is dispensed with.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a Federal department or agency at any single conference occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest.

Is there further debate? If not, without objection, the amendment, as modified, is agreed to.

The amendment (No. 1287), as modified, was agreed to.

Mr. MCCONNELL. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 1295 THROUGH 1300, EN BLOC

Mr. MCCONNELL. Mr. President, I have a managers' package: On behalf of Senator LEAHY and myself, an amendment regarding Indonesia; on behalf of Mr. BROWNBACK, for himself, Mr. COBURN, Mr. INHOFE, and Ms. LANDRIEU,

an amendment regarding malaria; an amendment by Senator FEINSTEIN requiring a report on small arms; an amendment by Senator SUNUNU regarding assistance for Lebanon; an amendment by Mr. KENNEDY and Mr. BIDEN regarding democracy promotion in Iraq; and an amendment by Senator STEVENS and Senator INOUYE regarding the Middle Eastern-Western Center for Dialogue.

Mr. President, I urge the consideration of the managers' package, en bloc, and also that the amendments not be read.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the amendments are agreed to, en bloc.

The amendments were agreed to, en bloc, as follows:

(Purpose: Technical amendment relating to Indonesia)

On page 289, line 10, after the semicolon, insert the following:

(3) at the direction of the President of Indonesia, the Armed Forces are cooperating with civilian judicial authorities and with international efforts to resolve cases of gross violations of human rights in East Timor and elsewhere; and (4)

On page 289, line 10, strike ''and''.

On page 289, line 11, strike ''(3)''.

On page 302, line 11, after ''may'' insert: ''only''.

On page 289, line 12, after ''Navy'' insert '',''.

AMENDMENT NO. 1296

(Purpose: To support commodities, equipment and other assistance to combat malaria)

At the appropriate place in the bill, insert:

MALARIA

SEC. . Of the funds appropriated under the heading ''Child Survival and Health Programs Fund'', not less than $105,000,000 should be made available for programs and activities to combat malaria: Provided, That such funds should be made available in accordance with best public health, practices, and considerable support should be provided for the purchase of commodities and equipment including: (1) insecticides for indoor residual spraying that are proven to reduce the transmission of malaria; (2) pharmaceuticals that are proven effective treatments to combat malaria; (3) long-lasting insecticide-treated nets used to combat malaria; and (4) other activities to strengthen the public health capacity of malaria affected countries: Provided further, That not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2006, the Administrator of the United States Agency for International Development shall submit to the Committees on Appropriations a report describing in detail expenditures to combat malaria during fiscal year 2006.

AMENDMENT NO. 1297

(Purpose: To require a report on states that have not cooperated in small arms programs)

On page 326, between lines 10 and 11, insert the following:

REPORT ON SMALL ARMS PROGRAMS

SEC. . Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives a report—

(1) describing the activities undertaken, and the progress made, by the Department of State or other agencies and entities of the United States Government to encourage other states to cooperate in programs on the stockpile management, security, and destruction of small arms and light weapons;

(2) listing each state that refuses to cooperate in programs on the stockpile management, security, and destruction of small arms and light weapons; and

(3) recommending incentives and penalties that may be used by the United States Government to encourage states to comply with programs on the stockpile management, security, and destruction of small arms and light weapons.

AMENDMENT NO. 1298

(Purpose: To increase by $5,000,000 the amount available for Economic Support Fund assistance for Lebanon, and to increase by $2,000,000 the amount of such assistance that should be made available for scholarships and direct support of American educational institutions in Lebanon)

On page 171, line 2, strike ''35,000,000'' and insert ''$40,000,000''.

On page 171, line 4, strike ''$4,000,000'' and insert ''$6,000,000''.

AMENDMENT NO. 1299

(Purpose: To make available, out of funds appropriated for Economic Support Fund assistance, $28,000,000 to the International Republican Institute and $28,000,000 to the National Democratic Institute for fiscal year 2006 to support democracy building programs in Iraq)

On page 326, between lines 10 and 11, insert the following:

DEMOCRACY PROGRAMS IN IRAQ

SEC. . Of the amount appropriated under the heading ''ECONOMIC SUPPORT FUND''—

(1) $28,000,000 should be made available for fiscal year 2006 to the International Republican Institute to support, in consultation with the Bureau of Democracy, Human Rights, and Labor of the Department of State, democracy building programs in Iraq in the areas of governance, elections, political parties, civil society, and women's rights; and

(2) $28,000,000 should be made available for fiscal year 2006 to the National Democratic Institute to support, in consultation with the Bureau of Democracy, Human Rights, and Labor of the Department of State, democracy building programs in Iraq in the areas of governance, elections, political parties, civil society, and women's rights.

AMENDMENT NO. 1300

(Purpose: To provide funding to the Center for Middle Eastern-Western Dialogue)

At the appropriate place, insert the following:

SEC.____. FOR AMOUNTS APPROPRIATED IN THIS ACT.

(a) Under the heading ''Center for Middle Eastern-Western Dialogue'' in title I of this Act strike ''$2,000,000'' and insert in lieu thereof ''$7,000,000.''

(b) Under the heading ''Embassy Security, Construction, And Maintenance'' in title I of this Act strike ''$603,800,000 and insert in lieu thereof ''$598,800,000.''

AMENDMENT NO. 1299

Mr. KENNEDY. Mr. President, this amendment provides $28 million for the International Republican Institute and $28 million for the National Democratic Institute for their democracy-building programs in Iraq in fiscal year 2006. Funding will be used by the institutes to continue democratic development assistance in the areas of governance, elections, civil society, women's rights and political party development.

The additional funding set aside in this bipartisan democracy amendment is necessary for the IRI and NDI to continue their important work in Iraq through the end of fiscal year 2006.

Both institutes, whose cutting-edge democracy work is well-known and respected in Iraq and throughout the world, have substantial operations in Iraq outside the Green Zone. Unfortunately, despite their deep commitment to advancing democracy and the great risks their employees take by working in a war zone, they have not been assured funding beyond February 2006. If additional funding is not provided, the danger is very real that they will need to begin cutting back on their democracy activities.

Under the current schedule, the new Iraqi Constitution now being drafted must be completed by August 15, and a referendum on it will take place on October 15. If it is approved, elections for a permanent government will take place in December. This is no time to short change democracy in Iraq. Doing so would send a very troubling and discouraging sign about the U.S. commitment to this difficult struggle.

IRI's programs in Iraq are bigger than its programs anywhere else in the world. It has offices in Baghdad, Irbil, and Basra, and it also operates a substantial media center. The Institute employs some 200 people, including those responsible for security.

Similarly, NDI is conducting a number of democracy programs in Iraq focusing on elections, political parties, governance, civil society and women's rights. It works directly with Iraqi partners, including hundreds of civic organizations, the Iraqi National Assembly, more than 81 political parties and entities, and the Constitutional Drafting Committee.

It has helped train more than 10,000 Iraqi election monitors, who covered 80 percent of the country's polling sites in January and provided opportunities for ordinary Iraqis to participate in that election. It is currently providing legal assistance directly to the Constitutional Drafting Committee, and is facilitating countless local civic dialogues on the constitution in communities throughout Iraq.

NDI operates much of the time outside the relative safety of the Green Zone. It has offices in Baghdad, Basra, and Irbil, with resource centers in Hilla and Kirkuk. It works with approximately 30 international staff and 200 Iraqi staff, including security personnel, to strengthen democracy for all the people of Iraq.

Its people have sacrificed greatly. In February, insurgents killed an Iraqi woman working for NDI, and a Czech security guard working for the institute was killed in April. Three of NDI's Iraqi staff left their jobs because they felt their lives were in danger.

While Iraq continues to struggle with the insurgency, there is important

progress to be made on the political front. Thousands of Iraqis are working very hard, often at great risk to themselves, to develop civic groups, participate in political parties, run for and serve in political office, and contribute to the constitutional process. These are critical building blocks for the long-term development of democracy in Iraq. Its people continue to express a tremendous demand for the kind of nonpartisan assistance for long-term political development that NDI and IRI are providing.

All of us feel that long-term progress to defeat the insurgency is directly related to progress on the political front, and ongoing work on this key issue must be a top priority. History shows that building democratic institutions, including government, parties, and civil society, takes many years, considerable political engagement, and patience. For a country as repressed as Iraq, a serious long-term democracy plan must look at least a decade into the future. At a minimum, it should look to the end of fiscal year 2006, as our amendment would do.

The development of the constitution and the subsequent referendum and election are only the beginning of that process. It makes no sense to send a signal now that our support for Iraqi democracy will end next February.

We must be clear in our intention to stand by organizations such as NDI and IRI that are working on the front lines in the struggle for democracy in Iraq every day. We also need to demonstrate to Iraqis and others that we are committed to Iraq's long-term democratic development. We need a long-term plan and a long-term strategy that is backed by appropriate resources.

To date, approximately $1 billion of the $18 billion provided by Congress for reconstruction has been allocated for democracy-building and related activities, including governance, the rule of law, human rights, civic programs, and the U.S. Institute of Peace. Nearly all of these funds have already been committed for specific programs and more than half of this amount has been spent.

We need to do far more. The hard work of strengthening democracy will continue long after the adoption of a constitution and the election of a permanent government.

On June 28, in his address to the Nation, President Bush spoke about the importance of democracy in Iraq as a way to quell the insurgency and end the violence. He said:

> They know that as freedom takes root in Iraq, it will inspire millions across the Middle East to claim their liberty, as well. And when the Middle East grows in democracy and prosperity and hope, the terrorists will lose their sponsors, lose their recruits, and lose their hopes for turning that region into a base for attacks on America and our allies around the world.

Our financial commitment to the organizations at the forefront of the democracy effort must be strong and unambiguous. Funding IRI and NDl only through February 2006 sends an ominous signal that can only be harmful to this very important effort.

America spends $1 billion a week on the war in Iraq. At this rate, it would take the military just 10 hours to spend the $60 million. Certainly, we can make a commitment to spend this level of funding on democracy programs next year in Iraq.

Regardless of whether we supported or opposed the war, we all agree that the work of building democracy requires patience, skill and, importantly, adequate resources.

We need to demonstrate we are genuinely committed to Iraq's political development. We need a long-term political strategy, and we need to back up that strategy with the necessary resources, if we truly hope for a stable, peaceful and democratic Iraq.

I urge my colleagues to support this amendment.

Mr. MCCONNELL. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the following amendments be the only remaining first-degree amendments in order to the bill: Feingold amendment on oversight of funds; Chambliss amendment on extradition; Landrieu amendment on orphans; Schumer, reporting requirement; Frist, two relevant; McConnell, relevant; Leahy, relevant; Byrd, relevant; Lugar, MDB reform; Lugar, general provision; Reid, Iraq report; Reid, two relevant; Nelson of Florida, Haiti report; Dodd, Haiti report, Biden Nos. 1251 and 1252; Biden, nonproliferation.

I further ask consent that they be subject to second degrees which are related to the first degree to which they are offered. I further ask consent that following the disposition of the above-listed amendments, the bill be read a third time and the Senate proceed to a vote on the passage of the bill, as amended; provided further that following the vote, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GREGG. Mr. President, the pending Department of State, Foreign Operations and Related Programs Appropriations Bill for fiscal year 2006, H.R. 3057, as reported by the Senate Committee on Appropriations provides $31.842 billion in budget authority and $34.998 billion in outlays in fiscal year 2006 for the Department of State and foreign assistance programs. Of these totals, $174 million in budget authority and outlays are for mandatory programs in fiscal year 2006.

The bill provides total discretionary budget authority in fiscal year 2006 of $31.668 billion. This amount is $1 billion below the President's request, $3 million below the 302(b) allocations adopted by the Senate $11.4 billion more than the House-passed bill, and $3.2 billion above fiscal year 2005 enacted levels.

I commend the distinguished chairman of the Appropriations Committee for bringing this legislation before the Senate. I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 3057, 2006 STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS; SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal Year 2006, $ millions]

	General purpose	Mandatory	Total
Senate-reported bill:			
Budget authority	31,668	174	31,842
Outlays	34,824	174	34,998
Senate 302(b) allocation:			
Budget authority	31,671	174	31,845
Outlays	34,827	174	35,001
2005 Enacted:			
Budget authority	28,466	175	28,641
Outlays	34,506	175	34,681
President's request:			
Budget authority	32,671	174	32,845
Outlays	34,939	174	35,113
House-passed bill: *			
Budget authority	20,270	42	20,312
Outlays	25,062	42	25,104

H.R. 3057, 2006 STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS; SPENDING COMPARISONS—SENATE-REPORTED BILL—Continued

[Fiscal Year 2006, $ millions]

	General purpose	Mandatory	Total
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation:			
Budget authority	−3	0	−3
Outlays	−3	0	−3
2005 Enacted:			
Budget authority	3,202	−1	3,201
Outlays	318	−1	317
President's request:			
Budget authority	−1,003	0	−1,003
Outlays	−115	0	−115
House-passed bill: *			
Budget authority	11,398	132	11,530
Outlays	9,762	132	9,894

*House and Senate State-Foreign Operations subcommittees have differing jurisdictions.
NOTE: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. MCCAIN. Mr. President, I support passage of the Foreign Operations Appropriations Act for fiscal year 2006. This important legislation funds the international development and assistance portion of our national budget and with its passage, we acknowledge the vital nature of these programs. Supporting foreign aid, military assistance, development funds, democracy promotion activities and other programs should be a matter of course—something that America does as part of its responsibilities as the global superpower.

This year's bill provides $31.8 billion to carry out our many fore operations programs. I commend Senator MCCONNELL, chairman of the foreign operations subcommittee, and Senator LEAHY, ranking member of the subcommittee, on developing an appropriations measure that is generally light on pork. There are, nevertheless, dozens of earmarks, especially in the report language, including a few that simply leave me scratching my head. I am a longstanding champion of robust funding of America's international affairs budget. But I ask, whether that budget should include an earmark of half a million dollars for the Neotropical Raptor Center in Panama. I wonder if the birds of prey the center seeks to protect have instead descended on our appropriations bill. Likewise, the report includes a $2 million earmark for ''activities to protect the orangutan from extinction'' and directs that some of these funds go to the Orangutan Foundation.

I note with regret that, once again, the Senate has failed to pass an authorization bill prior to considering this legislation. Again, the responsibilities of authorizors and appropriators are expected to be distinct. The Senate Foreign Relations Committee has the responsibility for laying out a blueprint for the policies and funding levels of USAID and the Department of State and their programs. I hope that the Senate will finish consideration of the State Department authorization bill, so that the Senate will have the benefit of the Foreign Relations Committee's recommendations. We should not continue to fund unauthorized programs and risk marginalizing our authorizing committees.

With that said, most of the provisions in the bill under consideration serve America's interests and values in powerful ways. Let me comment on just one group. This year's version of the Foreign Operations bill states that $495 million of our annual aid to Egypt ''shall be provided with the understanding that Egypt will undertake significant economic political reforms which are additional to those which were undertaken in previous fiscal years.'' The bill also withholds $227 million in economic reform assistance until the Secretary of State determines that the Government of Egypt has met its 2005 economic reform commitments—commitments it made to the United States. Finally, the bill directs that nongovernmental organizations providing democracy and governance assistance shall not be subject to prior approval by Government of Egypt. I believe that we should have conditioned aid to Egypt in this way for years, and I commend my colleagues on the Appropriations Committee for these bold steps. The Government of Egypt has, for too long, gotten a free pass from the United States. We are grateful for its friendship with the U.S. and its peace agreement with Israel, but its lack of real reform offends the universal values we hold dear and poses a security threat to the United States.

I would also like to note that the report language contains words of support for the ADVANCE Democracy Act. Working with Senator Lieberman and the other cosponsors of the ADVANCE Democracy Act, I will continue work toward passage of that bill this year, and I thank my colleagues on the Appropriations Committee for their support. I hope that we can work together to move the ADVANCE bill through the Senate in the near future.

I must once again convey my gratitude to the members of the subcommittee. Their attention and commitment to supporting vital programs has provided a sound bill with which to fund our foreign operations for the coming fiscal year.

Mr. INHOFE. Mr. President, somewhere in the world a child dies from malaria every 30 seconds. The disease debilitates more than 500 million people annually and kills well over 1 million of them. Suffering most acutely from this epidemic is the continent of Africa where 90 percent of the world's malaria deaths occur. In fact, malaria is the No. 1 killer of pregnant women and children under the age of 5 in Africa.

I have personally visited nearly 20 countries in Africa. Everywhere you go there, children have it. These trips have changed statistics into incomprehensible reality for me. Malaria—a debilitating and deadly disease—is a huge problem. I recently heard from a young boy in Ghana named Ibrahim who has accepted the dismal reality of dealing with malaria. ''Malaria is just a part of life,'' Ibrahim told me.

The United States has been concerned about this problem for many years. The United States Agency for International Development, USAID, budget to fight this disease has increased nearly fivefold since 1998 to $90 million in 2005. However, the incidence of malaria continues to increase alarmingly in underdeveloped African countries. Unequivocally, the current strategy is not working. USAID spends 90 percent of its money on advice giving, conferences, and technical assistance, but not on direct interventions that produce significant results.

Insecticides to preempt malaria are cheap. Drugs to cure malaria can be purchased for $2—less than a cup of coffee at Starbucks. Indoor residual spraying is a technique that has eradicated malaria in many regions. We know how to address malaria and we have the resources to do it.

We have talked enough about the problem. It is time to fix it.

I am pleased that we have addressed this problem with language in the Foreign Operations appropriations bill. This is an important step toward achieving real results. Instead of doling out money to beltway-based consultants, this language will ensure that tangible aid reaches desperate African women and children. It is vital that we require USAID malaria allocations go toward lifesaving drugs, mosquito nets, and pesticides, which are proven to reduce malaria death and infection rates. In the hands of the affected individuals these commodities can save lives. It does not take a lot of money to make a huge difference.

Additionally, this language requires transparency from USAID. I have often had difficulty determining exactly how USAID malaria money is being spent. In fact, the latest data available to Congress on how USAID spends malaria funding is from fiscal year 2004.

That year only 1 percent of total malaria funding was spent on indoor residual spraying, 1 percent was spent on purchasing antimalarial drugs, and 6 percent was used to purchase insecticide-treated bed nets.

I am also concerned that too much of our foreign aid goes to conferences and research. Not enough resources get directly to the Africans who suffer so acutely. No more studies. It is time to act and to prevent that aid from being diverted to Washington consultants.

To effectively address this epidemic, Congress needs to ensure that the money it appropriates is wisely spent. Within 90 days of enactment, this language requires USAID to submit their malaria expenditure report to the Senate and House Appropriations Committees to describe how they plan to follow these new priorities. I am confident that this increased accountability will prevent funds from going primarily primarily to beltway-based consultants.

When we know how to eradicate malaria and possess the resources to do that, there is no reason that six children should have died in the time it took me to give this speech. It is a needless tragedy that we have the opportunity to arrest.

Children in Africa have accepted the reality that malaria is inevitable. Today, we have the chance to change that dismal reality into tangible hope.

MORNING BUSINESS

Mr. MCCONNELL. I ask unanimous consent that there now be a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSULTATION ON A NOMINEE TO THE SUPREME COURT

Mr. KENNEDY. Mr. President, it has now been 1 week since the President met with Senate leadership and the chairman and and ranking Democrat of the Senate Judiciary Committee to discuss the nomination of a successor for Supreme Court Justice Sandra Day O'Connor.

All of us were saddened by Justice O'Connor's resignation. She served this Nation with great dedication for over 2 decades. She embodied the principles of fairness and reasoned judgment, and had a sincere appreciation for the effect of the Court's decisions on the everyday lives of all American people. Her dedication continues in her pledge to remain in office as long as it is necessary for her replacement to be confirmed, so that the Court will not have a vacancy while the task of selecting a new Justice is carried out. All of us regret Justice O'Connor's departure, but we are grateful for her service to the Nation, and we wish her well in what I am sure will be an active retirement.

I hope that the President will choose a consensus nominee, who can bring the Nation together, as Justice O'Connor herself did, rather than further divide us. As President Bush and the Senate prepare to begin the process of confirming Justice O'Connor's successor, consultation between the President and the Senate has an important role.

I was encouraged when the President met with the leaders of both parties in the Senate and on the Judiciary Committee a week ago. I am also encouraged that the President has contacted a number of other Senators of both parties to hear their views. This was an important first step. But the sign of whether there has been a meaningful consultation is not simply the process, but the result. In the past, real consultation has led to consensus nominees, who could be easily confirmed with the support of a large bipartisan majority of the Senate and the confidence of the American people.

To reach that result, consultation must be more than a one-way street. No one is suggesting that Senators co-nominate candidates for the Supreme Court. But for Members of the Senate to provide advice to the President, there must be a real discussion and a two-way conversation about specific candidates.

It is a fundamental part of our system of checks and balances that the power to appoint judges, especially Justices of the Supreme Court, is shared by the President and Senators from all fifty States, so that the Nation's diverse interests can be represented in this important choice.

The Founders believed that the whole Senate and the President together would do the best job of confirming independent Supreme Court justices, who would be above politics, and not beholden to any politician or political party. They wanted an independent, impartial Supreme Court that would give everyone a fair hearing, rather than favoring powerful corporations or special interests with political clout.

In the early 1990s, as Senator HATCH recounts in his book, President Clinton consulted with Senator HATCH—then the ranking Republican Senator on the Judiciary Committee—sharing the names of candidates he was considering for the Supreme Court. President Clinton asked Senator HATCH's opinion, even though Republicans were then in the minority in the Senate. Senator HATCH recommended Stephen Breyer and Ruth Bader Ginsburg. President Clinton agreed that these were excellent choices, and nominated Justice Ginsburg in 1993 and Justice Breyer in 1994. Both were easily confirmed.

If the President takes seriously the advice of Senators from both parties on the persons he is considering, the result will be a distinguished nominee who is acceptable to the vast majority of the American people, and who will easily be confirmed. That was the case when Ronald Reagan nominated Justice O'Connor, a mainstream Republican, to the Court, and I am optimistic that this will be the case with her successor. I hope the Senate and the White House can set aside partisanship, to ensure that the best possible person is nominated and confirmed to the Court.

Consultation is about more than process. It is about an outcome, and a consensus nominee is the best outcome for the Nation.

The importance of a consensus nominee is clear when we consider all of the vital issues decided by the Supreme Court, issues with enormous impact on Americans and their daily lives.

A Supreme Court nomination matters to all Americans. It is not just about a few hotly debated social issues. It is of great importance to every man, woman and child in America because the decisions of the Court affect their lives every day.

The Court's decisions affect whether employees' rights will be protected in the workplace. They affect whether families will be able to obtain needed medical care under their health insurance policies. They affect whether people will actually receive the retirement benefits that they were promised. They affect whether people will be free from discrimination in their daily lives. They affect whether students will be given fair consideration when they apply to college. They affect whether persons with disabilities will have access to public facilities and programs. They affect whether we will have responsible environmental laws that keep our air and water clean. They affect whether large corporations are held accountable when they injure workers and consumers.

The list goes on and on. Each of these issues has been addressed by the Supreme Court in recent years. In many of those cases, the Court was narrowly divided, and each of these areas is likely to be the subject of future Court decisions in the years to come.

According to a recent article in the Washington Post, entitled ''Business Pushes Its Own Brand of Justice,'' major corporations are ready to ''bankroll large-scale efforts to promote the President's choice'' if he nominates a candidate who will side with big business against workers, consumers and environmentalists. Eighteen million dollars has already been raised—much of it from these corporate interests, and that amount is only the first installment of what they are willing to spend to influence the direction of the Court. In recent years, approximately 40 percent of the Supreme Court's docket has been cases involving economic issues, and that pattern is likely to continue in coming years. So it is essential that the new justice be someone who will hear these cases with an open mind, not someone who is biased in favor of corporate wealth and power.

The outcome of such cases will obviously affect the wellbeing of all Americans. The Nation is facing major economic challenges today. In the last 4 years, we have lost 2.8 million manufacturing jobs. Long-term unemployment has nearly doubled. Outsourcing

threatens to export millions more American jobs. Workers are losing health insurance and pension benefits at an alarming rate.

Those in the elected branches of our government have a responsibility to deal with these economic challenges—to develop innovative policies that will provide greater economic security for workers and their families—just as they did in earlier periods of economic difficulty. Those appointed to the Federal Courts—and particularly to the Supreme Court—must respect the role of the elected branches in addressing these urgent economic challenges. America cannot afford justices who would turn back the clock to the Lochner era, and impose an extreme, discredited 19th century ideology on our Nation's 21st century economy.

That the Supreme Court plays such a major role in our national life is not new. When Alexis de Toqueville described America in the early years of the 19th century, he noted that:

scarcely any political question arises in the United States that is not resolved, sooner or later, into a judicial question.

That fact has been true throughout our history. We are a nation of laws. That is why it is so important for the President to nominate Justices with mainstream views who respect the national values of our Constitution, not ideological extremists who seek to impose their personal philosophy on the American people.

I sincerely hope that President Bush will nominate a justice whose views are in the national mainstream on these important issues, not one who sees the role of the judiciary as the defender of entrenched economic interests. The American people will be watching us closely, and they expect us to live up to our oath of office to defend the Constitution and its great promise of equal protection of the laws for all our people.

HONORING OUR ARMED FORCES

SPECIALIST ADAM N. BREWER

Mr. INHOFE. Mr. President, I would like to honor one of America's fallen, a brave soldier from the State of Oklahoma. SPC Adam Brewer was serving in Iraq when he died defending his fellow soldiers and this Nation. His memory continues on in testimony to the selfless way he lived.

Specialist Brewer graduated from Bartlesville High School in 2000 and joined the Army shortly thereafter. He served for 2 years and was assigned to 2nd Battalion, 7th Cavalry Regiment, normally stationed Fort Hood, TX. Specialist Brewer was serving his second tour in Iraq and had taken part in the original invasion that began in March 2003. On February 25, 2005, his unit was deployed to an area near Taji, Iraq. An improvised explosive device exploded nearby, tragically killing him and two other soldiers.

At Specialist Brewer's funeral, the pastor put it well: ''Not only did he defend our country but he defended the values of freedom that we hold so dear . . . I know his passing has been hard. But for the rest of your life, whenever you see his picture or mention his name, you can be proud.'' We are indeed proud, as we are of those young men and women who have committed to defend our Nation and put their lives on the line every day.

But I think Specialist Brewer's mother Karen Brewer said it best, ''He wanted to serve his country, and he served it all the way.'' He indeed gave all that he had, in life and in death, for his country. The legacy of such sacrifice challenges us on behalf of the Senate, this Nation, and the cause of freedom around the world, I honor a special Oklahoman and true soldier, SPC Adam Brewer.

SPECIALIST ROBERT T. HENDRICKSON

Mr. President, I wish to honor a true hero who, on February 1, 2005, gave his life while serving in Iraq. SPC Robert Hendrickson is an example of the selfless service that is essential to this country's freedom.

Although he was born in Biloxi, MS, Specialist Hendrickson listed Broken Bow, OK, as his hometown. He attended school in Del City and Edmond before moving with his mother to Broken Bow. His father, Dave Hendrickson, says his son planned to return to school when he returned from service and study to become a pediatric nurse.

After high school, Specialist Hendrickson enlisted in the U.S. Army. He was assigned to the 2d Battalion, 5th Cavalry Regiment, 1st Cavalry Division, normally stationed in Fort Hood, TX. He was serving in Iraq with this unit when, just after the successful elections took place, his vehicle overturned. He was found unconscious and never recovered.

He died to help the Iraqi people achieve their freedom,'' Dave Hendrickson said. ''He died for the Iraqi people and the war against terrorism so that his son might have a safer world to live in.''

Specialist Hendrickson is survived by his parents, his sister, and a 6-year-old son, Dylan. ''He loved Dylan more than anything,'' Dave said. ''My son was a good boy. He was a good man. He was a good dad.''

SPC Robert Hendrickson was indeed a good man. He put aside his own safety, volunteering to serve in the most dangerous of professions. He gave so much and his sacrifice will be remembered by friends, family, and all of us who are profoundly indebted to him.

STAFF SERGEANT JASON R. HENDRIX

Mr. INHOFE. Mr. President, I rise to honor a brave soldier who gave his life to the defense of this Nation. SSG. Jason Hendrix chose to place himself in harms way and for this service he paid the highest price.

Staff Sergeant Hendrix joined the Army right out of high school and served for 11 years. He was a squad leader in the 1st Battalion, 9th Infantry Regiment, 2nd Infantry Division. This unit is usually stationed in South Korea, but was deployed to assist in Operation Iraqi Freedom. When Staff Sergeant Hendrix found out that he was heading for one of the most dangerous areas in the world, he told his family, ''You guys might not understand why we're over here, but we need to be over here, and I've got to do my job.''

Those who knew Staff Sergeant Hendrix best describe him as a ''professional soldier.'' They also speak of his compassion and care for the men in his unit. Last Christmas, Staff Sergeant Hendrix gave up his leave so that other men could go home and see their newborn children. He also bought, at his own expense, equipment for his men such as night-vision goggles, facemasks, flashlights, dozens of handcuffs and magazine couplers for their M–16s.

Staff Sergeant Hendrix fought in the rebel stronghold of Fallujah late last year and was serving in Ar Ramadi at the time of his death. On February 16, 2005, he was leading a 25-man squad when they came under a heavy artillery attack. Staff Sergeant Hendrix was hit and died from his wounds.

For this soldier from Claremore, Ok, there is no deeper honor than the memory he leaves behind. He gave of himself in life as well as in death, and stands out as an example to all of us. Today I honor a true hero, SSG. Jason Hendrix.

SPECIALIST JEFFREY S. HENTHORN

Mr. President, I wish to rise in honor of a son of Oklahoma and an American hero. SPC Jeffery Henthorn demonstrated the type of patriotism that protects our freedom and encourages freedom in other countries. For his dedication and sacrifice I am pleased to honor him on the Senate floor today.

Specialist Henthorn was from Choctaw, OK. After earning his high school degree, Specialist Henthorn enlisted in the Army and was assigned to the 24th Transportation Company, out of Fort Riley, KS.

Specialist Henthorn was serving in Iraq as part of Operation Iraqi Freedom. He died on February 8, 2005, while stationed in Balad, Iraq, from noncombat related injuries. He was 25 years old and leaves behind family and friends who grieve along with our grateful Nation.

Specialist Henthorn was willing to place his life on the line and paid the fullest cost for the sake of freedom. On behalf of the U.S. Senate, I wish to express my profound gratitude and deepest honor for the men and women who, like Specialist Henthorn, know the true meaning of service. They continue to give so much, and as freedom spreads throughout the Middle East region we know that their sacrifice has not been in vain.

I honor the life and memory of those who have given their lives in this noble cause. I am grieved, but very proud of this young man from Oklahoma, SPC Jeffery Henthorn.

ARMY SPECIALIST. LYLE W. RYMER II

Mr. President, I wish to honor one of this country's fallen warriors, a young man that comes from my home State of Oklahoma. Army SPC Lyle Rymer II was making way for freedom in Iraq when he paid the ultimate price.

Specialist Rymer was born in Roland, OK. After graduating from high school, he joined the National Guard to help his family. ''That's what he decided to do,'' his grandmother Bobby Sue Drake said. ''He liked it. He said, 'Somebody's got to defend this country. It might as well be me.' He was a great kid.'' According to his friends, he planned to make a career of the Army and was considering enrolling in Airborne school. Rymer also had a reputation for cheering up fellow soldiers.

Specialist Rymer was serving in Iraq with the 239th Engineer Company, an Arkansas-based National Guard unit. On January 28, 2005, he was guarding an area where engineers were setting up barriers in preparation for the elections. Without warning, he was shot by an enemy sniper and died from his wounds. Army Specialist Rymer is buried at Fort Smith National Cemetery, AR.

Many are left behind who are both proud and grieved at his sacrifice. Specialist Rymer is survived by his wife LaTisha, a 2-year-old son, Sean, and a 10-month-old daughter, Jasmine. He was able to see his newborn daughter during a November furlough.

The loss of Specialist Rymer is one that will continue to be felt as the years pass. He was one who gave more than was required, in life and in death. He sacrificed his own well-being and put himself in harm's way, showing courage that demands our recognition. I am honored to honor him, and hope that I somehow express gratefulness beyond these mere words.

SECURING A LIABILITY AGREEMENT ON PLUTONIUM DISPOSITION

Mr. DOMENICI. Mr. President, I have come to the Senate floor today to make my colleagues aware of an important achievement by the Bush administration to secure an agreement with the Russian Government to ensure that a major nonproliferation program moves forward. This agreement will resolve the longstanding disagreement on liability associated with the construction of Mixed Oxide, MOX, Fuel Fabrication Facility in Russia.

This agreement will permit the U.S. and Russia to move forward with the construction of dual MOX fuel fabrication facilities to turn weapons-grade plutonium into civilian mixed-oxide fuel that can be burned in commercial nuclear reactors. Each side will dispose of 34 tons of excess plutonium.

Today the U.S.-Russian counterparts will agree to the terms of an agreement negotiated during the G8 summit in Scotland earlier this month. It was during this summit in which terrorists attempted to disrupt the meeting by setting off simultaneous explosions in the London subway, killing over 40 innocent victims. This senseless violence underscores the importance of eliminating the possibility, however remote, that terrorists might secure and use plutonium or highly enriched uranium in their acts of terror against civilian or military targets.

As we see the world become more and more dangerous, it is critical that we make progress on reprocessing plutonium into MOX. Black marketers and terrorists would love to get their hands on this plutonium. President Bush has worked hard to engage President Putin on this issue, and as a result of that continuing dialogue there is now an agreement to implement a MOX program.

I am very pleased that this agreement has been made because it will give us a surefire way to dispose of weapons-grade material while at the same time providing economic benefits to both countries. I am hopeful the Russian Duma will take quick action.

This agreement breaks a 2-year diplomatic impasse that has stalled the construction of fuel fabrication facilities in the United States and Russia.

I would like to recognize the efforts of Secretary of State Condoleezza Rice, Under Secretary of State John Bolton, Secretary of Energy Samuel Bodman, and the entire Office of Nuclear Nonproliferation within the NNSA. Both the State Department, which negotiated the diplomatic solutions, and the Department of Energy, which has responsibility for managing the design, construction, and operation of the Nation's first plutonium reprocessing plant, have been exceptional. Both teams have worked hard to realize the ultimate goal of eliminating 34 tons of weapons-grade plutonium from each of the U.S. and Russian stockpiles.

Over the past year I have pressed the Department of Energy and the State Department to resolve the liability issue. Upon their confirmations, both Secretary Rice and Secretary Bodman have committed their full support, and they should be proud of their early success.

The effort to address the elimination of excess weapons-grade material has been under consideration for over a decade. President George Bush's term initiated the earliest efforts to identify excess weapons-grade material. Over the next decade, the Clinton administration worked with then-President Yeltsin to consider options for eliminating excess material.

In 1994, the National Academy of Sciences', NAS, report on the ''Management and Disposition of Excess Weapons Plutonium'' found that excess material constituted a ''clear and present danger.'' That same year a joint DOE–DOD review found that 38.2 metric tons of plutonium and 174.3 metric tons of highly enriched uranium were surplus to U.S. defense needs. A programmatic environmental impact statement was undertaken to evaluate options for disposal of this material.

In 1995, U.S. and Russian experts met at Los Alamos to provide recommendations on plutonium disposition. Since those early meetings the labs have contributed a considerable amount of time and effort to support this initiative. In fact, Los Alamos prepared the plutonium that is being used as the initial test fuel assembly currently being burned in the Catawba reactor owned by Duke Power.

In April 1996, at the Moscow Nuclear Safety and Security Summit, it was determined that irradiating plutonium as part of a mixed oxide fuel in commercial reactors and vitrification are appropriate strategies for disposal.

In June 1997, the Independent Holdren-Velikhov Commission issued a final report recommending a disposal pathway identified at the Moscow Summit. The report is a joint U.S. and Russian National Academy of Science review.

In July 1998, the U.S. and Russia signed a Scientific and Technical Cooperation Agreement that provides for a joint, small-scale test of disposition pathways. This agreement also provided a 5-year liability agreement between the United States. and Russia for coverage of U.S. workers in Russia that expired in July 2003.

In September 1998, President Clinton and President Yeltsin entered into a bilateral plutonium disposition agreement.

In October 1998, I included $200 million in ''emergency'' funding dedicated entirely to plutonium disposition to demonstrate to Russia the firm U.S. commitment to plutonium disposition. This funding persuaded Russia to enter into serious negotiations. Today, $150 million of those funds remains available for use to initiate construction.

That same month, G8 members established the Multilateral Plutonium Disposition Group and committed to international financing of the Russian plutonium program. As of January 2005, total pledges from the U.S., U.K., Canada, Japan, Italy, and France total $865 million. I am confident that with the liability issue resolved additional funding will be made available to support the Russian effort. The U.S. will fulfill its commitment to build the U.S facility on it own.

In March 1999, the U.S. awarded the MOX facility contract to Duke Cogema Stone and Webster—DCS—to design the U.S. MOX Fuel Fabrication Facility. In August, DOE awarded a contract to design the Pit Disassemble and Conversion Facility.

In January 2000, DOE issued a Record of Decision on locating the pit conversion and fuel fabrication facility at Savannah River, SC.

In September 2000, the United States and Russia signed the Plutonium Management and Disposition Agreement, which calls for each country to dispose of 34 tons of weapons-grade plutonium

in parallel. It was agreed that construction would begin by 2003. Unfortunately, one item left unresolved in that agreement was the question of liability protection for the U.S. for work performed in Russia.

In January 2001, the Bush administration began a year-long review of all nonproliferation programs with Russia. During this review, the contracting team submitted a construction authorization request to the Nuclear Regulatory Commission for approval.

January 2002, the administration decided to pursue a MOX-only pathway and put an end to further work on a vitrification program.

In September 2002, MINATOM, the Russian counterpart to the Department of Energy, agreed to use an identical design of the U.S. proposed MOX facility.

In July 2003, the temporary 5-year limited liability coverage provided under the 1998 Science and Technical Cooperation Agreement expired.

In February 2004, without a formal agreement on liability, the U.S. announced a delay in the program. Plans to initiate construction in May 2004 were delayed until May 2005.

August 2004, the Russians begin site characterization work at the Siberian Chemical Combine in Seversk, Russia, as a location of the MOX facility. The site has been cleared and is awaiting construction. Unlike the Savannah River site, which has a year-round construction season, the Seversk site is limited to work in the summer.

In September 2004, Los Alamos shipped 125 kilograms of surplus plutonium to France for fabrication into MOX fuel assemblies for a test burn in a commercial U.S. reactor. This activity is undertaken in France since the design of the U.S and Russian fuel fabrication facility is identical to the French facility that is currently reprocessing spent commercial fuel for European and Asian customers. The shipments between the U.S. and France occurred without incident and the lead test assemblies are now being used in the Catawba reactor owned and operated by Duke Power.

In December 2004, the engineering team completed the licensable design of the U.S facility, and the NRC awarded the construction permit for the U.S. facility in March 2005.

On April 20, 2005, the U.S. offered a new liability agreement that was ultimately accepted by the Russian Government in July 2005. It took several months of intense lobbying to pressure the U.S. interagency process to produce a liability agreement that was not identical to the liability terms provided under the Cooperative Threat Reduction Agreement.

On July 19, 2005, the United States and Russia agreed to the terms of a final liability package. This agreement must go to President Putin to be drafted and published as a Presidential decree. Once circulated, Secretary Rice and her counterpart in the Ministry of Foreign Affairs will officially sign the agreement, which will then go to the Russian Duma for ratification.

Once this document is signed by Secretary Rice, the Department of Energy will move forward with a site clearing activities in Savannah River, SC, with construction to commence in fiscal year 2006.

I am proud of the fact that two different administrations have followed through on this bilateral initiative, and we are now approaching another critical juncture. Following a decade of successful and numerous scientific, environmental and regulatory reviews, we are at a stage where it is important that Congress maintain an adequate and reliable level of funding to complete construction.

I am aware of the fact that the House and Senate Armed Services Committees have reduced funding for MOX construction but have preserved the funding within other nonproliferation accounts. I am hopeful that during the consideration of the Senate defense authorization bill, Chairman WARNER and Senator LEVIN will agree to restore the funding back into the MOX construction accounts.

In addition, I am hopeful that I will be successful in convincing the House to restore critical funding that was eliminated from the MOX construction program. Of the $360 million requested for construction, the House only provided $35 million. Failure to provide adequate funding would undermine a decade of cooperation between the U.S. and Russia and do nothing to reduce the amount of excess plutonium.

If we are unable to fully fund the construction program and keep the project on track it will prevent the U.S. from consolidating plutonium across the weapons complex and could result in a $100 million per year penalties to be paid to the State of South Carolina as mandated in the Fiscal Year 2003 National Defense Authorization Act. We have come too far to not complete this project.

I have believed in this initiative from the beginning and believe we can do more to reduce the threat from nuclear proliferation. I am committed to seeing additional resources be used in securing Russian warheads beyond the reach of terrorists. I am committed to strong enforcement by the U.S. or International Atomic Energy Agency, IAEA, to break up the nuclear black market, where nuclear technology and scientific expertise can be bought for a price.

The stakes are too high and the price too great to consider anything but an aggressive effort by the U.S. and our global partners to prevent the spread of nuclear material.

SENATOR GAYLORD NELSON MEMORIAL SERVICE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the transcript from Senator Gaylord Nelson's memorial service in Madison, WI, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GAYLORD NELSON'S MEMORIAL SERVICE, JULY 13, 2005, WISCONSIN STATE CAPITOL

Performance of ''Glorious Things of Thee are Spoken''—Clear Lake High School Brass Quintet

William H. Meadows: That hymn, by Haydn, was performed by the brass quintet from Clear Lake High School, directed by Mike Larson. Their participation is quite appropriate, since Gaylord Nelson, whom we honor today, played trumpet in the Clear Lake High School band. To hear him tell it, he did not play it very well. (Laughter.) Later in life, Gaylord learned that he was on the enemies list of the Nixon White House, but was puzzled about what he could have done to become a Nixon enemy. ''Maybe he heard me play the trumpet in the Clear Lake band,'' Gaylord said. (Laughter).

Good afternoon, I'm Bill Meadows, I'm president of The Wilderness Society and today I have the honor to pay tribute to my friend and colleague, Gaylord Nelson, and introduce others who knew and loved him well. We are here to testify to the incredible mark he left on all of our worlds. Joining us today in celebrating Gaylord's life, of course, are Carrie Lee Nelson and the Nelson family; Governor and Mrs. Doyle; Senator Kohl; Senator Feingold; Senator Bayh; Senator Bingaman; Senator Biden; Senator Abourezk; Representative Obey; Representative Petri; Representative Baldwin; Representative Kind; Representative Moore; Representative Kastenmeier; Representative Baldus; Vice President Mondale; former Governors Lucey, Schreiber, Earl, McCallum, and Mrs. Reynolds; Lieutenant Governor Lawton; Attorney General Lautenschlager; Treasurer Voight; Superintendent Burmaster; members of the Wisconsin Legislature; members of the Wisconsin Supreme Court; and citizens of Clear Lake, Wisconsin.

The story about the Clear Lake band is typical Gaylord. Gaylord—the Governor, the United States Senator, the founder of Earth day—was an irrepressible raconteur. But of the many accolades he received in his lifetime, I think this man, the father of the modern environmental movement, would want to be remembered first for being a good husband and father to the family he cherished. I'd like to take a moment to recognize Carrie Lee, Gaylord's beloved wife of 57 years, whose unwavering support meant so much to him, not the least of which was that he always had a good audience. And his three children, Tia, Happy, Jeff, and their spouses, and his grandchildren. (Applause.)

Gaylord joined The Wilderness Society family 25 years ago, serving as our counselor and special convener of after-hours, post-board meeting poker games.

For the last nine years, I have had the pleasure of working a few doors down from his office. However, my relationship with Gaylord began in 1970, when Earth Day motivated me to get involved in environmental issues. One thing led to another and the rest, as they say, is history. I now have the privilege of working every day to protect America's extraordinary wilderness, using the Wilderness Act of 1964, just one of the many remarkable laws Gaylord Nelson co-sponsored during his tenure in the Senate.

Recently, Congress saw fit to pay respect to Gaylord with a wilderness area named in his honor, a place that he always felt was part of his very blood and bones. This beautiful State of Wisconsin, the Gaylord A. Nelson Apostle Islands Lakeshore Wilderness, will forever protect the wild lands and wild

creatures that inhabit more than 33,000 acres on Lake Superior. There may not have been any greater tribute we, or anyone, can pay to this man than preserving a piece of the planet he loved so dearly.

I would like to close by reading some of Gaylord's own words, which eloquently express who he was. His message on Earth Day 2000 encapsulated his views as a new century began: ''The wealth of our Nation is in its air, water, soil, forest, minerals, rivers, lakes, oceans, scenic beauty, wildlife habitat, and biodiversity. Take this resource base away and all that's left is a wasteland. The economy is a wholly owned subsidiary of the environment. That's where all the economic activity and all the jobs come from. We are pursuing a self-destructive course of fueling our economies by drawing down our natural capitol, by degrading and depleting our resource base and counting it on the income side of the ledger. This obviously is not a sustainable situation for the long term. Forging and maintaining a sustainable society is a challenge for this and all generations to come.''

''We need a generation imbued—(applause)—we need a generation imbued with an environmental ethic,'' Nelson said repeatedly over the years, ''an environmental ethic which causes society to always ask the question: 'If we intrude on this work of nature, what will the consequences be?' Such an ethic would recognize the bonds that unite the species man with the natural systems of the planet and would affirm human's stewardship role on the planet.''

This message and goal has not changed in a half century since Aldo Leopold wrote, in A Sand County Almanac, of the need for what he called a land ethic. Leopold wrote: ''A land ethic, then, reflects the existence of an ecological conscience and this in turn reflects a conviction of individual responsibility for the health of the land. The land ethic changes the role of Homo sapiens from conqueror of the land community to a plain member and citizen of it.'' That, in a few sentences, was what the environmental movement was all about. Nelson's environmentalism was a direct descendant of Leopold's conservation.

Gaylord Nelson's friendship transcends political parties. One of the remarkable things about Gaylord was his ability to disagree with people on issues without being disagreeable. One of the best examples is his friendship with Melvin Laird. They met as state senators in 1948. Laird was the Republican floor leader and Nelson, the Democratic leader. They would fiercely debate the issues all day long on the floor of the Senate, but once the Senate would adjourn, they too would adjourn for drinks and socializing at the Park Hotel. As often as not, Laird would end up later at the Nelsons' home for dinner and spend the evening with Gaylord and Carrie Lee. That friendship survived some trying times, as Melvin Laird went on to the House of Representatives; Gaylord, to the governorship and then to the U.S. Senate. It survived Laird's days as Nixon's Secretary of Defense during the Vietnam War, when Nelson was one of the outspoken opponents of the war.

Secretary Laird is unable to be here to participate today because of health problems, so representing him is Congressman Thomas Petri, a Republican who began his career in the Wisconsin State Senate and who was elected to the House of Representatives in a special election in 1979. While a State Senator, Tom Petri ran against Gaylord Nelson as the Republican candidate for U.S. Senate in 1974. Gaylord had praise for his opponent, calling Tom Petri an able, honest, talented, fair-minded, perceptive man of commitment and dedication. He added with a laugh, ''How often do you find two people like that in the same election?'' (Laughter, applause). Congressman Petri. (Applause.)

U.S. Representative Thomas Petri: Because his doctor advised him not to travel, Mel Laird asked me to pass on a few words about his great and good friend, former Wisconsin State Senate colleague and colleague in Washington and in Wisconsin, Gaylord Nelson. They served together in the Republican State Senate where Laird was the Republican leader. Of course he was Congressman and also served as our Nation's Secretary of Defense. I am quite honored to say a few words for Mr. Laird, but actually when I was first asked to speak here it occurred to me that perhaps I was invited because I played a vital role in Senator Nelson's last successful political campaign. (Laughter.) I was the one who lost. (Laughter.)

Well, be that as it may, Gaylord was a Democrat and Mel Laird, a Republican. But as has been pointed out, that difference did not prevent them from becoming great and good friends. From the late 1940s, in Wisconsin, where they were both members of the Piscatorial and Inside Straight Society, a bipartisan group that fished together, tell stories to each other, lie about each other, and play gin rummy. And Nelson's wife, Carrie Lee, understood both Gaylord and Mel and put up with their many discussions far into the night in both Madison and out in Washington. Carrie Lee once told Mel that she had to throw Mel out of the Nelson apartment more often than any other person. (Laughter.)

When Mel was the majority leader in the State Senate in 1948, Gaylord led the tiny Democratic delegation that at that time had just five members, of the 33. That was less than the one-third Gaylord needed to force a record vote on legislation. Mel says that he always made sure that enough Republicans would vote ''Aye'' in order to let Gaylord force a roll call vote. He said that Gaylord was always very grateful, choosing to ignore the fact that Mel allowed the votes in order to show that Gaylord could only muster five measly votes for his legislation. (Laughter.)

Years later, when Mel was Secretary of Defense and Gaylord was a U.S. Senator, Mel took his pals to the Army Navy Club for a few adult beverages. Soon enough, they were arguing about the emergency hotline between Washington and Moscow. Secretary of Defense Laird said that it was located at the Pentagon and Senator Nelson said that our end of the hotline was at the White House. The two made a bet on it and the Senator said to the Defense Secretary, ''Well, let's go down to the Pentagon and you can show it to me if it's really there.'' The two arrived at the Pentagon's command center, where Mel introduced Gaylord to the officer on duty, who was shocked to see the Defense Secretary and a U.S. Senator waltz in during the wee hours of the morning. Mel had the officer run a communications test to demonstrate that the line with Moscow was functioning and Mel won the bet. Now that little anecdote has already made it into the papers, but Mel wanted me to pass on one additional detail. The two buddies had been enjoying them so much that when they were dropped back off at the Army Navy Club, Gaylord couldn't remember where his car was and in fact didn't find it for three days. (Laughter.)

Now here's a story that was passed on to me by, I think, the late Jimmy Wimmer, who worked for Nelson when he was Governor. We all know about Gaylord's concerns about the environment and his early warnings about our involvement in Vietnam. But also Gaylord was, like Jimmy, a great anglophile. On one occasion, Gaylord was sitting next to a member of the House of Lords at dinner and the British gentleman kept referring to Gaylord as Senator Nelson. Finally, Senator Nelson leaned over and said, ''Oh no, please call me Gaylord.'' Then the fellow said, ''Very well, Gaylord.'' And after a pause, Nelson said, ''And what may I call you?'' Well, the British man looked at him and said, ''Well, Gaylord, you may call me 'my lord.''' (Laughter).

Well, different people have different styles but I particularly like Gaylord's style. He was, perhaps, the most liked person in the U.S. Senate while he was there and the most liked on both sides of the political aisle. Senator Eagleton says that Senator Nelson never said anything bad about anybody. He was never down in the dumps, he was never a naysayer, he was never cross.

Now Mel Laird asked me to emphasize this: in the political arena, Mel and Gaylord would fight hammer and tongs. But at the end of the day, they could share a beverage and carry on a spirited, friendly conversation. Gaylord helped promote civility between Democrats and Republicans. The parties could have great disagreements, but he helped to maintain friendship and ultimately common purpose, which potentially included everybody. Over the years that I've been in Washington, the Congress has grown increasingly polarized with each party seeking any advantage. Gaylord Nelson would have had none of that. He called on us all to be better than that, to treat everyone with friendship and with respect. As Mel Laird says, and I concur, we could all use a lot more of Gaylord's civility in politics these days. (Applause.)

William H. Meadows: When I looked around early I did not see former Governor Thompson and I want recognize him now and thank him for being with us this afternoon. Congressman David Obey has been a Nelson family friend for more than 40 years. He began his political career in the State Assembly, winning a seat in 1962—the same year that Gaylord was elected to the U.S. Senate. It was David Obey who was with Gaylord in Wausau in the summer of 1964, when Gaylord first spoke out about the Vietnam War and warned that escalating a ground war there would be a tragic mistake. David Obey was elected to the House of Representatives in 1969 in a special election to replace Mel Laird when Laird became Secretary of Defense. As we environmentalists like to say, everything is connected. He has been chairman of the House Appropriations Committee and is currently the ranking Democratic member of that committee. Congressman Obey. (Applause.)

U.S. Rep. David Obey: Thank you, thank you, thank you. There's an old maxim about political funerals and memorial services. The biggest one I ever saw was for Phil Burton, a controversial congressman from California. Had a huge crowd. And when it was over, Phil's brother John observed to the press that the reason the crowd was so large was because half of the crowd came to bid Phil goodbye and the other half came to make sure that he was leaving. (Laughter.) This day is very different. What a great life we are celebrating here today. When Gaylord left the Senate, Carrie Lee said the State of Wisconsin got 30 good years out of Gaylord. Well, all of us got 89 good years out of Gaylord and Gaylord got 89 good years out of life.

There is (applause), there is no doubt that Gaylord will be remembered through the years for his leadership on the environment. If he had never served a day in the United States Senate, he would still have been remembered as one of Wisconsin's great leaders because of the pioneering Outdoor Recreation Act that he passed as Governor. And what he accomplished in that field in the

Senate is truly remarkable. I will not repeat it to you, you know the litany, you know what the accomplishments are.

What is also amazing about Gaylord is that he led in so many other areas: auto and tire safety, drug safety and pricing, manpower training, the Older Americans Act, legal services for the poor. People will not remember this—Howard Temin would, if he were still at the University of Wisconsin—but on cancer research, Gaylord stood as one man against the entire United States Senate to prevent the cancer institute from being politicized and being directly linked to the White House. He lost the initial vote, he was the only vote in the Senate cast against that legislation. But by the time it was over, he had turned the entire U.S. Senate around and he saved the organizational integrity of the National Institutes of Health.

On civil rights (applause), on civil rights, in 1963 after the bombing of the 16th Street Church in Birmingham, my friend Joe Wilson and Ed Harris wrote an article for The Progressive magazine entitled ''Hucksters of Hate'' about the role of J.B. Stoner and the Christian Knights of the Ku Klux Klan. Joe said afterwards that for months he carried a .38 Smith & Wesson on his hip, fearing that the Klan would come after him. He said he felt a little less lonely, a little less frightened after Gaylord put the story in the Congressional Record to show that someone was watching.

And he stood, as has been mentioned, as one of three against the first increased appropriations for Vietnam. I do remember in 1965 going to Channel 7 in Wausau.

Gaylord gave an interview on Vietnam and halfway through the interviewer stopped the camera and he said, ''Senator, I'm sorry, you just misspoke. You said that we have 500,000 troops in Vietnam.'' Gaylord said, ''That's right, we will.'' And the announcer said, ''Well, okay, it's your funeral,'' and he resumed the interview. And when we walked out of that station, Gaylord turned to me and he said, ''You know, I may have beaten myself tonight.'' But he said, ''that's what I really believe will happen.'' If the country and if LBJ had listened to Gaylord, there would be one less war memorial to visit on the Mall in Washington, D.C. And 50,000 (applause) Americans, and 50,000 Americans would not have died.

There were two things about Gaylord that were especially special. First, in almost everything he did, the causes he fought for were fundamental, he did not trivialize his life, and he changed the way people thought. In short, he was precisely the kind of person that politics is all too short of these days. On his signature issue, the environment (applause) on his signature issue, the environment, Gaylord took Aldo Leopold's conservation ethic and made people understand that it was not just about birds, and fish, and wildlife, and natural beauty. He drove home the point that the most fundamental bond between us as biological creatures on this planet is through the common air that we breath, the water we drink, the land we walk, and that the most basic test of our respect for one another, for those who have gone before, and for those who will come after, is the way we meet our stewardship responsibilities to the ecosystem that sustains us all.

The second thing about Gaylord, that was so special, is the way he played the game. Someone said last week that Gaylord had no enemies. That is not true. He had one. His name was Richard Nixon. And during Watergate, as has been referred to already, we learned that Nixon had made a list of enemies he wanted to do in. And that Gaylord was on the list along with Bill Proxmire and Bob Kastenmeier. What we loved about Gaylord is that we could never have imagined Gaylord compiling an enemies list of his own.

Gaylord was my dear friend, my mentor, and my political hero.

Wisconsin has experienced two progressive revolutions in the twentieth century. The first was led by Bob La Follette at the turn of the last century and the second after the collapse of the progressive party in 1946, was led by a host of young reformers who remain the Democratic Party. People like Elliot Walstead, Jim Doyle, Tom Fairchild, Frank Nikolay, Horace Wilkie, Carl Thompson, John Reynolds, Henry Royce, Bob Kastenmeier, Pat Lucey, Bill Proxmire, and Gaylord Nelson, and so many others. And Gaylord's election as Governor in 1958 was the culmination of that second progressive revival. And the La Follette tradition ran straight through him to the next generation of people who saw Gaylord as an example. People like me, Tom Loftus, Tony Earl, Tammy Baldwin, Russ Feingold, Herb Kohl, and so many others.

I would never have been elected to Congress without his help. He sent Louie Hanson into my district, took one look at amateur city, and decided Louie had better stay for a while. (Laughter, applause.) We know how Gaylord loved to campaign. He came into my district seven weekends in a row; I would not have won without it. The causes he fought for and the way he fought for them made me and all of us gathered here today proud to be in his country or in his company.

Now we all have our favorite stories about Gaylord. Mine are those that he told about Clear Lake and Polk County, trying to loosen up his audiences. Harvey Dueholm, was a State Representative. He grew up with Gaylord. He had great courage and earthy wit. He had a face like a basset hound on a bad day. (Laughter.) Harvey told the stories about the mischief that Gaylord got into as a child. And he told a congressional committee once, ''We all knew Gaylord would grow up to be in an institution, we just didn't know it'd be the United States Senate.'' (Laughter.)

My favorite story is one that occurred in this building. Gaylord was governor, the Republicans controlled the legislature. They wanted to solve the deficit by raising the sales tax, Democrats wanted the income tax to be increased. So Gaylord compromised and had a little bit of both, went into the Democratic caucus to explain and when he was done, Bill Lorge, from St. Croix County, Dueholm's roommate, stood up and said, ''Gaylord, I love you like a brother. But when I go over to the Belmont Hotel tonight, and I take my clothes off, and I put my pajamas on, and I climb into my bed, and put my head on that pillow, and I put my false teeth in that glass of salt water, my conscience won't let me vote for a sales tax. Well, Harvey Dueholm stood up and said, ''Mr. Chairman, I have a suggestion for the gentleman. The next time they go over to the Belmont Hotel, you take your clothes off, you put your pajamas on, you climb into bed, you put the head on that pillow, leave your false teeth in your head, put that conscience in that glass of salt water. Everybody'd be better off. (Laughter, applause.)

Gaylord was the funniest stump speaker I ever heard, but one night I saw him bested. Adlai Stevenson came to Madison to speak to the Civil War Roundtable and he was about an hour late afterwards, coming over to the old Park Hotel to talk to the party faithful. Finally Gaylord dragged Governor Stevenson and he went up to the mike, he said, ''I'm sorry we're so late, so I'll give one of my typically short speeches.'' Stevenson interrupted and said, ''I'll give one of my typically long ones.'' (Laughter.) Gaylord said, ''You do and I'll leave without you.'' Stevenson said, ''Go ahead, see who the crowd follows.'' It's the only time I saw Gaylord one-upped, except by Carrie Lee. (Laughter.)

Gaylord was incredibly fortunate in his choice of a life's mate. She was strong, and dedicated, and devoted to him, and gave him strength. And the care that she gave him in the last months of his life was truly wonderful. Gaylord was fiercely proud of her. He said she could smell a phony, even from upwind, faster than anybody he ever knew. (Laughter.) Gaylord's friend, Scotty Reston, from the New York Times, said once, or he wrote once, ''if not deflated once a week by a loving wife, members of Congress come to believe that they are what they merely represent.'' Gaylord never had to worry about getting a big head as long as Carrie Lee was around. When she was asked by the press what was the secret of her long marriage, she said, ''It's very simple, we were both in love with the same man. (Laughter, applause.)

But Gaylord's favorite story about Carrie Lee occurred when Gaylord worked in this building in the State Senate. He was leaving one night and as he was walking out of the Capitol he ran into Governor Rennebohm, who was a fairly starchy fellow. And the Governor said, ''Gaylord, would you mind coming over with me to the Madison Club? There are a few things I'd like to talk to you about.'' And Gaylord said, ''Oh Governor, I'd love to but I haven't been home a single night this week. My wife will kill me if I don't get home.'' And he said, ''let me take''—the Governor said, ''let me take care of that. You just dial home.'' So Gaylord dialed home, gave the receiver to the Governor. When Carrie Lee picked up the phone, Rennebohm said, ''Mrs. Nelson, this is Governor Rennebohm. I wonder if you'd mind if Gaylord stayed downtown for an hour or so to talk over some business with me.'' Carrie Lee responded, ''Governor Rennebohm, my . . . (laughter) patootie.'' (Laughter.) Only she didn't say ''patootie.'' (Laughter.) Then, she says, ''Whoever this is, you tell that hot shot to get his tail home now.'' (Laughter, applause.) The Governor handed the phone to Gaylord and said, ''My, you have an interesting wife.'' (Laughter.) He did, he did, and he had an interesting life.

So Carrie Lee, Happy, Jeff, and Tia, we all thank you for giving up so much so that you could share him with us. Your sacrifice helped make Gaylord the greatest postwar leader in Wisconsin history and next to Bob La Follette himself, the greatest political leader Wisconsin has ever produced. Gaylord Nelson was the best and the sweetest man in politics that I've ever known. God knows I loved him, we all did. That's why we're here, that's why we will miss him so much. If he could say one thing to all of us today, I think it would simply be: carry on, don't ever give up the fight. (Applause.)

William H. Meadows: Walter F. Mondale's friendship with Gaylord Nelson dates to the early 1960s when Mr. Mondale was Minnesota's Attorney General and Gaylord Nelson was governor and a candidate for the Senate. In 1964, he joined Gaylord in the Senate and they served together until 1976 when he was elected Vice President of the United States on the ticket with President Carter. In 1984, Walter Mondale was the Democratic candidate for president and from 1993–1997, served under President Clinton as U.S. Ambassador to Japan. He has promised at least one Norwegian joke today. (Laughter.) Vice President Mondale. (Applause.)

Vice President Walter Mondale: Thank you, Carrie Lee, Tia, Happy, Jeff, and all of the Nelsons. In all of my life, I never had a better friend than Gaylord Nelson. But that's

the way he was. He made friends everywhere. He was the best-liked member of the U.S. Senate, on both sides of the aisle. The other day, Tommy Hinme wrote, he said, ''I have thought and thought. No single person has brought greater joy to my life than Gaylord.'' He had the best staff on the Hill, everybody wanted to work for him. And over his career, Gaylord inspired generations of public and environmental leaders, like Dave Obey, many of whom make up this wonderful crowd here this afternoon. I knew Gaylord well, he had guts, he was real, he was what you saw.

In the Senate, Gaylord and I often talked as the Vietnam War was gathering. He opposed it from the start and he did so long before it was politically safe to do so. He famously voted against the war with only two other colleagues in the Senate, saying that he needed his conscience more than Lyndon needed his vote. Despite heavy pressure and bad polls, I never saw him flinch once. He put his career on the line.

When you've been in public life as long as some of us, you begin to judge public leaders more skeptically. You've seen the posers, the pious, the trimmers, the vain, but at the same time you can begin to recognize the few who run their course with such courage and honesty and decency that you are doubly inspired by their example of what is possible. And that was Gaylord Nelson. He had the vision. He believed in education, he had been given his chance, now others should have theirs. He believed in justice and civil rights and fought for all the civil rights acts. He believed in opportunity and chaired the committee that originated Head Start, Legal Services, and the Child and Family Services Act.

And of course we can't talk about Gaylord without Carrie Lee. They pulled it off together. In a marriage even celebrated in Brokaw's book The Greatest Generation, Carrie Lee was a great hostess, she was a great cook, she was a friend to everybody, and for as long as I can remember they would gather their friends together to have a good time and strengthen the bonds between us. Joan and I attended several of those events, including the famous 50th wedding anniversary where Carrie Lee pointed out that they loved the same man. It was that same night, and here's the Norwegian joke, (laughter), that Gaylord stood up and told the freshest of Norwegian jokes and that is that he loved Carrie Lee for so long that he had almost told her. (Laughter, applause.) Of course, the rest is history.

Gaylord did more to protect America's natural beauty and wildlife, to halt the corruption of our air and our water and the earth than any one single person in American history. Beginning in Wisconsin, in the Congress, and later in The Wilderness Society until his last breath. So his most priceless legacy is to be found in the protected national beauty saved for future Americans.

When Carrie Lee called Joan and me, telling us that Gaylord was gone, we were at our place out near Scandia, overlooking the St. Croix River just south of Osceola. And as we heard this message about our dearest friend, we were looking at this wonderful river and this wonderful valley that is protected forever because of him. All over the country, that is true of Gaylord, of his vision, and what he left for all of us. So Gaylord's place in our hearts and our nation's history is now assured, you can feel it here today.

But what he found so disturbing and what he talked so much about in later years, is that so much of what he accomplished is now under scandalous attack today. So if he were here today, I think he would want us to honor him most by renewing his great fight to preserve our nation's majesty and beauty. (Applause.)

Shakespeare once wrote that a good heart is the sun and the moon, or rather the sun, and not the moon, for it shines bright, never changes, but keeps it course truly. That's Gaylord. Over his long and wonderful life, he did shine bright and he surely kept his course truly. Gaylord, we will always remember you and we love you. (Applause.)

William H. Meadows: Governor Jim Doyle is someone who has known Gaylord Nelson his entire life. His parents, James and Ruth Doyle were contemporaries of Gaylord and were among those who worked with him to organize the modern Democratic Party of Wisconsin. Jim Doyle is a former Dane County District Attorney who was elected Attorney General in 1990 and served three terms. He was elected governor of Wisconsin in 2002. Governor Doyle. (Applause.)

Gov. Jim Doyle: Well to Carrie Lee, Happy, Tia, Jeff, to all of the members of the Nelson family, to the governors of the State of Wisconsin who have assembled here, to our current United States Senators, many from other states who have traveled to Wisconsin for this occasion, certainly Senators Kohl and Feingold, of course to Vice President Mondale—I remember the great rally we had a few years ago just outside the Capitol here with the Vice President—to all the members of Congress, and to all the citizens of Wisconsin.

We are here to celebrate the life of Wisconsin's favorite son. And at the same time, like many of you, not only is this a great public person but we are also here to acknowledge, to my family, the loss of a dear and treasured friend. There was never a time in my life that I didn't know Gaylord Nelson. I grew up in a home in which he and Carrie Lee and the whole other rest of the gang were often present with their highballs, as they called them in those days. But I also grew up in a home in which Gaylord and Carrie Lee were deeply revered. He is one of my parents' closest friends. Gaylord Nelson was elected to the Wisconsin Legislature in 1948, the same time my mother was elected to the Legislature and in that same year, a young representative from Prairie du Chien, Pat Lucey, was elected to the Wisconsin Legislature. Gaylord and Carrie Lee are the greatest of the greatest generation. They fought to preserve the world's freedom in World War II and then, together with a group of committed people, they returned to Wisconsin, intent on making this state, this nation, and this world a better place. They organized and built the Democratic party.

And with Gaylord and Carrie Lee's wisdom, energy, humor at the center, these people were not only close political allies, they were the closest of friends, almost family. And to my great benefit, Gaylord and Carrie Lee reached out to bring the next generation into that circle of warmth and friendship. Gaylord Nelson was sworn in as governor of the State of Wisconsin in this very spot 46 years ago. His public career as a legislator, governor, and United States senator has been an inspiration to so many who've come after.

Gaylord Nelson didn't enter politics for notoriety, he entered politics to make a difference. Early in his career, he was concerned that Bob La Follette would have solved all of the problems of the state and the country by the time he came along. But he found, when elected governor, that there were still a few more problems to work on. He was a tough, effective, and practical politician. He knew when to compromise and he knew when to stand on principle. He fought over some issues that, with the passage of years, when you look back, may seem somewhat small and trivial. But truly, as Dave Obey noted, Gaylord's genius was that he was able to identify the enduring values and to focus on the issues that were most fundamental to this state, nation, and world. He brought basic Clear Lake, Wisconsin values to the positions he held. In World War II, he was one of four white officers in charge of an all black company. He was outraged that these men were risking their lives for a country in which they couldn't share a meal with him in public. So when he became state senator, one of the first pieces of legislation he introduced was to integrate the Wisconsin National Guard. (Applause.) And later, when President Kennedy sent Congress the most comprehensive, far-reaching civil rights bill ever proposed, Gaylord Nelson was first to sign on as a co-sponsor. (Applause.)

He made deep friendships across political aisles. I was so deeply honored when I was sworn in as governor at this place that Gaylord Nelson and Melvin Laird came together to my inauguration. And Melvin Laird, whose great words we heard recently—just a few moments ago—who happens to be the uncle of the First Lady of Wisconsin, to show you that all things do come around in a full circle, (laughter), called us immediately upon hearing of Gaylord's passing to express his, great sorrow and his great desire to be here today.

Gaylord Nelson understood that principle was more important than partisanship and he always put the public good ahead of personal political gain. Perhaps that's why he was one of just three senators, as we've heard, to vote against the Vietnam War. He came under enormous pressure to vote yes for the sake of solidarity with his president and his party, but in the end Gaylord Nelson wouldn't budge. He said that the Senate needed his vote far less than he needed his own conscience. I remember deeply the advice he gave me when I became governor. He said—and this is a difficult thing to do, and I think the other governors here will acknowledge—he said, ''Don't dwell on the day-to-day fights in the Capitol; focus on what will really matter to people years and years down the road.''

He ultimately once said that the ultimate test of man's conscience is his willingness to sacrifice something today for generations tomorrow, whose words of thanks will not be heard. Of course it was this ethic that led him to become the father of the modern environmental movement, to Earth Day, to landmark legislation like the Clean Air and Clean Water Acts, and to The Wilderness Society. In this building today, we are fighting to preserve the Stewardship Fund, the result of his vision 40 years ago. And every time we pour a glass of water, breathe the air in our cities, swim in our lakes, enjoy the beauty of Wisconsin's natural heritage, we ought to pause and say thank you to Gaylord Nelson for all that he has given each of us. (Applause.)

Perhaps the greatest measure of a person is not how he or she handles success, but disappointment. In 1980, when he lost his United States Senate seat, our family, like I suspect most everyone else here who was around in those days, was crushed. But Gaylord didn't seek anyone's sympathy and believe me, if he had tried to, Carrie Lee wouldn't let it happen. Instead he consoled those around him. He worried about his staff finding jobs, he wanted to keep contributing, and when he became chairman of The Wilderness Society, he said that, if he had known that job was available, he just might not have run for reelection in the first place. (Laughter.)

And perhaps the most telling thing is this: Gaylord Nelson lived nearly three-quarters of his life in the public eye in a time of ever-increasing media skepticism, in a time of distrust of government. Yet of all the Gaylord stories that have been told and written, none of them, none of them are negative. Of

all the Gaylord Nelson stories, not one has ever questioned his actions, his motivation, or his integrity. And now Gaylord Nelson returns home to Clear Lake, Wisconsin for the very last time. And a great American story will have come full circle. The fourth child, born to Anton and Mary Nelson rose to political stardom, called some of the most powerful political leaders in Washington his friends, and launched a lasting environmental movement. But, as some have said, through it all he was just a boy from Clear Lake out on a great adventure.

We loved Gaylord Nelson as a leader, a statesman, and a friend. We loved him as a brother, a father, and a son. Love is not an easy thing to put into words, neither is vision, intelligence, courage, honesty, humor, and compassion. But he was all of these. He was the most plainly decent man anyone could ever hope to meet. And we are not so much proud that he was one of us, but we are proud that we were one of his.

Robert Frost reminded us that in nature, nothing gold can stay. Nevertheless, I know I speak for many of you when I say: I wish I could see my friend just one more time.

And yet, in the vast acres of land now protected throughout our state, Gaylord Nelson lives on. In the yearly celebrations of Earth Day, joined by millions around the world, Gaylord Nelson lives on. And in the breathtaking beauty of the Apostle Islands, a symphony of nature, Gaylord Nelson lives on. So today, let us pledge to ourselves, and to each other, to keep his spirit alive not only in our hearts but in our deeds. And so, as one of Governor Nelson's successors as governor of this great state and on behalf of a grateful state, we wish Governor, Senator Gaylord Nelson farewell. (Applause.)

Thank you. Gaylord Nelson lives on in many other ways, but certainly in his children: Happy, Tia, Jeff, and his grandchildren. And with Tia, there has been a proud successor to the Nelson environmental legacy. In her work at Nature Conservancy, and now here in the State of Wisconsin with the Board of Public Lands, Tia Nelson has been truly her father's daughter. We are so pleased to welcome here today Tia Nelson. (Applause.)

Tia Nelson: Good afternoon everyone, thank you so much. On behalf of our entire family, my mother, my brothers Jeff and Happy, our thanks to Governor Doyle and his staff for all their kindness and compassion and hard work. They've done such a beautiful job in bringing this together, we are so very grateful. Thanks to Dave Obey, Fritz Mondale, and Bill Meadows, all dear, dear friends of long standing. While we regret that Mel Laird couldn't be here in person, we are grateful that Tom Petri was willing to take time away from his business in Washington to read Mel's remarks for him. Tom, you're a class act, too.

Anyone who knows my father also knows that if he were here now, you would be laughing within a few minutes. He was such a raconteur. Now if Bill Meadows and I had exchanged notes before this, I would have told him that he couldn't use that word, but Papa liked it, as he loved the language. He was an extraordinary speaker and he often was speaking off the cuff, off the envelope sometimes, off a napkin he would scribble notes on, and he always left you laughing. He once said a good speech was one that includes an interesting subject, is not too long, and has a good laugh two or three times. Well, if that's the standard, Papa far surpassed it. He didn't always even need an interesting subject, but he always gave you a few good laughs.

When I visited him in March, he had begun to decline quickly and he had, at 88 years of age, finally stopped going to work at The Wilderness Society. If you knew him, you knew that was a bad sign. I left D.C. that day without knowing whether I would see him again. I wrote in my journal that evening, flying home to Madison, I knew only the first words, the same first words my brothers were thinking: I am the luckiest child in the world. From my mother and my father, we have received so many gifts: humor; kindness; the beauty of their enduring, unconditional love; a commitment to making a difference, however big or small; and so much more. While Papa was so many people's hero, he was also a superhuman figure to some and he was my brothers' and my hero too. And for this we count our blessings. It's an unearned gift, you know, kind of like winning the lottery with a multi-year payout: you did nothing to deserve it and it pays you all your life. In my case I didn't even have to buy the ticket. (Laughter.)

I remember struggling in school, then I'm diagnosed with dyslexia. Papa managed to coax me, bribe me really, to learn to love the language the way he did, a nickel for every word my brothers and I could learn and use in a sentence. ''Proclivity,'' ''propensity,'' ''penchant'' were my favorite—what fun we had coaxing the subtle differences from each. My father said to me over and over again, ''Never be afraid to say, 'I don't know.'''' Once, while in college, he sent me a clipping, a series of photos of Albert Einstein. There was a caption under each photo. One said, ''Einstein never hesitated to say 'I don't know.''' Papa circled those words and he drew an arrow off into the corner: ''See, even Albert Einstein and Gaylord Nelson say it.'' (Laughter.) Not knowing the answer was okay to him, but not asking the question was unacceptable. His lessons were so very many and so very rich and it didn't seem that he was really working at it all that hard. Those lessons came naturally, almost by osmosis.

The demands of public life meant he wasn't around much to help my mother but I didn't really notice that until later in life. I just reveled in their love and their humor and their intelligent debate. When I last visited, he asked me about my work, my new job at the Board of Commissioners of Public Lands. I told him about our plans to consolidate our land holdings and improve our management efficiency and so on. He asked me if I had any Republican support. I told him I did. Which was true at the time. (Laughter, applause.) You know, he'd never miss an occasion to give you a message, never. To honor him, I must do the same. Certainly, neither he nor his successor as governor, Republican Warren Knowles, ever thought the stewardship of Wisconsin's extraordinary resources was a partisan issue and has a long history of not being one. I hope we get back to that soon. (Applause.)

I won't stop missing the days in which we would talk after work and discuss whatever it was I was working on that day. I was so grateful to receive his wise counsel, for the way he'd poke holes in weak arguments, suggest strategies, always encourage me to do more, to do better, to get the job done. This is how he lived his life. When people asked why he kept going to work at The Wilderness Society at age 88, he said, ''There's more to do, the job's not done.''

He worked hard but he played hard too. As a student, he was adequate. (Laughter.) He could have done better academically, or so we suppose, but he had a wide range of other interests. He was able to calculate just how much effort he needed to expend to get passing grades. At UW Law School he had it down to a very precise science. If it took a 76 to pass, he would study enough to get a 77, leaving time for other pursuits. One fall, he and two classmates who became his two best and longest friends, Miles McMillan and John Lawton, two brave, distinguished Wisconsinites, both of whom are now gone too—they'd spent way too much time away from class that semester because they volunteered to campaign for young Bob La Follette's reelection to the Senate. As a result, Papa didn't take some of his exams that semester. He ended up short a few credits and to make up for it he signed up for a extra heavy load the second semester. He soon learned he needed the Dean's approval to do that. The Dean said to him, ''You're barely passing your courses now. How do you think you can possibly take more credits and pass them?'' And Papa said, ''I can just as successfully not study 20 credits as I can not study 15.'' (Laughter, applause.) The Dean agreed to let him try and he passed them all, barely, as usual. Later in life, Dean Lloyd Garrison told Papa, ''That was the best legal argument you made.'' (Laughter) Professor Paige, from the U.W. Law School, certainly would have agreed. He once said to Papa after a less than impressive answer to one of the professor's questions, ''Mr. Nelson, pick up your books, go out that door, and down Bascom Hill, go to the music school. You might make a piccolo player but you'll never make a lawyer.'' (Laughter.) Lucky for us, Papa did not follow Professor Paige's advice.

And on that note, I would like to end with a smile and a chuckle, just the way Papa would have wanted it and invite all of you to come down to Monona Terrace for a coffee and a cookie with my family. Thank you very much. (Applause.)

TRIBUTE TO CONGRESSMAN PETER W. RODINO, JR.

Mr. SARBANES. Mr. President, on May 7, former Congressman Peter W. Rodino, Jr. died at his home in West Orange, NJ, at the age of 95. At the time of his death he was professor emeritus at the Seton Hall University School of Law, where he had continued to lecture until just a few months ago. He was first elected to the U.S. House of Representatives from New Jersey's 10th congressional district in 1948 and went on to serve 20 terms, retiring in 1989. Throughout his long career he faithfully served the people of his district, and our Nation. It was my great privilege to serve on the House Committee on the Judiciary under his chairmanship, and I shall remember him always as ''Chairman.''

In the Congress, Peter Rodino served on the House Committee on the Judiciary for 24 years before becoming its chairman, quite unexpectedly, in 1973. At just that time it fell to the Judiciary Committee to determine whether the President had acted in violation of fundamental principles of our Constitution and, if so, to undertake the first step in the impeachment procedures that the Constitution sets out. No one understood better than Peter Rodino the magnitude of the challenge. It was, he often said, an ''awesome responsibility.''

As a very junior Member of the House of Representatives, just beginning my second term, it was my great responsibility to serve on the Judiciary Committee under Chairman Rodino during the impeachment inquiry. In a speech on the floor of the House in February, 1974, he set the tone for the

work the committee was about to undertake: ''Whatever the result, whatever we learn or conclude, let us now proceed with such care and decency and thoroughness and honor that the vast majority of American people, and their children after them, will say: 'That was the right course. There was no other way.'''

Chairman Rodino held the committee to those standards. As Michael T. Kaufman wrote in the New York Times on May 9, he proceeded with ''great patience, caution, enormous energy, and fairness above all.'' In his role as chairman, Peter Rodino saw himself as ''teacher, negotiator, leader and symbol,'' striving to achieve ''a spirit of fairness and bipartisanship.'' In this he was successful: members of the committee drew together over the course of the inquiry, approving three articles of impeachment on strong bipartisan votes and, ultimately, reaching unanimity on the need to move the impeachment process forward.

Of his service during the impeachment inquiry, Chairman Rodino told his biographer, Gerald Pomper, ''I was just the same Peter Rodino I've been all the time from the very first day I came to the Congress.'' Indeed he was. Throughout his years in the Congress he worked hard, and he brought to his work both a bright and hopeful vision for our country and great skill as a legislator. His legislative achievements were remarkable: major contributions to the great Civil Rights Acts of the 1960s—he served as floor manager of the Civil Rights Act of 1966; passage of landmark fair housing and fair-employment practices legislation; immigration reform that overturned the decades-old system of rigid, country-based quotas. Later he wrote the Voting Rights Extension Act of 1982, and he played a leading role in establishing a national holiday in honor of Dr. Martin Luther King, Jr.

It can be said of Peter Rodino that in his life he embraced the American experience in the 20th century. The child of Italian immigrants, born and raised in the Little Italy neighborhood in Newark, NJ, he earned his law degree over a period of 10 years by working days and taking classes at night. Well before Pearl Harbor and the U.S. entry into World War II, he enlisted in the U.S. Army, served in the North African and Italian campaigns, received one of the first battlefield commissions, was awarded the Bronze Star, and retired with the rank of captain. Upon leaving the Army, he entered the Congress; upon retiring from the Congress, he joined the faculty of the Seton Hall Law School. There he remained until his death, attentive to the end to his students and colleagues. He believed in our democratic institutions and their capacity to improve the lives of our people. ''There was not a single day of his professional life,'' according to the Dean of Seton Hall Law School, ''when he didn't carry a copy of the Constitution in his pocket.'' The country will forever be grateful to him.

Chairman Rodino was remembered by his family, friends, colleagues at Seton Hall Law School and former colleagues in the U.S. House of Representative in a very moving ceremony at St. Lucy Church, Newark NJ, on May 16, 2005. I ask unanimous consent that the homily of the Reverend Nicholas S. Gengaro, Chaplain of the Seton Hall Law School, and the eulogy delivered by Paula A. Franzese, Peter W. Rodino at the Seton Hall Law School, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HOMILY OF THE REVEREND NICHOLAS S. GENGARO

FUNERAL MASS, THE HONORABLE PETER W. RODINO, JR., ST. LUCY CHURCH, MONDAY, MAY 16, 2005, 11:00 AM

Readings: Wisdom—3:1–9; Romans—8:14–23; Matthew—5:1–12a.

The NBC television network will be pleased to hear me claim a place among the fans of its award-winning weekly drama series, The West Wing. I confess that I am drawn in by the promise of a walk down the corridors of power, an ear inside decision-making at the highest level, a look at how things get done in our country, our world. Of course, the show is fiction, but the writers purposely dramatize current events and issues.

In an episode this spring, one of the characters running for election to the presidency rebelled against pressure from religious groups to disclose his religious beliefs and practices. ''If the American people begin to insist on knowing where and how often their leaders worship God,'' he declares, ''then, they are begging to be lied to.'' Religion and politics are a volatile mix. Since 1998, when I became chaplain at Seton Hall School of Law, I have had the privilege of knowing the Honorable Peter W. Rodino, Jr. The first time I attended the annual Rodino Law Society Dinner, I spotted the Congressman in the crowd and wrestled down my shyness to walk over and introduce myself. Not only was I aware of the heroic role he had played in our nation's history, but I remembered hearing about him from my childhood, his name spoken by proud Italian American relatives who had been helped personally by him. To me he was a national icon, but also a bit of a ''household god,'' patron of the good name and self-respect of the vast number of Americans whose surnames end in a vowel.

That initial conversation lasted nearly an hour. Congressman Rodino remembered my great uncle who ran a business right outside St. Lucy's Church, here at 7th Avenue and Cutler Street. I was to discover over the years that Peter Rodino remembered everything. Young in his nineties, the Congressman could quote statesmen, historians, poets, even song lyrics—sometimes in another language. But most of all he remembered people.

In 1977, at the unveiling of the portrait of Congressman Rodino that hangs in the chamber of the House Judiciary Committee, Vice President Walter Mondale suggested that Peter Rodino's ''life has stood and stands for 'the love of country and the love of freedom kept pure by the tenderest humanity for all mankind''' (Proceedings Before the Committee on the Judiciary, May 12, 1977, 95th Congress, 1st Session, House Document 95–307, p.8).

In other words, Congressman Rodino regarded his career in public service as a labor of love. He often quoted Thomas Paine's axiom ''for those who would enjoy the fruits of liberty, they must first undergo the fatigue of supporting it'' (Address to the Trial Lawyers Association of New Jersey, 2002). As a little boy the Congressman once stood next to his mother listening to the music of the band at a religious festival. He began to wave his hands as if to conduct the band, and continued to do so with glee for song after song. ''Someday you will be a leader of men!'' his mother told him. Peter Rodino, Sr., would remind his son of these words many years later.

Fr. Timothy Healy, President of Georgetown University, shortly after the events of Watergate had run their course, arrived at the heart of the matter when he said of Congressman Rodino, ''It took our time of trouble to show us what he really is. As this nation rocked in shame, all of us watched Chairman Rodino manage our destiny. We came to know his calmness, his strength, his sense of order. We grew to trust his honesty. We watched the citizen-politician at work, and as we watched, we rediscovered in him the best of ourselves and of this Nation. Through long and bitter hours, to millions of Americans, Peter Rodino was America.'' Fr. Healy concluded, ''We have seen a just man doing justice'' (Proceedings Before the Committee on the Judiciary, May 12, 1977, 95th Congress, 1st Session, House Document 95–307, pp. 1–2).

Is Peter W. Rodino, Jr., a saint? To the countless marks of distinction awarded him in this life—honorary degrees, orders of knighthood, eponymous institutes and chairs of learning—can we suppose him now to be also one of the elect in heaven? Of course, to God alone belongs such a judgment. Yet the Scripture proclaimed in this Mass of Resurrection clearly indicates, ''The souls of the just are in the hand of God.'' The Book of Wisdom explains, ''As gold in the furnace, he proved them.'' The Letter of Paul to the Romans echoes, ''The Spirit itself bears witness with our spirit that we are children of God, and if children then heirs, heirs of God and joint heirs with Christ, if only we suffer with him, so that we may also be glorified with him.''

Congressman Rodino told me that he kept two texts next to his bed: the Bible and the Constitution of the United States of America. In a speech just this past October, he called the 52 words of the Preamble his ''guiding light'' (Rodino Law Society Dinner, October 27, 2004). He was passionate about the imperative found there ''to secure the Blessings of Liberty.'' ''The Blessings of Liberty'' was a favorite theme of his. The word ''blessing'' was as important to him as the word ''liberty.'' He firmly believed that the great nation of the United States of America would lose its way if it ceased to be aware that every good thing, and especially freedom, is bestowed according to the providence of a higher power.

For this reason, in 1954, he was a sponsor of the legislation which added the words ''under God'' to the Pledge of Allegiance. ''We deliberately left the phrase short and vague so as to offend no creed and embrace all possible concepts of the higher power. The point is to preserve us from arrogance,'' he explained to me.

Every day of his life, Congressman Rodino prayed the Prayer of St. Francis of Assisi.

''Lord, make me an instrument of your peace.
Where there is hatred, let me sow your love.
Where there is injury, pardon; doubt, faith; despair, hope; darkness, light; sadness, joy.''

This prayer of the 13th century saint, co-patron of Italy, is itself a reflection on Matthew's so-called ''Beatitudes'' from Jesus' Sermon on the Mount. We heard the proclamation:

''Blessed are the poor in spirit . . .
they who mourn . . .
the meek . . .
they who hunger and thirst for righteousness . . .
the merciful . . .
the clean of heart . . .
the peacemakers . . .
they who are persecuted for righteousness' sake. . . .''

Can we not see how the Honorable Peter Rodino implemented these texts in his life? Is it an accident that countless immigrants were given hope and a new start in a land of opportunity because of legislation he sponsored to remove unfair quotas? Is it a coincidence that this man of integrity evolved to serve a new constituency in his district in the 1960s, that he became a champion of civil rights and voting rights for all citizens regardless of race, color or creed, identifying himself with the persecuted and those hungering and thirsting for righteousness? Was he reciting St. Francis to himself and remembering the Beatitudes when he took part in disarmament conferences and the stability and security efforts of the parliamentary arm of NATO? ''Make me an instrument of your peace. . . .''

In his recent volume, Ordinary Heroes and American Democracy, Gerald M. Pomper, in the chapter ''Peter Rodino: A hero of the House,'' writes, ''Our concept of the democratic hero looks for heroism among ordinary people doing their customary work in the moments of crisis.'' He dubs Peter Rodino a ''workhorse'' of the U.S. House of Representatives, and reminds us of the messiness with which the work of democracy proceeds in that body, by compromise, consensus-building, careful and dexterous application of the rules.

I would like to suggest that Peter Rodino is also an ordinary hero of his faith. Like the character in The West Wing, he eschewed a flamboyant, pretentious, self-conscious politician's instrumentalization of religious practice, which threatens democracy with theocracy. Instead, to paraphrase the prophet Micah, he knew the right, he did the right and he walked humbly with his God.

The Catholic funeral liturgy is a celebration of hope. Four days before his death, Congressman Rodino sat in his recliner chair when I visited him. His breathing was labored and he struggled to stay awake. At one point he forced his eyes wide open and asked, ''What's the world situation?'' Sure I had heard wrong, I began naming a number of comfort items I supposed he was wanting: Water? Juice? Another blanket? ''Do you want me to get Joy?'' I asked. ''The world!'' he reiterated, certainly annoyed with my narrow focus on conveniences. ''Tell me about the world. What's happening?'' This man was not leaving this life, this world that had held him in endless fascination, one moment sooner than he absolutely had to.

Nor is he absent from us now. The Honorable Peter W. Rodino, Jr., is heir to the promise made to all who are baptized into Christ, of life unending with his Creator. May his be the blessings of a liberty far greater than we now know how to ask for or imagine. With St. Francis we conclude, ''For it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.''

By Rev. Nicholas S. Gengaro
Chaplain, Seton Hall School of Law.

KEEP THAT GOOD HEART: THE LIFE AND LEGACY OF CONGRESSMAN PETER W. RODINO

(By Paula A. Franzese, Peter W. Rodino Professor of Law, Seton Hall Law School; Prof. Franzese Delivered the Eulogy at Cong. Rodino's Funeral on May 16, 2005)

The last words spoken to me by my beloved mentor and friend, Cong. Peter W. Rodino, just days before his passing, were: ''Keep that good heart.'' In those four words we find the measure of the man and the magnitude of his legacy. Keep that good heart, mindful that there will be many temptations to do otherwise. This life can be a vessel of sadness, but even in the face of all disenchantment and cynicism and disappointment, still, keep that good heart.

Peter asked us to be relentless in our capacity to anchor ourselves in love, in compassion, in humility, in virtue, no matter the adversity, no matter the turmoil, no matter the naysayers. We live in a world that finds itself preoccupied with glamour and status and fortune and fame. Yet, here is this iconic public figure, who walked with kings and held the hand of a nation as he navigated the way out of a constitutional crisis of unparalleled dimension, this luminary and dignitary, this man of the House, who valued, above all else, goodness of heart. He respected intelligence, and he was brilliant, but he respected kindness even more.

And so it was, with great love, that this humble boy from Newark, the son of a carpenter and the child of Italian immigrants, moved mountains. His illustrious career in the House of Representatives began in 1948, and spanned four decades. Always, he ran on his own terms, never beholden to anyone or anything. He sought public office as a politician in the highest and best sense of the word. He was a champion of the underdog, a spokesman for those without a voice. It has been said that the principal cause of human suffering is forgetfulness. Peter never forgot who he was, what he stood for or where he came from.

John Henry Newman wrote, ''I sought to hear the voice of God, and climbed the topmost steeple. But God declared, 'Go down again. I dwell among the people.' '' Peter Rodino heard the voice of God in the voices of the people. And there, he found the courage to do what needed to be done. He came to the House to accomplish civil rights reform, to redress the inequities of the nation's immigration laws and to promote equal access to justice for all. And so he did.

Quietly, during a time when such an agenda for reform was fiercely unpopular, he worked relentlessly, securing a seat on the House Judiciary Committee and serving as a key lieutenant whose work in the trenches, on the floor of the House, helped to secure the passage of virtually every major civil rights bill, including the watershed Civil Rights Act of 1964. The Civil Rights Museum in Birmingham, Alabama contains the historic photograph of President Lyndon B. Johnson signing that landmark legislation into law, flanked by the Rev. Martin Luther King, Jr. to his left and Congressman Peter Rodino to his right.

Peter Rodino was a champion for the cause of civil rights and civil liberties because he chose to be a man for all people, irrespective of race, class, gender or ethnic origin. It is no accident that, until his last days on Earth, he carried in his pocket a tattered copy of the Preamble to the U.S. Constitution. The Preamble begins with the words, ''We the people.'' It holds out the promise that the blessings of liberty belong not just to some of us, but to all of us.

And so it was that this great patriot had a date with destiny. In 1974, as a country on the brink of a constitutional impasse waited, and this fourteen year old sat transfixed in front of the TV set, the Watergate hearings began, and we found a hero. In Peter Rodino, humility met preparation, and that boy from Barringer High School, who had dedicated a lifetime to the cause of fundamental fairness and equal justice under law, accepted the challenge.

We watched as the gentleman from Newark, carrying the weight of a nation's suffering on his shoulders, stood firm and dignified and tall, never wavering from his reverence for the office of the presidency and never departing from his conviction that our great democracy would withstand, indeed, transcend, this greatest test.

Because of him, it did. And because of him, we did. In the process, Peter Rodino gave us all something that we so desperately needed. He gave us hope. Timothy White wrote, ''Historically, certain figures emerge from despairing cultures to reinterpret old symbols and beliefs and invest them with new meaning. An individual's decision to play such a role may be purely unconscious, but it can sometimes evolve into an acute awareness that he or she may indeed have the gift, as well as the burden, of prophecy.'' Peter Rodino was such a figure. Sen. Ted Kennedy, in sending his condolences, said: ''Many of us felt as we watched the Watergate hearings that we were seeing a founding father in action, living the highest ideals of the Constitution. I'm sure my brother would have called him a profile in courage. I feel the same way, and I'll never forget him.''

When all is said and done, none of us will ever forget Peter Rodino, because of the way that he made us feel. His life bears living witness to the greatness of our nation. His story reminds us that we live in a world of infinite possibilities, and that there is a force that meets good with good. We watched, and we knew. Here was a gifted leader who was, first and foremost, a good person. It is a testament to the man that, when the vote to impeach was rendered, rather than grandstand or resort to petty partisanship, he retreated to his private chambers and he wept. Always, he kept that good heart.

Peter spoke to our community just months ago, at Seton Hall Law School's Rodino Dinner, where he urged us all to live a life that matters. What will matter, he said, is not your success, but your significance; not what you bought but what you built. Implicit in all that he stood for is the premise that people can be mean and cruel and irresponsible, but it is up to us to love them anyway. If you commit to goodness and to compassionate honesty in a world fraught with too much brutal honesty, you may be accused of insincerity or of building pies in the sky. But commit to the virtuous path anyway. And if you dare to believe in the majesty of your dreams, so that you do what you can with what you have, your heart may sometimes break. But a broken heart has more room.

Peter, today we bask in the glow of your magnificent heart. And although our own hearts ache because your days on Earth have come to an end, we know that the angels rejoiced as they welcomed you home. We know that you must have received the most extraordinary standing ovation of all time, amidst the resounding cheers and the tears of joy, all proclaiming: ''Well done, Mr. Chairman, well done.''

TRIBUTE TO FOX MCKEITHEN

Mr. VITTER. Mr. President, today I commemorate the life of Louisiana's late secretary of state Fox McKeithen. Fox passed away Saturday at only 58 years of age.

Born Walter Fox McKeithen in 1946, Fox was destined for a life in public office. His father, John McKeithen, served as the Governor of Louisiana from 1964 to 1972. And Fox demonstrated his natural leadership ability at a young age, serving as senior class president and becoming a three-sport

Letterman at Caldwell Parish High School.

He received a bachelor's degree in history/social studies from Louisiana Tech University and then became a civics teacher and coach at Caldwell Parish High School. In addition to teaching and his career in state office, Fox established three successful businesses in Caldwell Parish.

In 1983, Fox began his long career as a public servant when he was elected to the Louisiana House of Representatives. He was elected secretary of state in 1987, and he served in this capacity for five consecutive terms, being elected to his fifth term in November 2003.

As secretary of state for nearly two decades, Fox showed great dedication and devotion to the State of Louisiana. One of his biggest accomplishments was successfully merging the department of voter registration and the department which stored the voting machines, consolidating them into one. This had not been done in Louisiana since 1960.

Fox simplified the functions of the secretary of state's office. He adapted to the changing technologies that took place over his five terms and modernized the office through computerized voting terminals and archiving.

He was also responsible for the renovation of the State capitol building in Baton Rouge. Fox took the lead in helping bring a building that once was in shambles and abandoned back to its former stateliness and glory. Because of Fox's efforts, the capitol building gives all who visit and work there a taste of Louisiana's political history.

Fox had a very colorful personality, a trait often described by so many. His vivaciousness and energy for life drew people to him. Once, he even broke out into song at a press conference.

Those who served with Fox knew his commitment to the office of secretary of state. This was especially apparent in a 2004 election, when he delivered voting machines to New Orleans precincts himself, ensuring that everyone was able to vote and averting a potential crisis.

Fox was a friend to all, and the State of Louisiana will miss him dearly. He leaves behind a loving wife, Yvonne, and their four children, Marjorie Ann, Marianne May, Rebecca Ann, and John Jesse.

Fox and his family are in our prayers and thoughts.

ADDITIONAL STATEMENTS

CONGRATULATING THE GARRETT FAMILY

• Mr. ISAKSON. Mr. President, I rise today to offer my congratulations to Heath and Lee Garrett on the birth of their second child.

William Heath Garrett was welcomed into this world at 4:45 p.m. on July 6th, 2005, weighing 7 pounds and measuring 19 inches.

Little William Heath was named after his father and joins big sister Martha ''Mattie'' Lee, who will turn 3 in October 2005, as the newest addition to the Garrett family.

Since his graduation from the University Of Georgia School of Law, Heath Garrett has been a trusted advisor as well as an honored friend. He served as my policy advisor on the Georgia Board of Education and served as my chief of staff in the U.S. House of Representatives from 1999 through 2004. He came with me this year to the U.S. Senate where he continues to serve ably as my chief of staff.

I congratulate Heath and Lee Garrett on the newest addition to their family and wish them years of continued health and happiness.•

HONORING THE CITY OF POLLOCK, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, today I wish to honor and publicly acknowledge the 50th anniversary of Pollock, SD, a small community nestled on the eastern bluffs of the Missouri River marking the divide between eastern and western South Dakota.

Located in northern Campbell County, Pollock's history is a bit different from most other South Dakota towns, due to its relocation in the 1950s. The town was originally formed in the mid-1880s under the name LaGrace, having been named after Mrs. Grace Fisk of Huron, SD. The town's name was changed to Pollock in 1901 to honor R.Y. Pollock, a pioneer lay minister and respected citizen. Although the first town of Pollock was platted in 1901, the present community was not established until 1955. Interestingly, ''new'' Pollock celebrates its 50th anniversary this year, yet 4 years ago, in 2001, residents commemorated ''old'' Pollock's 100th anniversary.

The original town was actually a combination of two river towns, LaGrace and Vanderbilt. The cities merged in 1901 and many buildings from surrounding communities were brought in. As a result, Pollock grew rapidly, and within months boasted a post office, grocery store, flour and feed store, three saloons, a butcher, a blacksmith, a pool hall, a hardware store, and a printer.

Like most young communities in the Dakotas, Pollock was not without its share of tragedy and hardship. In August of 1911, a fire broke out, destroying a large portion of the business district. Additionally, ''old'' Pollock was prone to flooding, as Spring Creek often overflowed during heavy rains. Still, despite these setbacks, Pollock's resilient residents always rebounded and rebuilt, which is a testimony to South Dakotans' legendary pioneer spirit.

Until the early 1950s, Pollock's history was very much like most other South Dakota towns; however, that drastically changed in 1952, when the Army Corps of Engineers informed residents of its decision to build a dam on the Missouri River near Pierre. Although Pierre and Pollock are miles apart, the proposal also entailed flooding the entire town of Pollock and converting it into Lake Pocasse. Soon after learning of the Corps of Engineers' plan, residents formed the Pollock Flood Association, a committee designed to organize the public and help plan for the flood. The committee held a town meeting in January of 1953, and residents unanimously decided to move the town to a new location, which they eventually determined would be the area referred to as ''the old golf course.'' In order to purchase the land, the community created a non-profit corporation to buy and subdivide the property into individual lots. Subsequently, town members looked at a map of the various plots, selected the site they wanted, and placed their desired lot number in an envelope. During the drawing, surprisingly, there were only two or three instances of multiple families choosing the same piece of land, and in those cases, a coin was flipped to determine the lucky owner. The Corps of Engineers then purchased people's ''old'' Pollock property on behalf of the government, and residents were given the opportunity to buy back their house for 12 cents to the dollar and move the building to the new site. ''New'' Pollock's groundbreaking ceremony was held June 4, 1955, thus ultimately marking the birth of present-day Pollock, SD.

Although transporting houses and other buildings was difficult, it paled in comparison to the railroad official's task of relocating the Minneapolis St. Paul and Sault Saint Marie Railroad, known as the Soo Line. The move involved constructing 5 miles of new grade and track, in addition to building a new engine house and relocating the depot. In mid-October of 1960, the task was complete and the first train arrived in Pollock to a large crowd of spectators. Despite the railroad's painstaking efforts to keep the trains accessible, its popularity began to decline shortly after the move. In 1987, the Soo Line route from Ashley, ND, to Pollock was abandoned, and the track was removed in 1988.

In 1956, E.L. MacKay founded the Pollock Pioneer, the town's first newspaper. MacKay recorded the growth of the new community, and actually coined Pollock's motto, ''A city built on a hill cannot be hid,'' when he used it as a byline for an article. To this day, the Pollock Pioneer continues to provide residents with accurate and reliable news coverage.

One of Pollock's notable attractions is its 60 acre City Park. Designed by the South Dakota Department of Game, Fish & Parks, in conjunction with the U.S. Soil Conservation Service, the recreation area is situated between the town and the waterfront. Year after year, City Park is host to countless family picnics and outdoor

activities. The foliage throughout the park, as well as the entire town, noticeably enhances the beauty of this frontier community. As a matter of fact, 15,000 of Pollock's trees were planted in 1956 by local volunteers. Fifty years after its founding, Pollock supports numerous tourist facilities, such as parks, camping sites, a beach, boat ramps, motels, and bait shops.

Pollock is also home to DairiConcepts' cheese plant. Originally named the Dakota Cheese Co., the plant was established by a group of local men in 1960. On its very first day of production, the Dakota Cheese Co. produced 1,350 pounds of cheddar cheese. Bought by Mid-America Dairymen in 1981, the plant, now called DairiConcepts, expanded to become Pollock's leading employer, with over 85 employees. Every day, the factory produces 62,000 pounds of mozzarella cheese.

In the five decades since its founding, Pollock has provided its citizens with a rich and diverse atmosphere. Pollock's 300 proud residents celebrate the town's 50th anniversary June 24–26, 2005, and it is with great honor that I share with my colleagues this community's unique past and wish them the best for a promising future.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY BLOCKING PROPERTY OF CERTAIN PERSONS AND PROHIBITING THE IMPORTATION OF CERTAIN GOODS FROM LIBERIA THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13348 ON JULY 22, 2004—PM 18

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with the provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the national emergency and related measures blocking the property of certain persons and prohibiting the importation of certain goods from Liberia are to continue in effect beyond July 22, 2005.

The actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies pose a continuing unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons and prohibiting the importation of certain goods from Liberia.

GEORGE W. BUSH.
THE WHITE HOUSE, *July 19, 2005*.

DISTRICT OF COLUMBIA'S FISCAL YEAR 2006 BUDGET REQUEST ACT—PM 19

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Homeland Security and Governmental Affairs:

To the Congress of the United States:

Pursuant to my constitutional authority and consistent with section 446 of The District of Columbia Self-Governmental Reorganizational Act as amended in 1989, I am transmitting the District of Columbia's Fiscal Year 2006 Budget Request Act.

The proposed FY 2006 Budget Request Act reflects the major programmatic objectives of the Mayor and the Council of the District of Columbia. For FY 2006, the District estimates total revenues and expenditures of $7.35 billion.

GEORGE W. BUSH.
THE WHITE HOUSE, *July 18, 2005*.

MESSAGE FROM THE HOUSE

At 8:01 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3332. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st century.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3085. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Allocation and Apportionment of Deductions for Charitable Contributions'' ((RIN1545–AP30)(RIN1545–BD47)(TD9211)) received on July 13, 2005; to the Committee on Finance.

EC–3086. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Source of Compensation for Labor or Personal Services'' ((RIN1545–AO72)(TD9212)) received on July 13, 2005; to the Committee on Finance.

EC–3087. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 179 Elections'' ((RIN1545–BC69)(TD9209)) received on July 13, 2005; to the Committee on Finance.

EC–3088. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Return of Property in Certain Cases'' ((RIN1545–AV01)(TD9213)) received on July 13, 2005; to the Committee on Finance.

EC–3089. A communication from the General Counsel, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled ''AmeriCorps National Service Program'' (RIN3045–AA41) received on July 14, 2005; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS:

S. 1421. A bill to enhance resources to enforce United States trade rights; to the Committee on Finance.

By Mr. HAGEL:

S. 1422. A bill to amend the Federal Food, Drug, and Cosmetic Act to reduce human exposure to mercury through vaccines; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. SPECTER, Mr. SANTORUM, Mr. BAUCUS, Mr. BAYH, Mr. BIDEN, Mrs. BOXER, Mr. CORZINE, Mr. DAYTON, Mr. DODD, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HARKIN, Mr. INOUYE, Mr. KENNEDY, Mr. KOHL, Mr. JOHNSON, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. MURRAY, and Mr. PRYOR):

S. 1423. A bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representatives of those individuals killed as a result of the terrorist attacks of September 11, 2001; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ENSIGN (for himself, Mr. LIEBERMAN, Mr. MCCAIN, and Mr. BROWNBACK):

S. 1424. A bill to remove the restrictions on commercial air service at Love Field, Texas; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE (for himself and Mr. HARKIN):

S. 1425. A bill to give effect to the original agreement entered into by the cities of Dallas, Texas, and Fort Worth, Texas to build a single airport to provide for the commercial air transportation needs of the region, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. OBAMA:

S. 1426. A bill to amend the Safe Drinking Water Act to reauthorize and extend provisions relating to contaminant prevention detection, and response; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. CANTWELL (for herself and Mr. DURBIN):

S. Res. 201. A resolution designating September 14, 2005, as ''National Attention Deficit Disorder Awareness Day''; to the Committee on the Judiciary.

By Mr. FRIST (for himself, Mrs. DOLE, and Mr. LUGAR):

S. Res. 202. A resolution urging the Government of Sudan and the Sudan People's Liberation Movement/Army to fully implement the Comprehensive Peace Agreement of January 9, 2005; considered and agreed to.

ADDITIONAL COSPONSORS

S. 58

At the request of Mr. INOUYE, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 58, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 103

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 103, a bill to respond to the illegal production, distribution, and use of methamphetamine in the United States, and for other purposes.

S. 151

At the request of Mr. COLEMAN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 151, a bill to amend title 38, United States Code, to require an annual plan on outreach activities of the Department of Veterans Affairs.

S. 313

At the request of Mr. LUGAR, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mrs. CLINTON), the Senator from Vermont (Mr. JEFFORDS), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 313, a bill to improve authorities to address urgent nonproliferation crises and United States nonproliferation operations.

S. 333

At the request of Mr. SANTORUM, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 333, a bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

S. 390

At the request of Mr. DODD, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 390, a bill to amend title XVIII of the Social Security Act to provide for coverage of ultrasound screening for abdominal aortic aneurysms under part B of the medicare program.

S. 392

At the request of Mr. LEVIN, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from Alabama (Mr. SESSIONS), the Senator from Washington (Ms. CANTWELL), and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. 392, a bill to authorize the President to award a gold medal on behalf of Congress, collectively, to the Tuskegee Airmen in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces.

S. 457

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 457, a bill to require the Director of the Office of Management and Budget to issue guidance for, and provide oversight of, the management of micropurchases made with Governmentwide commercial purchase cards, and for other purposes.

S. 503

At the request of Mr. BOND, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 503, a bill to expand Parents as Teachers programs and other quality programs of early childhood home visitation, and for other purposes.

S. 662

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 662, a bill to reform the postal laws of the United States.

S. 760

At the request of Mr. INOUYE, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 760, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 792

At the request of Mr. DORGAN, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Iowa (Mr. HARKIN), and the Senator from Illinois (Mr. OBAMA) were added as cosponsors of S. 792, a bill to establish a National sex offender registration database, and for other purposes.

S. 860

At the request of Mr. ALEXANDER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 860, a bill to amend the National Assessment of Educational Progress Authorization Act to require State academic assessments of student achievement in United States history and civics, and for other purposes.

S. 930

At the request of Mr. DODD, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 930, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to drug safety, and for other purposes.

S. 1035

At the request of Mr. INHOFE, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1035, a bill to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

S. 1038

At the request of Mr. LUGAR, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1038, a bill to amend the Farm Security and Rural Investment Act of 2002 to enhance the ability to produce fruits and vegetables on covered commodity base acres.

S. 1081

At the request of Mr. KYL, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1081, a bill to amend title XVIII of the Social Security Act to provide for a minimum update for physicians' services for 2006 and 2007.

S. 1117

At the request of Mr. ALEXANDER, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 1117, a bill to deepen the peaceful business and cultural engagement of the United States and the People's Republic of China, and for other purposes.

S. 1129

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1129, a bill to provide authorizations of appropriations for certain development banks, and for other purposes.

S. 1172

At the request of Mr. SPECTER, the names of the Senator from Indiana (Mr. LUGAR), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1172, a bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers.

S. 1197

At the request of Mr. BIDEN, the names of the Senator from Maryland

(Mr. SARBANES), the Senator from Delaware (Mr. CARPER) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1197, a bill to reauthorize the Violence Against Women Act of 1994.

S. 1209

At the request of Mr. GREGG, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1209, a bill to establish and strengthen postsecondary programs and courses in the subjects of traditional American history, free institutions, and Western civilization, available to students preparing to teach these subjects, and to other students.

S. 1215

At the request of Mr. GREGG, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 1215, a bill to authorize the acquisition of interests in underdeveloped coastal areas in order better to ensure their protection from development.

S. 1244

At the request of Mr. HAGEL, his name was added as a cosponsor of S. 1244, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term needs.

S. 1249

At the request of Mr. CORZINE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1249, a bill to require the Secretary of Education to rebate the amount of Federal Pell Grant aid lost as a result of the update to the tables for State and other taxes used in the Federal student aid need analysis for award year 2005–2006.

S. 1263

At the request of Mr. BOND, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 1263, a bill to amend the Small Business Act to establish eligibility requirements for business concerns to receive awards under the Small Business Innovation Research Program.

S. 1325

At the request of Mr. FRIST, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1325, a bill to establish grants to provide health services for improved nutrition, increased physical activity, obesity and eating disorder prevention, and for other purposes.

S. 1358

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1358, a bill to protect scientific integrity in Federal research and policymaking.

S. 1390

At the request of Mr. INOUYE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1390, a bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes.

S. 1402

At the request of Mr. DEWINE, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1402, a bill to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp.

S. 1411

At the request of Ms. STABENOW, her name was added as a cosponsor of S. 1411, a bill to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes.

S. 1417

At the request of Mr. CRAIG, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1417, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S.J. RES. 18

At the request of Ms. STABENOW, her name was added as a cosponsor of S.J. Res. 18, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 42

At the request of Mr. LUGAR, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. Res. 42, a resolution expressing the sense of the Senate on promoting initiatives to develop an HIV vaccine.

AMENDMENT NO. 1238

At the request of Mr. MCCONNELL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 1238 proposed to H.R. 3057, a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1260

At the request of Mr. SANTORUM, the names of the Senator from Pennsylvania (Mr. SPECTER), the Senator from Michigan (Mr. LEVIN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 1260 proposed to H.R. 3057, a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1261

At the request of Mrs. CLINTON, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of amendment No. 1261 intended to be proposed to H.R. 3057, a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1262

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of amendment No. 1262 proposed to H.R. 3057, a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1264

At the request of Mr. MCCONNELL, the names of the Senator from New Hampshire (Mr. GREGG) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 1264 proposed to H.R. 3057, a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE (for himself and Mr. HARKIN):

S. 1425. A bill to give effect to the original agreement entered into by the cities of Dallas, Texas, and Fort Worth, Texas, to build a single airport to provide for the commercial air transportation needs of the region, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. INHOFE. Mr. President, Senator HARKIN and I are introducing the True Competition Act which will resolve a longstanding debate about the status of Dallas Love Field Airport. This is a critical issue for those of us from States that depend on access to the Nation's air transportation network through hub airports in other States.

In the late 1960s the Federal Government expressed concern that it was funding three airports very closely located to each other in the Dallas/Fort Worth area. It asked the local communities to build a single major airport to serve the entire region. The cities of Dallas and Fort Worth, in consultation with the airlines serving the local airports, agreed to do so only under the condition that all three local airports be permanently closed to all commercial airline traffic. It was this agreement that resulted in the construction of the Dallas/Fort Worth International Airport.

The legislation I propose today would return to the original intent of all the parties involved in the decision to build DFW International by closing Love Field to commercial air traffic. If enacted, competition at DFW will increase significantly. This will be good for consumers and it will be good for communities that used DFW as their access to the world.

The Federal statute that is central to this debate is the so-called Wright amendment. This was a law enacted in 1979 that allowed Love Field to stay

open for limited service despite the desire of the local communities to have it close. It was necessary because activist judges in Texas had ruled against the local government's intent to consolidate all air traffic at DFW.

Recently, legislation has been introduced that would completely reverse the agreement of the parties to limit Love Field to an airport serving short haul markets. This would return to the situation that was supposed be corrected 30 years ago. The runways of Love Field and DFW are 8 miles apart. To have two major, federally funded airports so close simply doesn't make sense.

Moreover, if flights are transferred from DFW to Love Field—as they surely would be if the Wright amendment is repealed—there will be fewer connecting opportunities at DFW for passengers from outside the north Texas area.

I understand that Southwest Airlines is lobbying strongly for repeal of the Wright amendment. I want to make it clear that I have the greatest respect for Southwest and consider myself a good customer. But Southwest surely does not need the continued permanent home court advantage that the courts gave them years ago. Southwest operates very successfully at some of the most congested and high volume airports in the country. They have the skill and the resources to compete against any carrier at any airport. If they moved their operations to DFW, consumers and communities could have the best of all worlds—intense head-to-head competition between carriers and even more opportunities to travel throughout the world.

It is time to resolve this controversy once and for all by returning to the original intent of the parties.

By Mr. OBAMA:

S. 1426. A bill to amend the Safe Drinking Water Act to reauthorize and extend provisions relating to contaminant prevention detection, and response; to the Committee on Environment and Public Works.

Mr. OBAMA. Mr. President, I rise today to introduce the Drinking Water Security Act of 2005.

This bill would reauthorize a portion of the Safe Drinking Water Act, first enacted in 2002, that instructs the Environmental Protection Agency, EPA, and the Centers for Disease Control to develop the tools needed by American drinking water systems to detect and respond to the introduction of biological, chemical, and radiological contaminants by terrorists. My bill also would require EPA to report on its progress in developing and implementing these detection and response systems since 2002.

Like most Americans, I want to rise in the morning, make some coffee, and take a shower without worrying if that water has somehow been tampered with overnight by terrorists. Safe drinking water is something we traditionally have taken for granted in this country. This bill will continue the good work our scientists have been doing to monitor, detect, and negate any chemical, biological, or radiological agents that terrorists could introduce into our drinking water, should they manage to get past our physical security measures. This bill would also help implement appropriate warning systems in the event of a terrorist attack on our water systems.

I do not want to be an alarmist. But, September 11 changed Americans' views on the possibility of the improbable and turned our focus to preparedness. This bill is all about preparedness. It provides the authorization and oversight needed to continue to develop those tests and responses so we can stay one step ahead of potential terrorists.

I hope all of my colleagues join me in supporting this commonsense bill and ensuring that our drinking water remains safe.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 201—DESIGNATING SEPTEMBER 14, 2005, AS ''NATIONAL ATTENTION DEFICIT DISORDER AWARENESS DAY''

Ms. CANTWELL (for herself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 201

Whereas Attention Deficit/Hyperactivity Disorder (also known as AD/HD or ADD), is a chronic neurobiological disorder, affecting both children and adults, that can significantly interfere with an individual's ability to regulate activity level, inhibit behavior, and attend to tasks in developmentally appropriate ways;

Whereas AD/HD can cause devastating consequences, including failure in school and the workplace, antisocial behavior, encounters with the justice system, interpersonal difficulties, and substance abuse;

Whereas AD/HD, the most extensively studied mental disorder in children, affects an estimated 3 percent to 7 percent (2,000,000) of young school-age children and an estimated 4 percent (8,000,000) of adults across racial, ethnic, and socioeconomic lines;

Whereas scientific studies clearly indicate that AD/HD runs in families and suggest that genetic inheritance is an important risk factor, with between 10 and 35 percent of children with AD/HD having a first-degree relative with past or present AD/HD, and with approximately 50 percent of parents who had AD/HD having a child with the disorder;

Whereas despite the serious consequences that can manifest in the family and life experiences of an individual with AD/HD, studies indicate that less than 85 percent of adults with the disorder are diagnosed and less than ½ of children and adults with the disorder are receiving treatment;

Whereas poor and minority communities are particularly underserved by AD/HD resources;

Whereas the Surgeon General, the American Medical Association (AMA), the American Psychiatric Association, the American Academy of Child and Adolescent Psychiatry (AACAP), the American Psychological Association, the American Academy of Pediatrics (AAP), the Centers for Disease Control and Prevention (CDC), and the National Institute of Mental Health, among others, recognize the need for proper diagnosis, education, and treatment of AD/HD;

Whereas the lack of public knowledge and understanding of the disorder play a significant role in the overwhelming numbers of undiagnosed and untreated cases of AD/HD, and the dissemination of inaccurate, misleading information contributes to the obstacles preventing diagnosis and treatment of the disorder;

Whereas lack of knowledge, combined with the issue of stigma associated with AD/HD, has a particularly detrimental effect on the diagnosis and treatment of AD/HD;

Whereas there is a need to educate health care professionals, employers, and educators about the disorder and a need for well-trained mental health professionals capable of conducting proper diagnosis and treatment activities; and

Whereas studies by the National Institute of Mental Health and others consistently reveal that through proper and comprehensive diagnosis and treatment, the symptoms of AD/HD can be substantially decreased and quality of life for the individual can be improved: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 14, 2005, as ''National Attention Deficit Disorder Awareness Day'';

(2) recognizes Attention Deficit/Hyperactivity Disorder (AD/HD) as a major public health concern;

(3) encourages all people of the United States to find out more about AD/HD and its supporting mental health services, and to seek the appropriate treatment and support, if necessary;

(4) expresses the sense of the Senate that the Federal Government has a responsibility to09

(A) endeavor to raise public awareness about AD/HD; and

(B) continue to consider ways to improve access to, and the quality of, mental health services dedicated to the purpose of improving the quality of life for children and adults with AD/HD; and

(5) calls on Federal, State and local administrators and the people of the United States to observe the day with appropriate programs and activities.

SENATE RESOLUTION 202—URGING THE GOVERNMENT OF SUDAN AND THE SUDAN PEOPLE'S LIBERATION MOVEMENT/ARMY TO FULLY IMPLEMENT THE COMPREHENSIVE PEACE AGREEMENT OF JANUARY 9, 2005

Mr. FRIST (for himself, Mrs. DOLE, and Mr. LUGAR) submitted the following resolution; which was considered and agreed to:

S. RES. 202

Whereas the people of Sudan have been devastated by war for all but 10 years since Sudan gained its independence in 1956;

Whereas the second civil war in Sudan between the Government of Sudan in the north and the Sudan People's Liberation Army in the south began in 1983 and lasted for more than 20 years;

Whereas more than 2,000,000 people died and more than 4,000,000 people were internationally displaced or became refugees as a direct or indirect result of the civil war in Sudan;

Whereas the Government of Sudan and the Sudan People's Liberation Movement/Army

failed on numerous occasions to bring a peaceful and just end to the civil war in Sudan throughout the 1990s;

Whereas, in September 2001, President George W. Bush appointed former Senator John Danforth as Special Envoy for Peace in Sudan to explore the potential of the United States to become involved in searching for a just resolution to the civil war in Sudan, and appointed Andrew Natsios, the Administrator of the United States Agency for International Development, as the Special Humanitarian Coordinator for Sudan to enhance the delivery of assistance that could help reduce the suffering of the people of Sudan;

Whereas, in July 2002, the Government of Sudan and the Sudan People's Liberation Movement/Army reached the historic Machakos Protocol, an agreement on the role of religion in Sudan and the right to self-determination for the people of southern Sudan;

Whereas, in October 2002, the Government of Sudan and the Sudan People's Liberation Movement/Army signed a memorandum of understanding that called for a cessation of hostilities and unimpeded humanitarian access to all areas of Sudan;

Whereas peace talks continued throughout 2003, with discussions focusing on wealth sharing and the control of 3 contested areas of Sudan;

Whereas, on November 19, 2004, the Government of Sudan and the Sudan People's Liberation Movement/Army signed a declaration committing themselves to reach a final comprehensive peace agreement by December 31, 2004, in the context of a special session of the United Nations Security Council;

Whereas, on November 19, 2004, the United Nations Security Council unanimously adopted Security Council Resolution 1574, which welcomed the commitment of the Government of Sudan and the Sudan People's Liberation Movement/Army to reach an agreement by the end of 2004, and highlighted the intention of the international community to assist the people of Sudan and support the implementation of a comprehensive peace agreement;

Whereas the Government of Sudan and the Sudan People's Liberation Movement/Army initialed the final elements of a comprehensive peace agreement on December 31, 2004;

Whereas, on January 9, 2005, the Government of Sudan and the Sudan People's Liberation Movement/Army formally signed the Comprehensive Peace Agreement;

Whereas the Comprehensive Peace Agreement provides for a new constitution, new arrangements for power sharing and wealth sharing, and a 6-year interim period to be followed by a referendum in southern Sudan so that the people of southern Sudan can decide their political future;

Whereas the Comprehensive Peace Agreement provides for new institutions to be created and a new Government of National Unity to be installed in Sudan once the constitution is ratified;

Wheras despite progress on reaching a peace agreement on the North-South conflict there has been little progress to end the ongoing conflict in the region of Darfur.

Whereas, after tens of thousands of civilians died due to a targeted compaign of violence by the government of Khartoum, Congress declared on July 22, 2004, that the atrocities in Darfur were genocide, committed primarily by the Government of Sudan and its allied Janjaweed militias;

Whereas, on September 9, 2004, Secretary of State Colin Powell testified that ''genocide has been committed in Darfur'';

Whereas, on June 30, 2005, President Bush confirmed that ''the violence in Darfur region is clearly genocide [and] the human cost is beyond calculation'';

Whereas the Comprehensive Peace Agreement provides a model for the resolution of all conflicts in Sudan, including Darfur, eastern Sudan, and elsewhere;

Whereas, on July 9, 2005, the 6-year interim period under the Comprehensive Peace Agreement began with the formation of a new transitional government and the signing of an interim constitution, and Dr. John Garang, the Chairman of the Sudan People's Liberation Movement/Army, was sworn in by President Omar Hassan al Bashir as First Vice President of Sudan;

Whereas millions of the people across Sudan continue to suffer from the effects of war, including displacement and war-related disease, hunger, and malnutrition;

Whereas the people of southern Sudan are in desperate need of reconstruction assistance to build and improve vital infrastructure components that are nearly nonexistent in southern Sudan;

Whereas, despite the historic signing of the Comprehensive Peace Agreement in January 2005, the key to success will now be the full and timely implementation of the agreement by all sides, wholly consistent with the letter, spirit, and intent of the agreement; and

Whereas the impact and efficacy of the Comprehensive Peace Agreement will also be measured by the political resolution of ongoing conflict in other parts of Sudan, including Darfur and the east of Sudan: Now, therefore, be it

Resolved, That the Senate—

(1) commends the people of Sudan on the signing of the historic Comprehensive Peace Agreement on January 9, 2005;

(2) urges the new Government of National Unity of Sudan, consisting of elements of the National Congress Party and the Sudan People's Liberation Movement/Army, to fully implement the Comprehensive Peace Agreement in a timely manner consistent with the letter, spirit, and intent of the agreement;

(3) requests that the United States Government—

(A) commit to high-level, sustained engagement to closely monitor the implementation of the Comprehensive Peace Agreement and events on the ground in Sudan, including in Darfur and elsewhere; and

(B) sustain pressure as appropriate to ensure the Comprehensive Peace Agreement is implemented in a full, timely, and thorough manner;

(4) urges the United States Government—

(A) to maintain sanctions on the Government of Sudan as appropriate until the Comprehensive Peace Agreement has been fully honored and implemented; and

(B) to renew efforts to implement additional sanctions through the United Nations Security Council until peace in Darfur is achieved and those responsible for genocide, war crimes, crimes against humanity, and criminal acts are brought to justice;

(5) strongly urges the Government of National Unity of Sudan to use the Comprehensive Peace Agreement as the basis for negotiation of a peaceful resolution of the conflicts in Darfur and other areas of Sudan;

(6) strongly supports the expansion of the size and role of the mission of the African Union in Darfur to protect civilians in Darfur and encourages continued support for this mission from the United States, the North Atlantic Treaty Organization, and other countries and international organizations;

(7) strongly supports the United Nations Mission in the Sudan and the expansion of this mission to protect civilians and aid workers throughout Sudan;

(8) supports the continued provision of humanitarian and reconstruction assistance from the United States to the people of southern Sudan, in addition to the assistance allocated for the people of Darfur, so that the people of Sudan may experience and appreciate the benefits of peace;

(9) supports international efforts to facilitate the safe and voluntary return of refugees and internationally displaced persons to their homes in Sudan; and

(10) calls upon the governments of all countries in the Sudan region and around the world to actively support and monitor the full implementation of the Comprehensive Peace Agreement to help ensure that the people of Sudan pursue the path to peace, prosperity, and security.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1270. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes which was ordered to lie on the table.

SA 1271. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra.

SA 1272. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1273. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra.

SA 1274. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra.

SA 1275. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1276. Mr. MCCONNELL (for Mr. BROWNBACK (for himself and Mr. KENNEDY)) proposed an amendment to the bill H.R. 3057, supra.

SA 1277. Mr. MCCONNELL (for Mr. LEAHY) proposed an amendment to the bill H.R. 3057, supra.

SA 1278. Mr. MCCONNELL (for Mr. BROWNBACK) proposed an amendment to the bill H.R. 3057, supra.

SA 1279. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1280. Mr. SUNUNU (for himself and Mr. CHAFEE) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1281. Mr. SMITH (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1282. Mr. LUGAR (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1283. Mr. MCCONNELL (for Mr. BROWNBACK (for himself Mr. LEAHY, and Mr. MCCONNELL)) submitted an amendment intended to be proposed by Mr. McConnell to the bill H. R. 3057, supra.

SA 1284. Mr. NELSON, of Florida (for himself, Mr. DEWINE, and Mr. MARTINEZ) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1285. Mr. NELSON, of Florida (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra.

SA 1286. Mr. VITTER submitted an amendment intended to be proposed by him to the

bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1287. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra.

SA 1288. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1289. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1290. Mr. CORZINE (for himself, Mr. DEWINE, Mr. DURBIN, Mr. BROWNBACK, and Mr. OBAMA) proposed an amendment to the bill H.R. 3057, supra.

SA 1291. Mr. CORZINE (for himself, Mr. DEWINE, Mr. DURBIN, Mr. BROWNBACK, and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1292. Mr. STEVENS (for himself and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1293. Mr. LUGAR (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1294. Mr. DORGAN (for himself and Mr. WYDEN) proposed an amendment to the bill H.R. 3057, supra.

SA 1295. Mr. MCCONNELL (for Mr. LEAHY) proposed an amendment to the bill H.R. 3057, supra.

SA 1296. Mr. MCCONNELL (for Mr. BROWNBACK (for himself Mr. COBURN, Mr. INHOFE, and Ms. LANDRIEU)) proposed an amendment to the bill H.R. 3057, supra.

SA 1297. Mr. MCCONNELL (for Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 3057, supra.

SA 1298. Mr. MCCONNELL (for Mr. SUNUNU (for himself and Mr. CHAFEE)) proposed an amendment to the bill H.R. 3057, supra.

SA 1299. Mr. MCCONNELL (for Mr. KENNEDY (for himself and Mr. BIDEN)) proposed an amendment to the bill H.R. 3057, supra.

SA 1300. Mr. MCCONNELL (for Mr. STEVENS (for himself and Mr. INOUYE)) proposed an amendment to the bill H.R. 3057, supra.

SA 1301. Mr. BIDEN (for himself and Mr. LUGAR) submitted an amendment intended to be proposed by him to the bill H.R. 3057, supra; which was ordered to lie on the table.

SA 1302. Mr. FRIST (for Mr. COLEMAN) proposed an amendment to the resolution S. Res. 31, expressing the sense of the Senate that the week of August 7, 2005, be designated as ''National Health Center Week'' in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and for other purposes.

TEXT OF AMENDMENTS

SA 1270. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 10 and 11, insert the following:

ANNUAL REPORT ON THE INTERNATIONAL COMMITTEE ON THE RED CROSS

SEC. 6113. (a) ANNUAL REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall, with the concurrence of the Secretary of Defense and the Attorney General, submit to Congress the activities and management of the International Committee of the Red Cross (ICRC) meeting the requirements set forth in subsection (b).

(b) ELEMENTS OF REPORTS.—(1) Each report under subsection (a) shall include, for the one-year period ending on the date of such report, the following:

(A) A description of the financial contributions of the United States, and of any other country, to the International Committee of the Red Cross.

(B) A detailed description of the allocations of the funds available to the International Committee of the Red Cross to international relief activities and international humanitarian law activities as defined by the International Committee.

(C) A description of how United States contributions to the International Committee of the Red Cross are allocated to the activities described in subparagraph (B) and to other activities.

(D) The nationality of each Assembly member, Assembly Council member, and Directorate member of the International Committee of the Red Cross, and the annual salary of each.

(E) A description of any activities of the International Committee of the Red Cross to determine the status of United States prisoners of war (POWs) or missing in action (MIAs) who remain unaccounted for.

(F) A description of the efforts of the International Committee of the Red Cross to assist United States prisoners of war.

(G) A description of any expression of concern by the Department of State, or any other department or agency of the Executive Branch, that the International Committee of the Red Cross, or any organization or employee of the International Committee, exceeded the mandate of the International Committee, violated established principles or practices of the International Committee, interpreted differently from the United States any international law or treaty to which the United States is a state-party, or engaged in advocacy work that exceeded the mandate of the International Committee.

(2) The first report under subsection (a) shall include, in addition to the matters specified in paragraph (1) the following:

(A) The matters specified in subparagraphs (A) and (G) of paragraph (1) for the period beginning on January 1, 1990, and ending on the date of the enactment of this Act.

(B) The matters specified in subparagraph (E) of paragraph (1) for the period beginning on January 1, 1947, and ending on the date of the enactment of this Act.

(C) The matters specified in subparagraph (F) of paragraph (1) during each of the Korean conflict, the Vietnam era, and the Persian Gulf War.

(c) DEFINITIONS.—In this section, the terms ''Korean conflict'', ''Vietnam era'', and ''Persian Gulf War'' have the meaning given such terms in section 101 of title 38, United States Code.

SA 1271. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326, between lines 10 and 11, insert the following:

GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN EXTRADITIONS

SEC. 6113. None of the funds made available in this Act for the Department of State, other than funds made available in title III under the heading ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'', may be used to provide assistance to any country whose government has notified the Department of State of its refusal to extradite to the United States an individual, or has not within a reasonable period of time responded to a request for extradition to the United States of an individual, charged with committing a criminal offense in the United States for which the maximum penalty is life imprisonment without the possibility of parole, or a lesser term of imprisonment, regardless of the individual's citizenship status.

SA 1272. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 139, line 3, strike the period and insert the following: '': *Provided further*, That $1,000,000 of the funds appropriated under this heading shall be made available to the Hemispheric Program, of which not less than $500,000 shall be made available for a series of multinational initiatives to combat the threat to the Western Hemisphere of Latin American-based gangs.''

SA 1273. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326 between lines 10 and 11 insert the following:

EXPORT-IMPORT BANK

SEC. 6113. None of the funds made available in this Act may be used by the Export-Import Bank of the United States to approve or administer a loan, guarantee, or insurance policy, or an application for a loan, guarantee, or insurance policy, for the development, or for the increase in capacity, of an ethanol dehydration plant in Trinidad and Tobago.

SA 1274. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326, between lines 10 and 11, insert the following:

SEC. 6113. None of the funds appropriated by this Act may be obligated or expended to support, provide, or approve any loan in excess of $600,000,000 for the renovation of the United Nations headquarters building located in New York, New York.

SA 1275. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

''RESTRICTIONS ON CONTRIBUTIONS TO THE UNITED NATIONS

SEC. 6002. None of the funds appropriated by this Act may be made available to pay

any contribution of the United States to the United Nations if the United Nations implements or imposes any taxation on any United States persons.''.

SA 1276. Mr. MCCONNELL (for Mr. BROWNBACK (for himself and Mr. KENNEDY)) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326, between lines 10 and 11, insert the following:

VIETNAMESE REFUGEES

SEC. 6113. Section 594(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (enacted as division D of Public Law 10809447; 118 Stat. 3038) is amended by striking ''and 2005'' and inserting ''through 2007''.

SA 1277. Mr. MCCONNELL (for Mr. LEAHY) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, line 6, after the colon, insert following:

Provided further, That of the funds appropriated under this heading, not less than $1,000,000 should be made available for a United States contribution to the Extractive Industries Transparency Initiative Trust Fund:

SA 1278. Mr. MCCONNELL (for Mr. BROWNBACK) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 169, lines 23 and 24, after ''programs'', insert the following: '', not less than $50,000,000 should be used for education programs''.

SA 1279. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 10 and 11, insert the following:

NUCLEAR NON-PROLIFERATION TREATY

SEC. 6113. Congress—

(1) reaffirms its support for the objectives of the Nuclear Non-Proliferation Treaty and expresses its support for all appropriate measures to strengthen the Treaty and to attain its objectives; and

(2) calls on all parties to the Nuclear Non-Proliferation Treaty—

(A) to insist on strict compliance with the non-proliferation obligations of the Nuclear Non-Proliferation Treaty and to undertake effective enforcement measures against states that are in violation of their Article I or Article II obligations under the Treaty;

(B) to agree to establish more effective controls on enrichment and reprocessing technologies that can be used to produce materials for nuclear weapons;

(C) to expand the ability of the International Atomic Energy Agency to inspect and monitor compliance with safeguard agreements and standards to which all states should adhere through existing authority and the additional protocols signed by the states party to the Nuclear Non-Proliferation Treaty;

(D) to demonstrate the international community's unified opposition to a nuclear weapons program in Iran by—

(i) supporting the efforts of the United States and the European Union to prevent the Government of Iran from acquiring a nuclear weapons capability; and

(ii) using all appropriate diplomatic means at their disposal to convince the Government of Iran to abandon its uranium enrichment program;

(E) to strongly support the ongoing United States diplomatic efforts in the context of the six-party talks that seek the verifiable and irreversible disarmament of North Korea's nuclear weapons programs and to use all appropriate diplomatic means to achieve this result;

(F) to pursue diplomacy designed to address the underlying regional security problems in Northeast Asia, South Asia, and the Middle East, which would facilitate non-proliferation and disarmament efforts in those regions;

(G) to accelerate programs to safeguard and eliminate nuclear weapons-usable material to the highest standards to prevent access by terrorists and governments;

(H) to halt the use of highly enriched uranium in civilian reactors;

(I) to strengthen national and international export controls and relevant security measures as required by United Nations Security Council Resolution 1540;

(J) to agree that no state may withdraw from the Nuclear Non-Proliferation Treaty and escape responsibility for prior violations of the Treaty or retain access to controlled materials and equipment acquired for ''peaceful'' purposes;

(K) to accelerate implementation of disarmament obligations and commitments under the Nuclear Non-Proliferation Treaty for the purpose of reducing the world's stockpiles of nuclear weapons and weapons-grade fissile material; and

(L) to strengthen and expand support for the Proliferation Security Initiative.

SA 1280. Mr. SUNUNU (for himself and Mr. CHAFEE) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 171, beginning on line 2, strike ''35,000,000'' and all that follows through ''$4,000,000'' on line 4 and insert ''$40,000,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon, of which not less than $6,000,000''.

SA 1281. Mr. SMITH (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 10 and 11, insert the following:

SEC. 6113. (a) The Senate makes the following findings:

(1) On July 28, 1945, the Senate approved the resolution advising and consenting to the ratification of the Charter of the United Nations by a vote of 89 to 2.

(2) Recent events, including the United Nations oil-for-food scandal and sexual misconduct by United Nations peacekeepers, have led to declining public confidence in the United Nations.

(3) There is broad international agreement that the United Nations must reform its existing policies, practices, and institutions in order to better manage the interests of its 191 members and address the current threats to international peace and security.

(4) The future direction of the United Nations has recently been addressed in the report of the Secretary-General's High-level Panel on Threats, Challenges and Change, issued on December 2, 2004, the report of the Secretary-General entitled ''In Larger Freedom: Toward Development, Security and Human Rights for All'', issued on March 21, 2005, and the report of the congressionally mandated Task Force on the United Nations, convened by the United States Institute of Peace (USIP), entitled ''American Interests and UN Reform'', issued on June 15, 2005.

(5) These reports call for comprehensive reform of the United Nations, including overhauling basic management practices and building a more transparent, accountable, efficient, and effective organization.

(6) These reports highlight the deficiencies in the United Nations human rights bodies, in particular the practice of allowing countries that have violated human rights to sit on United Nations bodies that were established to monitor, promote, and enforce human rights.

(7) These reports highlight many serious problems with the United Nations peacekeeping operations that need to be addressed.

(8) These reports discuss the question of United Nations Security Council reform in an attempt to increase the effectiveness and credibility of the Security Council and to enhance its capacity and willingness to act in the face of threats.

(9) The USIP Task Force emphasized the importance that any reform of the United Nations Security Council must enhance its effectiveness and not in any way detract from the Security Council's efficiency and ability to act in accordance with the Charter of the United Nations.

(10) The United Nations has an important role to play in providing a forum for countries to discuss issues and resolve differences and to address the pressing humanitarian issues of the day.

(b) The Senate—

(1) declares that a credible, effective, and reformed United Nations can play an important role in helping promote global peace and security;

(2) reaffirms that reform of the United Nations Security Council would necessitate a revision of the Charter of the United Nations, which would constitute a treaty revision requiring an affirmative vote in the Senate by a two-thirds majority;

(3) states that the United Nations and its subsidiary bodies and agencies must be reformed, refocused, and made more efficient, and must become more transparent and more accountable;

(4) declares that oversight of the United Nations must be improved, that the management systems and budgeting processes of the institution must be updated and modified, and that protections for whistleblowers employed by the United Nations must be implemented;

(5) states that the United Nations Human Rights Commission should be abolished and replaced by a United Nations Human Rights

Council or other body composed of governments that are committed to upholding human rights;

(6) declares that the reforms described above must be implemented before the Senate will consider changes to the Charter of the United Nations that require the advice and consent of the Senate; and

(7) urges the Secretary of State—

(A) to provide the Senate the Secretary of State's recommendations for reform of the United Nations; and

(B) to consult fully and regularly with the Senate as deliberations on United Nations reform progress.

SA 1282. Mr. LUGAR (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 9 and 10, insert the following:

TITLE VII—MULTILATERAL DEVELOPMENT BANK REFORM

SEC. 7001. DEFINITIONS.

In this title:

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

(2) MULTILATERAL DEVELOPMENT BANK.—The term ''multilateral development bank'' has the meaning given that term in section 1622 of the International Financial Institutions Act (22 U.S.C. 262p-5).

SEC. 7002. ANTICORRUPTION PROPOSALS AND REPORT.

(a) PROPOSALS.—Not later than September 1, 2006, the Secretary of the Treasury shall develop proposals, including establishing one or more trusts and a set-aside of loans or grants, to establish a mechanism to assist poor countries in investigations, prosecutions, prevention of fraud and corruption, and other actions regarding fraud and corruption related to a project or program funded by a multilateral development bank.

(b) REPORT.—Not later than September 1, 2006, the Secretary shall submit to the appropriate congressional committees a report on the proposals required by subsection (a).

SEC. 7003. PROMOTION OF POLICY GOALS AT MULTILATERAL DEVELOPMENT BANKS.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o et seq.) is amended by adding at the end the following:

''SEC. 1505. PROMOTION OF POLICY GOALS.

''The Secretary of the Treasury shall instruct the United States Executive Director at each multilateral development bank to use the voice and vote of the United States to inform each such bank and the executive directors of each such bank of the goals of the United States and to ensure that each such bank accomplishes the goals set out in section 1504 of this Act and the following:

''(1) Requires the bank's employees, officers, and consultants to make an annual disclosure of financial interests and income of any such person and any other potential source of conflicts of interest.

''(2) Links project and program design and results to staff performance appraisals, salaries, and bonuses.

''(3) Implements whistleblower and witness protection matching that afforded by the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201 et seq.), the Inspector General Act of 1978 (5 U.S.C. App.), and the best practices promoted or required by all international conventions against corruption for internal and lawful public disclosures by the bank's employees and others affected by such bank's operations of misconduct that undermines the bank's mission, and for retaliation in connection with such disclosures.

''(4) Implements disclosure programs for firms and individuals participating in projects financed by such bank that are consistent with such programs of the Department of Defense and the Environmental Protection Agency.

''(5) Ensures that all loan, credit, guarantee, and grant documents and other agreements with borrowers include provisions for the financial resources and conditionality necessary to ensure that a person or country that obtains financial support from a bank complies with applicable bank policies and national and international laws in carrying out the terms and conditions of such documents and agreements, including bank policies and national and international laws pertaining to the comprehensive assessment and transparency of the activities related to access to information, public health, safety, and environmental protection.

''(6) Implements clear procedures setting forth the circumstances under which a person will be barred from receiving a loan, contract, grant, or credit from such bank, shall make such procedures available to the public, and makes the identity of such person available to the public.

''(7) Coordinates policies across international institutions on issues including debarment, cross-debarment, procurement, and consultant guidelines, and fiduciary standards so that a person that is debarred by one such bank is subject to a rebuttable presumption of ineligibility to conduct business with any other such bank during the specified ineligibility period.

''(8) Requires each borrower, grantee, or contractor, and subsidiaries thereof, to sign a contract to comply with a code of conduct that embodies the relevant standards of section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-2) and the international conventions against bribery and corruption.

''(9) Maintains independent offices of Inspector and Auditor General which report directly to such bank's board of directors and an audit committee with its own additional experts who are independent of management, or access to such experts, to assist it in ensuring quality control.

''(10) Implements an internationally recognized internal controls framework supported by adequate staffing, supervision, and technical systems, and subject to external auditor attestations of internal controls, meeting operational objectives, and complying with bank policies.

''(11) Ensures independent forensic audits where fraud or other corruption in such bank or its operations, projects, or programs is suspected.

''(12) Evaluates publicly, in cooperation with other development bodies, the interim and final results of project and non-project lending and grants on the basis of Millennium Development Goals, the goals of the Organisation for Economic Co-operation and Development related to development, and other established international development goals.

''(13) Requires that each candidate for adjustment or budget support loans demonstrate transparent budgetary and procurement processes including legislative and public scrutiny prior to loan or contract agreement.

''(14) Requires that before approving any natural resource extraction proposal the affected countries disclose accurately and audit independently all payments and revenues in connection with such extraction or derived from such extraction.

''(15) Requires each project where compensation is to be provided to persons adversely impacted by the project include impartial and responsive mechanism to receive and resolve complaints.''.

SEC. 7004. CONTRIBUTIONS TO MULTILATERAL DEVELOPMENT BANKS.

(a) WORLD BANK.—The International Development Association Act (22 U.S.C. 284 et seq.) is amended by adding at the end the following new section:

''SEC. 23. FOURTEENTH REPLENISHMENT.

''(a) CONTRIBUTION AUTHORITY.—

''(1) IN GENERAL.—The United States Governor of the Association is authorized to contribute on behalf of the United States $950,000,000 to the fourteenth replenishment of the resources of the Association.

''(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated $950,000,000 for payment by the Secretary of the Treasury.''.

(b) AFRICAN DEVELOPMENT BANK FUND.—The African Development Fund Act (22 U.S.C. 290g et seq.) is amended by adding at the end the following new section:

''SEC. 218. TENTH REPLENISHMENT.

''(a) CONTRIBUTION AUTHORITY.—

''(1) IN GENERAL.—The United States Governor of the Fund is authorized to contribute on behalf of the United States $135,000,000 to the tenth replenishment of the resources of the Fund.

''(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated $135,000,000 for payment by the Secretary of the Treasury.''.

(c) ASIAN DEVELOPMENT FUND OF THE ASIAN DEVELOPMENT BANK.—The Asian Development Bank Act (22 U.S.C. 285 et seq.) is amended by adding at the end the following new section:

''SEC. 32. EIGHTH REPLENISHMENT.

''(a) CONTRIBUTION AUTHORITY.—

''(1) IN GENERAL.—The United States Governor of the Bank is authorized to contribute on behalf of the United States $154,000,000 to the eighth replenishment of the resources of the Fund.

''(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated $154,000,000 for payment by the Secretary of the Treasury.''.

SEC. 7005. ANNUAL REPORTS.

(a) INITIAL REPORT.—Not later than September 1, 2006, the Secretary of the Treasury shall submit a report to the appropriate congressional committees that describes—

(1) the actions taken by the United States Executive Director at each multilateral development bank to implement the policy

goals described in this Act and the amendments made by this Act, and to implement the policy goals described in title XIII of the International Financial Institutions Act (22 U.S.C. 262m et seq.); and

(2) any recommendations of the Secretary for any other actions that should be taken to implement such goals.

(b) UPDATES.—The Secretary shall submit to the appropriate congressional committees an annual update of the report required by subsection (a) for each of the fiscal years 2007, 2008, and 2009.

SA 1283. Mr. MCCONNELL (for Mr. BROWNBACK (for himself, Mr. LEAHY, and Mr. MCCONNELL) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326, between lines 10 and 11, insert the following:

FORCED REPATRIATION OF REFUGEES IN CAMBODIA

SEC. . It is the sense of the Senate that—

(1) the United States Government is deeply concerned with reports of the planned repatriation to Vietnam of 107 Montagnard refugees by the Government of Cambodia;

(2) the United States Government strongly condemns any forcible repatriation of refugees by the Government of Cambodia; and

(3) these refugees should be provided unobstructed legal assistance from an independent organization in connection with their appeals for fair review of their refugee claims, and all such claims should be credibly and thoroughly reviewed by the Office of the United Nations High Commissioner for Refugees in Geneva.

SA 1284. Mr. NELSON of Florida (for himself, Mr. DEWINE, and Mr. MARTINEZ) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 10 and 11, insert the following:

SEC. 6113. HAITI.

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

(1) Haiti is plagued by chronic political instability, economic and political crises, and significant social challenges.

(2) The United States has a political and economic interest and a humanitarian, and moral responsibility, in assisting the Government and people of Haiti in resolving the country's problems and challenges.

(3) The situation in Haiti is increasingly a cause for alarm and concern, and a sustained, coherent, and active approach by the United States Government is needed to make progress toward resolving Haiti's political and economic crises.

(4) Elections are scheduled to begin this fall, but only a fraction of registration sites are open and only 200,000 of 4,500,000 million eligible voters are registered as of July.

(5) The country remains insecure because of the slow pace of disarmament and the impunity with which armed groups operate in Port-au-Prince and the country side.

(6) The presence and effectiveness of the United States Embassy is greatly reduced by the ordered departure of all non-essential personnel due to continuing insecurity and threats to Embassy personnel.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of State should personally devote substantial attention and effort to supporting a successful election process in Haiti.

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the Congress a report that describes United States policy to establish security in Haiti and support successful elections in Haiti. The report shall include the following:

(1) The plan for the reconstruction of Haiti for fiscal year 2006.

(2) A description of the activities that have been and will be carried out by the United States, for the following purposes:

(A) To establish democracy and rule of law in Haiti, in a manner that is consistent with the Constitution of Haiti and international requirements described in resolutions of the United Nations, the Organization of American States, or other international organizations.

(B) To promote, in collaboration with the interim Haitian Government, the registration of eligible voters in Haiti, the training of election workers and elected officials, and free and fair elections that are monitored by international observers.

(C) To assist in the disarmament, demobilization, and reintegration of illegally armed forces, in coordination with the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Organization of American States.

(D) To assist in the reform and training of the Haitian National Police, in coordination with MINUSTAH and the Organization of American States, to include vetting, human rights, and weapons monitoring programs that adhere to internationally accepted norms.

(E) To rebuild Haiti's judicial capacity to allow it to try cases in a swift, fair, and transparent manner by training judges, prosecutors, and court clerks.

(F) To combat the human immunodeficiency virus (HIV) or the acquired immune deficiency syndrome (AIDS) in Haiti.

(G) To promote economic development in Haiti through assistance to critical sectors such as health and education, and for job creation, including through support for the Haiti Economic Recovery Opportunity Act.

(H) To encourage other countries and international organizations to provide assistance to Haiti, fulfilling the pledges for over $1,200,000,000 billion that were made at the July 2004 donor's conference and to provide additional funds.

(I) To ensure that MINUSTAH is rapidly staffed up to the authorized levels of military and civilian personnel, and remains in Haiti for a period of time sufficient to adequately retrain the Haitian National Police.

SA 1285. Mr. NELSON of Florida (for himself and Mr. COLEMAN) submitted an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326, between lines 10 and 11, insert the following:

VENEZUELA

SEC. 6113. Of the funds appropriated under the heading ''ECONOMIC SUPPORT FUND'' up to $2,000,000 shall be used for democracy programs in Venezuela administered through grants by the National Endowment for Democracy.

SA 1286. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 10 and 11, insert the following:

SECOND AMENDMENT PROTECTION

SEC. 6113. None of the funds appropriated by this Act may be made available to the United Nations, if the United Nations takes any action to restrict, attempt to restrict, or otherwise adversely infringe upon the rights of individuals in the United States to possess a firearm or ammunition, including the imposition of a tax that will interfere with the right to own a firearm or ammunition.

SA 1287. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a Federal department or agency at any single conference occurring outside the United States.

SA 1288. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 10 and 11, insert the following:

CAPTURE, DETENTION, AND INTERROGATION OF TERRORISTS AT GUANTANAMO BAY, CUBA

SEC. 6113. (a) FINDINGS.—Congress finds the following:

(1) Usama bin Laden declared war on the United States in 1996.

(2) International terrorists, including al Qaida and its affiliated terrorists, have repeatedly attacked the United States and its coalition partners throughout the world and have killed and wounded thousands of innocent United States citizens and citizens from these coalition partners.

(3) The United States is exercising its rights to self-defense and to protect United States citizens both at home and abroad by waging war alongside its coalition partners against al Qaida and affiliated terrorists.

(4) International terrorists continue to pose an extraordinary threat to the national security and foreign policy of the United States and its coalition partners.

(5) International terrorists continue to commit and plan terrorist attacks around the world against the United States and its coalition partners;.

(6) In order to protect the United States and its citizens, the United States must identify terrorists and those individuals who support them, disrupt their activities, and eliminate their ability to conduct or support attacks against the United States, its citizens, and its coalition partners.

(7) Identifying, disrupting, and eliminating terrorist threats against the United States requires effective gathering, dissemination, and analysis of timely intelligence.

(8) The collection of information from detainees at Guantanamo Bay, Cuba, by the United States has improved the security of the United States and its coalition partners and is essential in fighting the Global War on Terrorism.

(9) The loss of interrogation-derived information would have a disastrous effect on the United States' intelligence collection and counterterrorism efforts and would constitute a damaging reversal in the Global War on Terrorism.

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

(1) the capture, detention, and interrogation of international terrorists are essential to the successful prosecution of the Global War on Terrorism and to the defense of the United States, its citizens, and its coalition partners from future terrorist attacks;

(2) the detention and lawful, humane interrogation by the United States of detainees at Guantanamo Bay, Cuba, is essential to the defense of the United States and its coalition partners and to the successful prosecution of the Global War on Terrorism; and

(3) the detention facilities and interrogations at Guantanamo Bay, Cuba, plays an essential role in the security of the United States and should not be closed or ended while the United States is waging the Global War of Terrorism.

SA 1289. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 10 and 11, insert the following new section:

STATEMENT OF POLICY RELATING TO INTERNATIONAL TAXATION

SEC. 6113. (a) POLICY.—It is the policy of the United States to use the voice, vote, and influence of the United States to vigorously oppose any international or global tax that is or may be considered or promoted by the United Nations, its specialized or affiliated agencies, its Member States, or United Nations recognized nongovernmental organizations.

(b) EFFORT.—United States representatives at the United Nations shall—

(1) use the voice, vote, and influence of the United States to vigorously oppose any effort by the United Nations or any of its specialized or affiliated 15 agencies to fund, approve, advocate, or promote any proposal concerning the imposition of a tax or fee on any United States person in order to raise revenue for the United Nations or any such agency; and

(2) declare that a United States person shall not be subject to any international tax and shall not be required to pay such tax if such tax is levied against such person.

(c) EXCEPTION.—The policy described in subsection (a) shall not apply to fees for publications or other kinds of fees that are not tantamount to a tax on a United States person.

(d) PERSON DEFINED.—For purposes of this section, the term ''person'' has the meaning given such term in section 7701(a)(1) of the Internal Revenue Code of 1986 (26 U.S.C. 7701(a)(1)).

SA 1290. Mr. CORZINE (for himself, Mr. DEWINE, Mr. DURBIN, Mr. BROWNBACK, and Mr. OBAMA) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326, between lines 10 and 11, insert the following:

TRANSFER OF FUNDS

SEC. 6113. Of the funds appropriated in title III under the heading ''CONFLICT RESPONSE FUND'', $50,000,000 shall be transferred to, and merged with, the funds appropriated in title IV under the heading ''FOREIGN MILITARY FINANCING PROGRAM'' and made available to provide assistance to support the African Union Mission in Sudan.

SA 1291. Mr. CORZINE (for himself, Mr. DEWINE, Mr. DURBIN, Mr. BROWNBACK, and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 191, line 21, after ''That'' insert ''of the funds appropriated under this heading, not less than $50,000,000 shall be made available for assistance to support the African Union Mission in Sudan: *Provided further*, That''.

SA 1292. Mr. STEVENS (for himself and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . For amounts appropriated in this Act

(a) Under the heading ''Center for Middle Eastern-Western Dialogue'' in title I of this Act strike ''$2,000,000'' and insert in lieu thereof ''$7,000,000.''

(b) Under the heading ''International Organizations and Programs'' in title V of this Act strike ''$330,000,000'' and insert in lieu thereof ''$325,000,000.''

SA 1293. Mr. LUGAR (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 326, between lines 9 and 10, insert the following:

TITLE VII—MULTILATERAL DEVELOPMENT BANK REFORM

SEC. 7001. DEFINITIONS.

In this title:

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

(2) MULTILATERAL DEVELOPMENT BANK.—The term ''multilateral development bank'' has the meaning given that term in section 1622 of the International Financial Institutions Act (22 U.S.C. 262p-5).

SEC. 7002. ANTICORRUPTION PROPOSALS AND REPORT.

(a) PROPOSALS.—Not later than September 1, 2006, the Secretary of the Treasury shall develop proposals, including establishing one or more trusts and a set-aside of loans or grants, to establish a mechanism to assist poor countries in investigations, prosecutions, prevention of fraud and corruption, and other actions regarding fraud and corruption related to a project or program funded by a multilateral development bank.

(b) REPORT.—Not later than September 1, 2006, the Secretary shall submit to the appropriate congressional committees a report on the proposals required by subsection (a).

SEC. 7003. PROMOTION OF POLICY GOALS AT MULTILATERAL DEVELOPMENT BANKS.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o et seq.) is amended by adding at the end the following:

''SEC. 1505. PROMOTION OF POLICY GOALS.

''The Secretary of the Treasury shall instruct the United States Executive Director at each multilateral development bank to use the voice and vote of the United States to inform each such bank and the executive directors of each such bank of the goals of the United States and to ensure that each such bank accomplishes the goals set out in section 1504 of this Act and the following:

''(1) Requires the bank's employees, officers, and consultants to make an annual disclosure of financial interests and income of any such person and any other potential source of conflicts of interest.

''(2) Links project and program design and results to staff performance appraisals, salaries, and bonuses.

''(3) Implements whistleblower and witness protection matching that afforded by the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201 et seq.), the Inspector General Act of 1978 (5 U.S.C. App.), and the best practices promoted or required by all international conventions against corruption for internal and lawful public disclosures by the bank's employees and others affected by such bank's operations of misconduct that undermines the bank's mission, and for retaliation in connection with such disclosures.

''(4) Implements disclosure programs for firms and individuals participating in projects financed by such bank that are consistent with such programs of the Department of Defense and the Environmental Protection Agency.

''(5) Ensures that all loan, credit, guarantee, and grant documents and other agreements with borrowers include provisions for the financial resources and conditionality necessary to ensure that a person or country that obtains financial support from a bank complies with applicable bank policies and national and international laws in carrying out the terms and conditions of such documents and agreements, including bank policies and national and international laws pertaining to the comprehensive assessment and transparency of the activities related to access to information, public health, safety, and environmental protection.

''(6) Implements clear procedures setting forth the circumstances under which a person will be barred from receiving a loan, contract, grant, or credit from such bank, shall make such procedures available to the public, and makes the identity of such person available to the public.

''(7) Coordinates policies across international institutions on issues including debarment, cross-debarment, procurement, and consultant guidelines, and fiduciary standards so that a person that is debarred by one such bank is subject to a rebuttable presumption of ineligibility to conduct business with any other such bank during the specified ineligibility period.

''(8) Requires each borrower, grantee, or contractor, and subsidiaries thereof, to sign

a contract to comply with a code of conduct that embodies the relevant standards of section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-2) and the international conventions against bribery and corruption.

''(9) Maintains independent offices of Inspector and Auditor General which report directly to such bank's board of directors and an audit committee with its own additional experts who are independent of management, or access to such experts, to assist it in ensuring quality control.

''(10) Implements an internationally recognized internal controls framework supported by adequate staffing, supervision, and technical systems, and subject to external auditor attestations of internal controls, meeting operational objectives, and complying with bank policies.

''(11) Ensures independent forensic audits where fraud or other corruption in such bank or its operations, projects, or programs is suspected.

''(12) Evaluates publicly, in cooperation with other development bodies, the interim and final results of project and non-project lending and grants on the basis of Millennium Development Goals, the goals of the Organisation for Economic Co-operation and Development related to development, and other established international development goals.

''(13) Requires that each candidate for adjustment or budget support loans demonstrate transparent budgetary and procurement processes including legislative and public scrutiny prior to loan or contract agreement.

''(14) Requires that before approving any natural resource extraction proposal the affected countries disclose accurately and audit independently all payments and revenues in connection with such extraction or derived from such extraction.

''(15) Requires each project where compensation is to be provided to persons adversely impacted by the project include impartial and responsive mechanism to receive and resolve complaints.''.

SA 1294. Mr. DORGAN (for himself and Mr. WYDEN) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 227, beginning on line 13, strike ''headings 'Foreign Military Financing Program' and 'Broadcasting to Cuba''' and insert ''heading 'Foreign Military Financing Program'''.

On page 326, between lines 10 and 11, insert the following:

PROHIBITION ON TELEVISION BROADCASTING TO CUBA

SEC. 6113. (a) None of the funds appropriated under this Act may be made available to provide television broadcasting to Cuba.

(b) The amount appropriated by title III under the heading ''PEACE CORPS'' is hereby increased by $21,100,000.

(c) The amount appropriated by title I to the Broadcasting Board of Governors under the heading ''BROADCASTING TO CUBA'' is hereby reduced by $21,100,000.

SA 1295. Mr. MCCONNELL (for Mr. LEAHY) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 289, line 10, after the semi-colon, insert the following:

(3) at the direction of the President of Indonesia, the Armed Forces are cooperating with civilian judicial authorities and with international efforts to resolve cases of gross violations of human rights in East Timor and elsewhere; and (4)

On page 289, line 10, strike ''and''.

On page 289, line II strike ''(3)''.

On page 302, line 11, after ''may'' insert: ''only''

On page 289, line 12, after ''Navy'' insert '',''.

SA 1296. Mr. MCCONNELL (for Mr. BROWNBACK (for himself, Mr. COBURN, Mr. INHOFE, and Ms. LANDRIEU)) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place in the bill, insert:

MALARIA

SEC. . Of the funds appropriated under the heading ''Child Survival and Health Programs Fund'', not less than $105,000,000 should be made available for programs and activities to combat malaria: *Provided*, That such funds should be made available in accordance with best public health practices, and considerable support should be provided for the purchase of commodities and equipment including: (1) insecticides for indoor residual spraying that are proven to reduce the transmission of malaria; (2) pharmaceuticals that are proven effective treatments to combat malaria; (3) long-lasting insecticide-treated nets used to combat malaria; and (4) other activities to strengthen the public health capacity of malaria-affected countries: *Provided further*, That not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2006, the Administrator of the United States Agency for International Development shall submit to the Committees on Appropriations a report describing in detail expenditures to combat malaria during fiscal year 2006.

SA 1297. Mr. MCCONNELL (for Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326, between lines 10 and 11, insert the following:

REPORT ON SMALL ARMS PROGRAMS

SEC. . Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives a report—

(1) describing the activities undertaken, and the progress made, by the Department of State or other agencies and entities of the United States Government to encourage other states to cooperate in programs on the stockpile management, security, and destruction of small arms and light weapons;

(2) listing each state that refuses to cooperate in programs on the stockpile management, security, and destruction of small arms and light weapons; and

(3) recommending incentives and penalties that may be used by the United States Government to encourage states to comply with programs on the stockpile management, security, and destruction of small arms and light weapons.

SA 1298. Mr. MCCONNELL (for Mr. SUNUNU (for himself and Mr. CHAFEE)) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 171, line 2, strike ''35,000,000'' and insert ''$40,000,000''.

On page 171, line 4, strike ''$4,000,000'' and insert ''$6,000,000''.

SA 1299. Mr. MCCONNELL (for Mr. KENNEDY (for himself and Mr. BIDEN)) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 326, between lines 10 and 11, insert the following:

DEMOCRACY PROGRAMS IN IRAQ

SEC. . Of the amount appropriated under the heading ''ECONOMIC SUPPORT FUND''—

(1) $28,000,000 should be made available for fiscal year 2006 to the International Republican Institute to support, in consultation with the Bureau of Democracy, Human Rights, and Labor of the Department of State, democracy building programs in Iraq in the areas of governance, elections, political parties, civil society, and women's rights; and

(2) $28,000,000 should be made available for fiscal year 2006 to the National Democratic Institute to support, in consultation with the Bureau of Democracy, Human Rights, and Labor of the Department of State, democracy building programs in Iraq in the areas of governance, elections, political parties, civil society, and women's rights.

SA 1300. Mr. MCCONNELL (for Mr. STEVENS (for himself and Mr. INOUYE)) proposed an amendment to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . FOR AMOUNTS APPROPRIATED IN THIS ACT.

(a) Under the heading ''Center for Middle Eastern-Western Dialogue'' in title I of this Act strike ''$2,000,000'' and insert in lieu thereof ''$7,000,000.''

(b) Under the heading ''Embassy Security, Construction, and Maintenance'' in title I of this Act strike ''$603,800,000 and insert in lieu thereof ''$598,800,000.''

SA 1301. Mr. BIDEN (for himself and Mr. LUGAR) submitted an amendment intended to be proposed by him to the bill H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, line 4, strike ''$3,036,375,000'' and insert ''$3,031,375,000''.

On page 190, line 5, strike ''$440,100,000'' and insert ''$445,100,000''.

On page 190, line 19, insert ''that should be not less than $19,350,000'' after ''Commission''.

SA 1302. Mr. FRIST (for Mr. COLEMAN) proposed an amendment to the resolution S. Res. 31, expressing the sense of the Senate that the week of August 7, 2005, be designated as ''National Health Center Week'' in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and for other purposes; as follows:

On page 4 strike lines 1 through 4 and insert:

''(2) calls upon the people of the United States to observe the week with appropriate ceremonies and activities''

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, July 19, 2005, at 11:15 am, on Plan to Modify Department of Homeland Security to make more efficient and effective.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, July 19 at 2:30 p.m.

The purpose of this oversight hearing is to receive testimony regarding the effects of the U.S. Nuclear Testing Program on the Marshall Islands.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 19, 2005, at 2:30 p.m. to hold a hearing on Advancing Iraqi Political Development.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Reauthorization of the Violence Against Women Act'' on Tuesday, July 19, 2005 at 11 a.m. in Dirksen Senate Office Building Room 226.

Witness List

Panel I: Diane Stuart, Director of the Office on Violence Against Women, Department of Justice, Washington, DC.

Panel II: M.L. Carr, Spokesperson, Office of the Arizona Attorney General, Family Violence Prevention Fund, San Francisco, CA; Salma Hayek, Avon Foundation, New York, NY; Lynn Rosenthal, Executive Director, National Network to End Domestic Violence, Washington, DC; Mary Lou Leary, Esq., Executive Director, National Center for Victims of Crime, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 19, 2005 at 2:30 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on ''A Review of Federal Consent Decrees'' on Tuesday, July 19, 2005 at 2:30 p.m., in Room 226 of the Dirksen Senate Office Building.

Witness List

Panel I: Lamar Alexander, United States Senator, R–TN; Howard Berman, United States Representative, D–CA 28th District.

Panel II: Troy King, Attorney General for the State of Alabama, Montgomery, AL; Professor Ross Sandler, Director of the Center for New York City Law, New York University School of Law, New York, NY; Dr. Michael S. Greve, John G. Searle Resident Scholar, Director of the AEI Federalism Project, Co-Director of the AEI Liability Project, American Enterprise Institute, Washington, DC; Judge Nathaniel R. Jones, Partner, Blank & Rome LLP, Cincinnati, OH; Ms. Lois Schiffer, Former Assistant Attorney General, Department of Justice, Environment and Natural Resources Division, Washington, DC; Mr. Tom Jost, Robert L. Willett Family Professor of Law, Washington and Lee University School of Law, Lexington, VA.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AVIATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Aviation be authorized to meet on Tuesday, July 19, 2005, at 3:30 p.m., on FAA's Age 60 Rule.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Tuesday, July 19, 2005, at 2 p.m., for a hearing regarding ''Securing Cyberspace: Efforts to Protect National Information Infrastructures Continue to Face Challenges''.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following interns have the privilege of the floor during the Senate's consideration of the Burma resolution: Andreas Datsopoulos, Julie Golder, and Adam Elkington.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF THOMAS C. DORR TO BE UNDER SECRETARY OF AGRICULTURE FOR RURAL DEVELOPMENT

Mr. FRIST. Mr. President, I ask unanimous consent the Senate now proceed to executive session for the consideration of Calendar No. 101, the nomination of Thomas Dorr to be Under Secretary of Agriculture for Rural Development.

The PRESIDING OFFICER. Without objection, it is so ordered.

The legislative clerk read the nomination of Thomas C. Dorr to be Under Secretary of Agriculture for Rural Development.

Mr. FRIST. Mr. President, if the Senator from Iowa had been here, I would have asked consent there be an hour of debate equally divided on the nomination, and following the debate the Senate proceed to a vote on the confirmation of the nomination at a time determined by the majority leader after consultation with the Democratic leader. I understand there would be an objection on the other side to that.

CLOTURE MOTION

Given that objection, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 101, the nomination of Thomas Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development.

Bill Frist, Saxby Chambliss, Ted Stevens, Wayne Allard, Larry Craig, Pat Roberts, Chuck Hagel, Richard Burr, James Inhofe, Thad Cochran, Chuck Grassley, John Thune, Johnny Isakson, Bob Bennett, Mike Crapo, Mitch McConnell, and Richard Lugar.

Mr. FRIST. I ask unanimous consent that the live quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

Mr. REID. Mr. President, if I could say a word before closure takes place, I know the burden on the majority leader is significant. There is so much to do and so little time to do it. Through the Chair, I express my desire to the majority leader that we figure out a way—he figure out a way—we can move to the DOD authorization bill at the earliest possible date. I think it is so important we do that.

I visited Walter Reed yesterday. It is important we set the right tone for those men and women fighting over there. Part of that would be to do the DOD authorization.

Mr. FRIST. Mr. President, we have a lot to do in the next week and a half. DOD authorization, as the Democrat leader and as my colleagues know, is a high priority. We also are doing our very best to come to an agreement on how to bring stem cells to the floor of the Senate, to bring the native Hawaiian issue to the floor of the Senate, and gun liability issues we talked about earlier this morning.

We are making progress. We did not quite finish foreign operations today but we will tomorrow. As we complete that bill and we finish with the Dorr nomination, we will hopefully be able to accomplish all of those bills. It is asking a lot.

PROVIDING EXTENSION OF PROGRAMS FUNDED OUT OF THE HIGHWAY TRUST FUND

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 3332 received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3332) to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st century.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3332) was read the third time and passed.

AUTHORIZATION TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. FRIST. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader and majority whip be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

DISCHARGE AND REFERRAL

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of H.R. 2385, and that the bill be referred to the Committee on Homeland Security and Governmental Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Mr. President, I ask unanimous consent that we vitiate that last request on the Committee on Commerce, Science, and Transportation.

The PRESIDING OFFICER. Without objection, it is so ordered.

URGING THE GOVERNMENT OF SUDAN AND THE SUDAN PEOPLE'S LIBERATION MOVEMENT/ARMY TO FULLY IMPLEMENT THE COMPREHENSIVE PEACE AGREEMENT OF JANUARY 9, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 202, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 202) urging the Government of Sudan and the Sudan People's Liberation Movement/Army to fully implement the Comprehensive Peace Agreement of January 9, 2005.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr President, I have submitted this resolution with regard to Sudan, a country in Africa I have personally spent a lot of time in and participated with, both in the south and the north, in promoting peace there.

There have been 2 million people who have died in the Sudan as a product of a civil war that is now about 24 years old, and about 5 to 6 million people have been displaced.

The Sudan Peace Act looked predominantly at the north versus the south, although it is much more complicated than that oversimplified comment. It is a separate issue than the Darfur crisis in western Sudan, which this body has also paid a lot of attention to.

Real progress is being made in that part of the world, but continued focus will be required to bring peace to that part of Africa.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 202) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 202

Whereas the people of Sudan have been devastated by war for all but 10 years since Sudan gained its independence in 1956;

Whereas the second civil war in Sudan between the Government of Sudan in the north and the Sudan People's Liberation Army in the south began in 1983 and lasted for more than 20 years;

Whereas more than 2,000,000 people died and more than 4,000,000 people were internationally displaced or became refugees as a direct or indirect result of the civil war in Sudan;

Whereas the Government of Sudan and the Sudan People's Liberation Movement/Army failed on numerous occasions to bring a peaceful and just end to the civil war in Sudan throughout the 1990s;

Whereas in September 2001, President George W. Bush appointed former Senator John Danforth as Special Envoy for Peace in Sudan to explore the potential of the United States to become involved in searching for a just resolution to the civil war in Sudan, and appointed Andrew Natsios, the Administrator of the United States Agency for International Development, as the Special Humanitarian Coordinator for Sudan to enhance the delivery of assistance that could help reduce the suffering of the people of Sudan;

Whereas in July 2002, the Government of Sudan and the Sudan People's Liberation Movement/Army reached the historic Machakos Protocol, an agreement on the role of religion in Sudan and the right to self-determination for the people of southern Sudan;

Whereas in October 2002, the Government of Sudan and the Sudan People's Liberation Movement/Army signed a memorandum of understanding that called for a cessation of hostilities and unimpeded humanitarian access to all areas of Sudan;

Whereas peace talks continued throughout 2003, with discussions focusing on wealth sharing and the control of 3 contested areas of Sudan;

Whereas on November 19, 2004, the Government of Sudan and the Sudan People's Liberation Movement/Army signed a declaration committing themselves to reach a final comprehensive peace agreement by December 31, 2004, in the context of a special session of the United Nations Security Council;

Whereas on November 19, 2004, the United Nations Security Council unanimously adopted Security Council Resolution 1574, which welcomed the commitment of the Government of Sudan and the Sudan People's Liberation Movement/Army to reach an agreement by the end of 2004, and highlighted the intention of the international community to assist the people of Sudan and support the implementation of a comprehensive peace agreement;

Whereas the Government of Sudan and the Sudan People's Liberation Movement/Army initialed the final elements of a comprehensive peace agreement on December 31, 2004;

Whereas on January 9, 2005, the Government of Sudan and the Sudan People's Liberation Movement/Army formally signed the Comprehensive Peace Agreement;

Whereas the Comprehensive Peace Agreement provides for a new constitution, new arrangements for power sharing and wealth sharing, and a 6-year interim period to be followed by a referendum in southern Sudan so that the people of southern Sudan can decide their political future;

Whereas the Comprehensive Peace Agreement provides for new institutions to be created and a new Government of National

Unity to be installed in Sudan once the constitution is ratified;

Whereas despite progress on reaching a peace agreement on the North-South conflict there has been little progress to end the ongoing conflict in the region of Darfur;

Whereas after tens of thousands of civilians died due to a targeted campaign of violence by the government of Khartoum, Congress declared on July 22, 2004, that the atrocities in Darfur were genocide, committed primarily by the Government of Sudan and its allied Janjaweed militias;

Whereas on September 9, 2004, Secretary of State Colin Powell testified that ''genocide has been committed in Darfur'';

Whereas on June 30, 2005, President Bush confirmed that ''the violence in Darfur region is clearly genocide [and] the human cost is beyond calculation'';

Whereas the Comprehensive Peace Agreement provides a model for the resolution of all conflicts in Sudan, including Darfur, eastern Sudan, and elsewhere;

Whereas on July 9, 2005, the 6-year interim period under the Comprehensive Peace Agreement began with the formation of a new transitional government and the signing of an interim constitution, and Dr. John Garang, the Chairman of the Sudan People's Liberation Movement/Army, was sworn in by President Omar Hassan al Bashir as First Vice President of Sudan;

Whereas millions of the people across Sudan continue to suffer from the effects of war, including displacement and war-related disease, hunger, and malnutrition;

Whereas the people of southern Sudan are in desperate need of reconstruction assistance to build and improve vital infrastructure components that are nearly nonexistent in southern Sudan;

Whereas despite the historic signing of the Comprehensive Peace Agreement in January 2005, the key to success will now be the full and timely implementation of the agreement by all sides, wholly consistent with the letter, spirit, and intent of the agreement; and

Whereas the impact and efficacy of the Comprehensive Peace Agreement will also be measured by the political resolution of ongoing conflict in other parts of Sudan, including Darfur and the east of Sudan: Now, therefore, be it

Resolved, That the Senate—

(1) commends the people of Sudan on the signing of the historic Comprehensive Peace Agreement on January 9, 2005;

(2) urges the new Government of National Unity of Sudan, consisting of elements of the National Congress Party and the Sudan People's Liberation Movement/Army, to fully implement the Comprehensive Peace Agreement in a timely manner consistent with the letter, spirit, and intent of the agreement;

(3) requests that the United States Government—

(A) commit to high-level, sustained engagement to closely monitor the implementation of the Comprehensive Peace Agreement and events on the ground in Sudan, including in Darfur and elsewhere; and

(B) sustain pressure as appropriate to ensure the Comprehensive Peace Agreement is implemented in a full, timely, and thorough manner;

(4) urges the United States Government—

(A) to maintain sanctions on the Government of Sudan as appropriate until the Comprehensive Peace Agreement has been fully honored and implemented; and

(B) to renew efforts to implement additional sanctions through the United Nations Security Council until peace in Darfur is achieved and those responsible for genocide, war crimes, crimes against humanity, and criminal acts are brought to justice;

(5) strongly urges the Government of National Unity of Sudan to use the Comprehensive Peace Agreement as the basis for negotiation of a peaceful resolution of the conflicts in Darfur and other areas of Sudan;

(6) strongly supports the expansion of the size and role of the mission of the African Union in Darfur to protect civilians in Darfur and encourages continued support for this mission from the United States, the North Atlantic Treaty Organization, and other countries and international organizations;

(7) strongly supports the United Nations Mission in the Sudan and the expansion of this mission to protect civilians and aid workers throughout Sudan;

(8) supports the continued provision of humanitarian and reconstruction assistance from the United States to the people of southern Sudan, in addition to the assistance allocated for the people of Darfur, so that the people of Sudan may experience and appreciate the benefits of peace;

(9) supports international efforts to facilitate the safe and voluntary return of refugees and internationally displaced persons to their homes in Sudan; and

(10) calls upon the governments of all countries in the Sudan region and around the world to actively support and monitor the full implementation of the Comprehensive Peace Agreement to help ensure that the people of Sudan pursue the path to peace, prosperity, and security.

NATIONAL HEALTH CENTER WEEK

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 31.

The PRESIDING OFFICER. Without objection, it is so ordered. The committee is discharged, and the clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 31) expressing the sense of the Senate that the week of August 7, 2005, be designated as ''National Health Center Week'' in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, the purpose of this resolution, expressing the sense of the Senate with regard to August 7 being designated as National Health Center Week, is to raise awareness of the tremendous health services that are provided by homeless health centers and migrant care centers and community health centers, and other purposes. I commend Senator COLEMAN for this resolution.

Mr. President, I ask unanimous consent that the amendment at the desk be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1302) was agreed to, as follows:

On page 4, strike lines 1 through 4 and insert:

''(2) calls upon the people of the United States to observe the week with appropriate ceremonies and activities''

The resolution (S. Res. 31), as amended, was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 31

Whereas community, migrant, public housing, and homeless health centers are nonprofit, community owned and operated health providers and are vital to the Nation's communities;

Whereas there are more than 1,000 such health centers serving more than 15,000,000 people in over 3,600 communities;

Whereas such health centers are found in urban and rural communities in all 50 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands;

Whereas such health centers have provided cost-effective, high-quality health care to the Nation's poor and medically underserved (including the working poor, the uninsured, and many high-risk and vulnerable populations), acting as a vital safety net in the Nation's health delivery system;

Whereas these health centers provide care to 1 of every 7 uninsured individuals, 1 of every 9 Medicaid beneficiaries, 1 of every 7 people of color, and 1 of every 9 rural Americans, all of whom would otherwise lack access to health care;

Whereas these health centers are engaged with other innovative programs in primary and preventive care to reach out to over 621,000 homeless persons and more than 709,000 farm workers;

Whereas these health centers make health care responsive and cost-effective by integrating the delivery of primary care with aggressive outreach, patient education, transportation, translation, and enabling support services;

Whereas these health centers increase the use of preventive health services such as immunizations, Pap smears, mammograms, and glaucoma screenings;

Whereas in communities served by these health centers, infant mortality rates have been reduced over the past 4 years even as infant mortality rates across the country have risen;

Whereas these health centers are built by community initiative, and run by the patients they serve;

Whereas Federal grants provide seed money empowering communities to find partners and resources to recruit doctors and needed health professionals;

Whereas Federal grants on average contribute 25 percent of such a health center's budget, with the remainder provided by State and local governments, Medicare, Medicaid, private contributions, private insurance, and patient fees;

Whereas there are more than 100 health centers that receive no Federal grant funding, yet continue to serve their communities regardless of their patients' ability to pay;

Whereas all health centers tailor their services to fit the special needs and priorities of their communities, working together with schools, businesses, churches, community organizations, foundations, and State and local governments;

Whereas all health centers contribute to the health and well-being of their communities by keeping children healthy and in school and helping adults remain productive and on the job;

Whereas all health centers encourage citizen participation and provide jobs for nearly 100,000 community residents; and

Whereas the designation of the week of August 7, 2005, as ''National Health Center Week'' would raise awareness of the health services provided by all health centers: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of August 7, 2005, as ''National Health Center Week''; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

TO AMEND THE CONTROLLED SUBSTANCES ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 45 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 45) to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 45) was read the third time and passed, as follows:

S. 45

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

SECTION 1. MAINTENANCE OR DETOXIFICATION TREATMENT WITH CERTAIN NARCOTIC DRUGS; ELIMINATION OF 30-PATIENT LIMIT FOR GROUP PRACTICES.

(a) IN GENERAL.—Section 303(g)(2)(B) of the Controlled Substance Act (21 U.S.C. 823(g)(2)(B)) is amended by striking clause (iv).

(b) CONFORMING AMENDMENT.—Section 303(g)(2)(B) of the Controlled Substance Act (21 U.S.C. 823(g)(2)(B)) is amended in clause (iii) by striking ''In any case'' and all that follows through ''the total'' and inserting ''The total''.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

ORDERS FOR WEDNESDAY, JULY 20, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, July 20. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then begin a period of morning business for 60 minutes, with the majority leader in control of the first 30 minutes and the Democratic leader in control of the second 30 minutes; provided further that following that time, the Senate resume consideration of Calendar No. 158, H.R. 3057, the Foreign Operations appropriations bill, as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will complete action on the Foreign Operations appropriations bill. We have several pending amendments to dispose of tomorrow morning. Although that list is longer than I would like, it is hoped that most of those amendments can be worked out and will not require rollcall votes. We also, a few moments ago, filed a cloture motion on the Dorr nomination. That vote will occur on Thursday morning.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:56 p.m., adjourned until Wednesday, July 20, 2005, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate July 19, 2005:

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. MALINDA E. DUNN, 0000
COL. CLYDE J. TATE III, 0000
COL. MARC L. WARREN, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531.

To be lieutenant colonel

DAVID J. LUTHER, 0000
KATE E. MATTHEWS, 0000

To be major

ERIC C. BURDGE, 0000
MARCIA R. CANNONIER, 0000
CARLOS A. DIAZLABOY, 0000
MATTHEW I. GOLDBLATT, 0000
ERIC F. HOLT, 0000
MARTIN E. JORDAN, 0000
KENN K. KANESHIRO, 0000
ROBERT J. KOWALSKI, JR., 0000
WILLIAM K. LIN, 0000
CECELIA E. SCHMALBACH, 0000
BRETT M. SCOTCH, 0000
GUY M. SHOAF, 0000
JAMES R. STRADER, JR., 0000
YUANHONG WANG, 0000
MERIDITH A. WARNER, 0000

EXTENSIONS OF REMARKS

RETIREMENT OF ADMIRAL VERN CLARK

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. SKELTON. Mr. Speaker, it gives me great pleasure to rise today in order to recognize and honor one of Missouri's favorite sons, Admiral Vern Clark, United States Navy, our 27th Chief of Naval Operations, as he prepares to turn over the helm of the United States Navy to his successor.

Admiral Clark, the longest serving Chief of Naval Operations since Admiral Arleigh Burke held that office nearly 45 years ago, has rendered distinguished service to the government of the United States and, in my view, ranks among the most superb of a long line of outstanding Navy leaders.

Born in Iowa and raised in the great states of Missouri, Nebraska and Illinois, Admiral Clark is a graduate of Evangel College and holds a Master's Degree in Business Administration from the University of Arkansas. Like so many of his predecessors from our Nation's heartland, Admiral Clark determined to go down to the sea in ships; a determination that has ultimately redounded to the eminent advantage of the country that he has served so well for more than 36 years. From the Cold War to the War on Terrorism, his enduring contributions to the Navy and the Nation, along with his wise, discerning military judgment mark his long career.

Upon earning his commission in August of 1968, Admiral Clark served aboard the destroyers USS *John W. Weeks* (DD 701) and USS *Gearing* (DD 710). As a Lieutenant, the Navy saw fit to give him his first command, USS *Grand Rapids* (PG 98), and he has been in command at every opportunity thereafter, including command of USS *McCloy* (FF 1038), USS *Spruance* (DD 963), the Atlantic Fleet's Anti-Submarine Warfare Training Center, Destroyer Squadron Seventeen, and Destroyer Squadron Five. After being selected for flag rank, Admiral Clark commanded the *Carl Vinson* Battle Group/Cruiser Destroyer Group Three, the Second Fleet, and the United States Atlantic Fleet. All told, Admiral Clark has spent more than half his commissioned service doing what he does best, leading the men and women who have, in his exceptional words, ''volunteered to wear the cloth of the nation.''

Ashore, Admiral Clark has served as Special Assistant to the Director of the Systems Analysis Division in the Office of the Chief of Naval Operations, the Administrative Assistant to the Deputy Chief of Naval Operations (Surface Warfare) and as the Administrative Aide to the Vice Chief of Naval Operations. He served as Head of the Cruiser-Destroyer Combat Systems Requirements Section and Force Anti-Submarine Warfare Officer for the Commander, Naval Surface Force, U.S. Atlantic Fleet, and he directed the Joint Staffs Crisis Action Team for Desert Shield and Desert Storm. Admiral Clark has also served as the Director of both Plans and Policy (J5) and Financial Management and Analysis (J8) at the U.S. Transportation Command; Deputy and Chief of Staff, United States Atlantic Fleet; the Director of Operations (J3) and subsequently Director of the Joint Staff.

His tenure as Chief of Naval Operations has been underscored by remarkable strength and a clear vision for the future. Anticipating the tremendous challenges of the rapidly changing post-Cold War strategic environment, he set a course for deep and fundamental transformation, enhancing the readiness and responsiveness of the Navy. His relentless pursuit of excellence and willingness to not only embrace change, but to lead it, were key factors in shaping the most powerful maritime force in our history; a force that is built upon a solid foundation of the growing and thriving young Americans who have flourished under Admiral Clark's leadership. An unwavering sense of duty, the highest ideals of honor, and a profound devotion to country have characterized this man's service. And I think he would be the first to tell you that those long years of service would not have been possible without the unwavering support of his wife, Connie. She has devoted her life to her husband, to her family and to the men and women of the Navy family. She has traveled by his side for these many years visiting the Fleet. Her sacrifice and devotion have served as an example and inspiration for others, and we will miss them both.

With these words before the House of Representatives, I seek to recognize Admiral Clark for his superior leadership and unswerving loyalty to the Navy and to this great Nation. In the time-honored tradition of the naval service, I now ask you to join me in wishing Vern and Connie Clark ''fair winds and following seas'' as they continue their extraordinary journey through life together, and to thank them both for service so faithfully rendered.

ACKNOWLEDGING AFRICAN DESCENDANTS OF THE TRANSATLANTIC SLAVE TRADE IN ALL OF THE AMERICAS

SPEECH OF

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 18, 2005

Mr. JEFFERSON. Mr. Speaker, I rise in strong support of H. Con. Res. 175 and extend my thanks to my friend from New York for bringing this resolution before the House. The dark, sordid history of slavery in this country continues to reverberate throughout society—economically, culturally, socially. What too many in our country do not know is that the enslavement of Africans was a tragedy throughout this hemisphere, not just in the United States. This important resolution shines a bright light on the injustices suffered by the descendants of the transatlantic slave trade throughout the Americas, and particularly in Latin America and Caribbean. The United States must join with the international community to improve the living conditions of and to empower the Afro-Latino communities throughout the Americas.

As a result of the slave trade and immigration, approximately 80,000,000 to 150,000,000 persons of African descent live in Latin America and the Caribbean, representing the largest concentration of persons of African ancestry outside of Africa. Individuals of African descent are a vital part of the population and economy of almost every country in Latin America, including Argentina, Bolivia, Chile, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela. By way of example, Brazil has the largest population of Afro-descendants in Latin America and the Caribbean, yet, tragically, only one in three Afro-Brazilians attend secondary schools.

Although Afro-descendants in Latin America and the Caribbean have made significant economic, social, and cultural contributions to their respective countries, a large percentage of these Afro-descendants community live in extremely poor conditions, in marginal communities with little or no access to education, healthcare, equal employment. As a result, Afro-descendants have shorter life expectancies, higher infant mortality rates, higher incidences of HIV/AIDS, higher rates of illiteracy, and lower incomes than do other populations. Afro-descendants, for instance, account for about 30 percent of the Latin American population, yet make up over 60 percent of its poor. Afro-descendants also have extreme high rates of suicide and homicide.

We, as African-Americans, share similar histories and civil rights struggles and experience similar disparities with Afro-descendants in Latin America and the Caribbean. In recognizing this, we are also recognizing that America shares similar experience with our neighbors in the Hemisphere.

While we have taken strides to address racial and ethnic disparities here in the United States, our struggle continues. Unfortunately, in Latin America and the Caribbean, similar transformations and recognitions of the need to address many of these racial and ethnic disparities have yet to occur.

Today, with this important resolution, we demonstrate our solidarity and we confirm our commitment to help facilitate these transformations in Latin America. Supporting this Resolution is a mutually-beneficial goal for those of us in the United States and those populations residing to our neighboring South. Creating economic opportunities, expanding growth, eliminating racial and ethnic disparities leads to greater stability and democracy in the Hemisphere.

Mr. Speaker, in closing, I would like to again thank my friend and colleague from New York, Mr. RANGEL, for his leadership in bringing this

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

historic resolution to the floor. However imperfect, ours is a nation of laws committed to equal justice for all. That commitment has never ended at the border, and it certainly should extend to our neighbors throughout the Americas. This resolution reminds us to heed the sage words Dr. King wrote from the Birmingham jail 42 years ago: ''Injustice anywhere is a threat to justice everywhere.''

Let us remember that wisdom as we cast our votes for this resolution.

PERSONAL EXPLANATION

HON. JIM GIBBONS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. GIBBONS. Mr. Speaker, I rise today to explain how I would have voted on July 18, 2005 during rollcall vote No. 380, No. 381, and No. 382 during the first session of the 109th Congress. The first vote was on Res. 328—recognizing the 25th anniversary of the workers' strikes in Poland in 1980 that led to the establishment of the Solidarity Trade Union, the second was H. Con. Res. 175—acknowledging African descendants of the transatlantic slave trade in all of the Americas, and the third was H. Res. 364—commending the continuing improvement in relations between the United States and the Republic of India.

I respectfully request that it be entered into the CONGRESSIONAL RECORD that if present, I would have voted ''yes'' on these rollcall votes.

RECOGNIZING DR. DENNIS J. GALLIGANI, PH.D.

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Ms. SOLIS. Mr. Speaker, I rise today to recognize and congratulate Dr. Dennis J. Galligani, Ph.D. for his valuable and tireless dedication to California's education system and community. Dr. Galligani has served the University of California with distinction, humility, and humanity for the last 30 years at both the Irvine campus and at the system's administrative office. The goal of educational equality and equity has been the driving force in Dr. Galligani's efforts to ensure inclusiveness in admissions, financial aid, and student services.

Dr. Galligani was an early advocate for collaborative approaches to addressing educational issues through his enduring support for, and commitment to, the California Student Opportunity and Access Program, Cal-SOAP, and the Mathematics, Engineering, Science Achievement, MESA, Program. Dr. Galligani represented the University of California for several years as a member and chair of the Advisory Board to the California Academic Partnership Program, CAPP, whose goal is ''to develop cooperative efforts to improve the academic quality of public secondary schools with the objective of improving the preparation of all students for college.''

The California Gaining Early Awareness and Readiness for Undergraduate Programs, GEAR UP, has benefited from the leadership of Dr. Galligani as its first Principal Investigator and his steady stewardship of this program on behalf of the Governor and his California Education Round Table colleagues. Dr. Galligani has nurtured young educational professionals, especially those from Latino, African-American, and Native American families, to assume leadership roles in academics and their communities.

I learned the importance of integrity, competence, and commitment from Dr. Galligani while I was Director of the South Coast Cal-SOAP Program and on the CAPP Advisory Board. Dr. Galligani's mentoring contributed to my professional development and desire to assume both an advocacy and leadership role with respect to enhancing the academic preparation of all students for college. I commend Dr. Galligani for his distinguished record of professional service as the Associate Vice President for Student Academic Services at the University of California and extend to him my sincere best wishes for continued success as Executive Director of the Alliance for Regional Collaboration to Heighten Educational Success, ARCHES.

RECOGNIZING AND HONORING THE 2005 APPRENTICE GRADUATES

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. VISCLOSKY. Mr. Speaker, it is with great honor and admiration that I offer my congratulations to many of Northwest Indiana's most talented, dedicated, and hardworking individuals. On Friday, July 29, 2005, the Lake County Electricians Joint Apprenticeship and Training Committee IBEW & NECA will honor the Completion Class of 2005 at the 50th Annual Apprentice Completion Banquet, which will be held at the Avalon Manor Banquet Hall in Hobart, IN.

They will be recognizing and honoring the 2005 apprentice graduates. Those individuals who have completed the apprentice training are: Joseph Anderson, Randall Bard, Jacques Berbesque, Robert Brannon, Feliciano Bucio, Jonathan Buczek, Christopher Buitron, Jeff Campbell, Larry Chandler, Eric Cisneros, Keenan Collier, Cameron Collins, Steve Cruise, Lester Daniel, Brian Derolf, J. Matt Dees, Todd Dodd, Lou Donaldson, Phil Dorin, Jeremy Drenth, Ryan Ferry, H. Tom Floyd, Julianne Guidotti, Tom Guined, Eddie Jackson, David McCarty, Scott Morgan, Steve Petri, Nate Plants, Derek Popovich, Timothy Ramsey, Ryan Rentschler, R. Chad Robinson, Nick Roper, Nick Santostefano, Robert Severa, Aaron Shelton, Ivan Simmons, Tom Stidham, and Jonathan Vicari.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty by its tradesmen. These graduates are all outstanding examples of each. They have mastered their trade and have demonstrated their loyalty to both the union and the community through their hard work and self-sacrifice.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating these hardworking individuals. Along with all the other men and women of Northwest Indiana's unions, these individuals have contributed to the growth and development of the economy of the First Congressional District, and I am very proud to honor them in Washington, DC.

HONORING MASTER SERGEANT HARRY JENKINS

HON. JIM McCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. McCRERY. Mr. Speaker, I rise today to honor Master Sergeant Harry Jenkins. Master Sergeant Harry Jenkins is retiring with over 23 years of service in the United States Marine Corps. He was raised in Minden, Louisiana, where he graduated from Minden High School in 1982.

Master Sergeant Jenkins began his military career at San Diego, California, where he attended basic training in 1982. He then went to his military occupation school (MOS) at Camp Pendleton, California in 1982. He was one of the top candidates at the school. He was assigned the Administrative Clerk MOS.

Master Sergeant Jenkins has served in a number of assignments throughout his distinguished career. He has served in assignments ranging from Hawaii; New York City; Okinawa, Japan; Long Island, New York; Virginia and Washington, DC. From November 1982–April 1986, he was assigned to the 1st Marine Brigade, Kaneohe Bay, Hawaii as an administrative clerk and Platoon Sergeant.

From April 1985–June 1989, he was assigned to the Marine Corps Public Affairs Office, New York, New York. He served as the Administration Chief and the Assistant Public Affairs Chief and was responsible for providing the media updates on Marine Corps activities and interacting in local community activities.

From June 1989–June 1990, he was assigned to 9th Marines, Okinawa, Japan and 3rd Amphibious Assault Vehicle Battalion, Okinawa, Japan where he served as the Administration Chief and Platoon Sergeant.

From June 1990–October 1993, he was assigned to Marine Corps Recruiting Station, New York, Garden City, and New York. He was assigned as the Administration Chief, where he was responsible for maintaining the records and supporting the recruiters responsible for recruiting the next generation of Marines.

From October 1993–November 1996, he was assigned to Officer Assignment Branch, Headquarters, U.S. Marine Corps. There he served as the Assistant Monitor for the Field Grade Ground Service Support Military Occupation Specialties.

From November 1996–March 2002, he was assigned to the U.S. House of Representatives Marine Corps Liaison Office, Washington, DC. Master Sergeant Jenkins has carried the Marine's message to these hallowed halls providing members of this body the information necessary to determine how best to equip, maintain and support the United States Marine Corps and ultimately provide and ensure the Nation's security. During this period, Master Sergeant Jenkins was responsible for directing, and organizing numerous congressional and staff delegations around the world. His attention to detail in making these very important trips logistically successful is noteworthy.

During Master Sergeant Jenkins' last 3 years of service, he has served as the Administration Chief in the Marine Corps' Office of Legislative Affairs. That office supports Members of Congress, and their congressional committees, relating to the Marine Corps and the security of our Nation. In his position as Administrative Chief, Master Sergeant Jenkins has been vital in the efficient running of that very busy office.

Master Sergeant Jenkins has made a lasting contribution in the capability of today's Marine Corps' and the future shape of tomorrow's Corps. His superior performance of duties highlights the culmination of more than 23 years of honorable and dedicated Marine Corps service. By his exemplary professional competence, sound judgment, and total dedication to duty, Master Sergeant Jenkins has reflected great credit upon himself and has always upheld the highest traditions of the United States Marine Corps. I wish him, his wife, Deborah, his sons, Deven and Jarrod all the best as he pursues other interests outside of the Marine Corps.

NAZI PARAPHERNALIA IS AN ABHORRENT SIGHT ANYWHERE

HON. THELMA D. DRAKE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mrs. DRAKE. Mr. Speaker, I am pleased to share the following article written by a constituent, Rabbi Israel Zoberman.

The rally at the Yorktown Battlefield in Virginia, on June 25, 2005 sponsored by the Nationalist Socialist Movement (The American Nazi Party) is an opportune occasion for somber reflection and sincere soul-searching. Let us be clear: Nazi paraphernalia is bound to be an abhorrent sight anywhere, so much more so on a site resonating with sacred historical memories. A noxious display of terror-filled symbols protected paradoxically by our great democracy's freedoms which the Nazis seek to remove; freedoms and concomitant responsibilities won not without heroic struggle to overthrow tyranny and to be reaffirmed only a few days later at the July 4th celebration. Surely the rally's chosen venue and the close proximity of the two above dates is no coincidence, since the American Nazis unabashedly pretend to cloak themselves in the mantle of ''the true American patriots.''

How ironical as well to acknowledge that we are currently observing the 60th anniversary of the defeat of the very same forces that the American neo-Nazis and their European counterparts shamefully continue to uphold as the desired ideal for humanity. How is it that following the enormous sacrifices to uproot Nazi Germany with the critical participation of the United States, there are those growing up in our midst of enviable diversity and by-and-large, mutual respect and civility, who yet harbor the seeds of consuming diabolical hatred for all that we hold dear?

The often repeat call for constant vigilance is not a trite one. History has taught us that democratic societies are not impregnable from those who labor to destroy them from within. Unleashed poison of bigotry and prejudice when unchecked can find its way into the mainstream when deteriorating political and economic conditions are ripe for scapegoating any vulnerable minority. Once the unfathomable Holocaust occurred, is it any wonder that we have witnessed genocides and ethnic cleansing in Cambodia, Bosnia, Rwanda, Iraq and now in the Sudan's Darfur region. The strikes of September 11, 2001 were also nourished by a similar spirit of disregarding the Other. Does it not behoove our societal institutions of home, school and religion to double our efforts in reaching the young's minds to appreciate what is at stake, promoting pluralism's open-mindedness and excising extremism's venom? Hitler and his murderous cohorts, masters of deception that they were, taught us nonetheless to seriously take ominous language and behavior.

Wider Holocaust and World War II education is a beneficial tool, along with the laudable contribution of the U.S. Holocaust Museum in Washington D.C., the Virginia Holocaust Museum in Richmond, and similar ones elsewhere; particularly as time elapses from the actual tragic events with eye-witnesses dying while we confront revisionist history of Holocaust denial. We ought be immensely proud of the noble work, an exemplary model indeed, of our own Holocaust Commission of the Community Relations Council of the United Jewish Federation of Tidewater. As the U.S. Justice Department's Office of Special Investigations (OSI) still pursues tenaciously and admirably Nazis with blood on their hands who entered America or wish to do so, the American Jewish Committee reports that no more than 44 percent of Americans know about Auschwitz and only 30 percent are aware of what the ''6 million'' represents. Shockingly as well, even in Germany half of the under twenty-four year old population is ignorant of the Holocaust according to a recent poll. Thus the regrettable exposure of Nazi activity in deed and creed with today's internet utilization is also an opportunity to become cognizant of this corrosive phenomenon that we dare dismiss only at grave future risk. With the alarming rise worldwide of anti-Semitic incidents, and related anti-Israel bashing, the recently enacted German law to restrict neo-Nazi demonstrations next to sensitive historical sites is a good idea for us too.

The issue confronting us as Americans crosses boundaries of group, background, faith, gender and race. It ought to unite us anew as one yet diverse American nation in pursuit of our binding democratic agenda whose noble fulfillment is the ultimate response to those threatening it. The counter peace rally sponsored by The National Conference for Community and Justice which took place on June 21 at Virginia Wesleyan College was reassuring in the broad coalition it represented of concerned and involved citizens. The concluding moving dedication of the Peace Garden in memory of Dr. Catharine Cookson, founding director of Virginia Wesleyan's Center for the Study of Religious Freedom, was an apt act reflecting the great American ideal of bridge-building and mutual embrace. During this trying time of a global war against radical Islamic terror with the old Nazi specter refusing to totally go away despite our victory, we are reminded of the worst in human nature but also the best in us.

Rabbi Israel Zoberman is the spiritual leader of Congregation Beth Chaverim in Virginia Beach, Virginia. Born in Kazakhstan in 1945 to Polish Holocaust survivors, he is past President of the Hampton Roads Board of Rabbis and Cantors.

HONORING THE MEMORY OF ROSE F. PIERCE

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mrs. KELLY. Mr. Speaker, I rise today with utmost appreciation and sincerest admiration to honor the inspirational life of Mrs. Rose F. Pierce of Poughkeepsie, New York. She is survived by her adoring niece, Shirley and her husband, Richard Panessa of Poughkeepsie; two sisters, Lena Lewis of Syracuse and Gaspar Peschel of Sarasota, FL; and several other nieces, nephews, grandnieces and grandnephews.

After 88 years of a life complete with civic accomplishments, Mrs. Pierce's passing concludes a remarkable chapter of a life dedicated to volunteer service, while setting a commendable standard for all other leaders and volunteers to follow.

Mrs. Pierce is remembered by all in the Poughkeepsie and Hudson Valley community as a compassionate, considerate and unwavering in her commitment to others. She overcame adversity in life with a unique energy and spirit. Her distinguishing enthusiasm and vigor was ever apparent when she would dress as Betsy Ross and make presentations about our flag in local school districts.

Mrs. Pierce became known in the community for her commitment to those who made the greatest sacrifice by serving our country. She was a volunteer for many years at Castle Point VA Hospital in Dutchess County where she was recently received the United Way Points of Life award. She aided local veterans who where homebound, often driving them to the doctor or grocery shopping for them. Rose possessed an unwavering love for her country and humbly urged everyone to cherish and remember our veterans for the sacrifice they made to preserve our way of life.

Besides her commitment to veterans, Mrs. Pierce's service to her community came via volunteering, civic activities, and selfless acts of benevolence. She was a past President of the VFW Post 170 Ladies Auxiliary in Poughkeepsie and a life member of the Ladies Auxiliary of the Italian Center. Some of her other civic activities included involvement in the Naval Fleet reserve, A.A.R.P., Dutchess Garden Club, Our Lady of Mount Carmel Church, St. Rita's Society of Mount Carmel Church, and the Lions Club.

PERSON EXPLANATION

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. RYUN of Kansas. Mr. Speaker, on Monday, July 18, 2005, I was unable to be present for the following rollcall votes: H. Res. 328, H. Con. Res. 175, H. Res. 364.

Had I been present, I would have voted ''yea'' on H. Res. 328.

Had I been present, I would have voted ''yea'' on H. Con. Res. 175.

Had I been present, I would have voted ''yea'' on H. Res. 364.

PERSONAL EXPLANATION

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. ETHERIDGE. Mr. Speaker, due to inclement weather, my original flight tonight was cancelled, and I was forced to miss the rollcall votes on House Resolution 328, House Concurrent Resolution 175, and House Resolution 364. Had I been present, I would have voted ''yes'' on each of these measures.

RECOGNIZING EMANUEL ''TROOPER'' LEDEZMA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor Emanuel ''Trooper'' Ledezma, a rising star in San Antonio, Texas.

Emanuel was born in 1982 to two Mexican immigrants who came to our country to achieve the American Dream. Emanuel immediately took an interest in boxing, joining his brothers at the San Fernando Gym.

Although Emanuel has been a dedicated boxer since the young age of 9, he realized the importance of education and service, graduating from Clark High School and enlisting in the United States Army in early 2002.

Emanuel served as a paratrooper in the 82nd Airborne Division while he was stationed in Fort Bragg, North Carolina. In 2003 he was deployed to Iraq for a tour of duty, and while there, he received numerous medals including, among others, Operation Iraqi Freedom, National Defense Medal, and two Army Accommodation Medals.

While enlisted and stationed at Ft. Bragg, Emanuel joined the Ft. Bragg Boxing Team and traveled throughout North Carolina in competitions. He now trains at the Zarzamora Street Gym and plans to make San Antonio and his family proud by pursuing and succeeding at boxing at the professional level.

Being fluent in both English and Spanish, Emanuel hopes that his cultural and ethnic roots can help him reach out to Latino youth and show them the importance of education, hard work, and perseverance.

Emanuel is a true representation of the ''American Dream'' that his immigrant parents came to this country to achieve, and I am proud to have this opportunity to recognize him here today.

PERSONAL EXPLANATION

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. EVANS. Mr. Speaker, yesterday I was unavoidably detained due to a delayed flight and, therefore, I missed rollcall votes Nos. 380, 381, and 382. Had I been present, I would have vote ''yea'' on all three votes.

CONGRATULATIONS TO THE FRITO-LAY, TECHNOLOGY PROCESS CENTER

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. MARCHANT. Mr. Speaker, I would like to take this opportunity to congratulate the Frito-Lay, Technology Process Center in Dallas, Texas, for outstanding achievement in the field of occupational safety and health.

The tremendous efforts on behalf of the entire workforce have resulted in the center's approval to the Occupational Safety and Health Administration's Volunteer Protection Programs at the Star Level. Frito-Lay, Technology Process Center has now been a VPP participant for 5 years.

Since 1982, OSHA has recognized American worksites that have exceptional records and exemplify commitment to workplace safety and health. Less than 1,000 worksites under Federal jurisdiction currently share this distinction. Sites meeting VPP's demanding requirements typically experience injury and illness rates 53 percent below the industry average.

It is my pleasure to commend the men and woman of Frito-Lay, Technology Process Center for being approved once again as a VPP participant. Their dedication to workplace safety and health deserves to be recognized.

RECOGNIZING THE 75TH ANNIVERSARY OF GRAND BLANC, MICHIGAN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. KILDEE. Mr. Speaker, I am happy to rise before you today, and to ask my colleagues in the 109th Congress to please join me in celebrating the 75th anniversary of a wonderful city in my district, Grand Blanc, Michigan. This momentous occasion will be marked by a series of events, including the dedication of a new Town Square and the opening of a connector street, both on July 26.

Originally a settlement of the Chippewa Indians, French traders arrived at the turn of the 19th century, naming their new home Grand Blanc, or ''Great White.'' By 1823, pioneer families had set up trading posts, and built homes and farms on the abundant land, which sold for $1.25 an acre. The railroad added more work and growth to the small community in 1862. In 1904, the village became the first in the State to consolidate its schools, and on March 4, 1930, the residents adopted a City Charter.

Over the past 75 years, Grand Blanc has grown to become one of Genesee County's and Michigan's fastest growing cities, while still maintaining its small town atmosphere. It is the proud home of one of the State's top school systems, thriving commercial districts and downtown area, and many public and private golf courses, including Warwick Hills, site of Michigan's only PGA Tour event, the Buick Open.

Grand Blanc's greatest treasure, however, is its residents. From those who have lived there for a generation, to those who call it home for the first time, the people who make Grand Blanc such a warm and welcoming community shall always serve as its true nucleus.

Mr. Speaker, I would also like to acknowledge the efforts of Grand Blanc Mayor Michael Matheny, City Manager Randall Byrne, and the dedicated City Council for their vision in recognizing the need to acknowledge this milestone. I am proud to call them my colleagues, my constituents, and my friends. Once again, I ask the House of Representatives to join me in congratulating Grand Blanc, Michigan on its 75th Anniversary.

HONORING JAMES C. BRAZELTON

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Mr. James C. Brazelton of Modesto, CA upon his retirement for his dedicated service with the Office of the District Attorney of Stanislaus County.

Mr. Brazelton began his law enforcement career as a Military Policeman assigned to the White House Security Detail. In 1963, he joined the City of Bakersfield Police Department where he served as a Patrolman, Motorcycle Officer and Detective. He accepted a position with the City of Orange Police Department in 1968 and worked his way through the ranks as a Patrolman, Detective, Watch Commander, SWAT Team Commander, and Sergeant. While with the City of Orange Police Department, he attended Western State University, College of Law, in Anaheim, California. Upon graduating in 1974, he moved on from the City of Orange Police Department to spend the next 11 years in the private practice of law.

In 1985, James Brazelton accepted the position as a Senior Deputy District Attorney with the Stanislaus County District Attorney's Office. Primarily serving in the Felony Trial Division, Mr. Brazelton was responsible for prosecuting many high-profile homicide cases. In 1993, Mr. Brazelton was appointed Chief Deputy District Attorney for the Felony Superior Court Division and in August 1995, he was named Chief Deputy District Attorney for Administration.

On March 19, 1996, James C. Brazelton was appointed by the Stanislaus County Board of Supervisors to fill the unexpired term of the retiring District Attorney and was sworn in as District Attorney on March 29, 1996.

In 2001, Mr. Brazelton was appointed by California State Attorney General Bill Lockyer to serve on the Blue Ribbon SWAT Team Practices Commission. He is also a member of the National District Attorneys Association and an alumnus of the National College of District Attorneys. In 2005, he was appointed by President Bush to a four-person focus group on capital punishment litigation.

Mr. Speaker, I rise to honor Mr. James C. Brazelton of Modesto, CA upon his retirement from the Office of the District Attorney of Stanislaus County. I invite my colleagues to join me in wishing Mr. Brazelton many years of continued success.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. MILLER of Florida. Mr. Speaker, I would like to offer a personal explanation of the reason I missed rollcall Votes Nos. 363–379 from July 11 to July 14, 2005. Following Hurricane Dennis' landfall in my district on July 10, 2005, it wasn't possible for 3 days to fly out of the area, and it became clear during that time that it was most prudent to remain in the district for the balance of the week to survey and assist with immediate needs following the storm's passage.

I respectfully request that it be entered into the CONGRESSIONAL RECORD that if present, I would have voted:

Rollcall vote No. 363, H. Con. Res. 168, condemning the Democratic People's Republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights, ''aye'';

Rollcall vote No. 364, H. Res. 333, supporting the goals and ideals of a National Weekend of Prayer and Reflection for Darfur, Sudan, ''aye'';

Rollcall vote No. 365, Previous Question on H. Res. 352, ''aye'';

Rollcall vote No. 366, H. Res. 351, the rule providing for the consideration of H.R. 739, H.R. 740, H.R. 741, and H.R. 742, ''aye'';

Rollcall vote No. 367, H. Res. 352, providing that the House of Representatives will focus on removing barriers to competitiveness of the United States economy, ''aye'';

Rollcall vote No. 368, H. Res. 343, commending the State of Kuwait for granting women certain important political rights, ''aye'';

Rollcall vote No. 369, H.R. 739, to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration, ''aye'';

Rollcall vote No. 370, H.R. 740, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission, ''aye'';

Rollcall vote No. 371, H.R. 741, to amend the Occupational Safety and Health Act of 1970 to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission, ''aye'';

Rollcall vote No. 372, H.R. 742, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration, ''aye'';

Rollcall vote No. 373, Capps Motion to Instruct Conferees on H.R. 6, ''nay'';

Rollcall vote No. 374, H.R. 3100, to authorize measures to deter arms transfers by foreign countries to the People's Republic of China, ''aye'';

Rollcall vote No. 375, H. Res. 356, condemning in the strongest terms the terrorist attacks in London, England, on July 7, 2005, ''aye'';

Rollcall vote No. 376, Rohrbacher Amendment to H.R. 2864, ''nay'';

Rollcall vote No. 377, Flake Amendment to H.R. 2864, ''aye'';

Rollcall vote No. 378, final passage of H.R. 2864, Water Resources Development Act of 2005, ''nay''; and

Rollcall vote No. 379, H. Con. Res. 191, Commemorating the 60th Anniversary of the conclusion of the War in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War, ''aye''.

COMMENDING THE SERVICE OF HUGH P. BRADY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. SKELTON. Mr. Speaker, it is with great pleasure that I rise today to commend Mr. Hugh Brady, a member of the professional staff of the House Armed Services Committee, whose honorable service to this body and to our country deserves our sincere appreciation.

Hugh recently departed Capitol Hill for the private sector after many years of selfless service. While here, he epitomized what it means to be a professional staff member. He is uniformly recognized by his peers and by industry and executive branch officials as an expert in the fields of the Federal budget, missile defense, and the nuclear weapons-related activities of the Energy Department. It is also no understatement to say that many Armed Services Committee members, including me, John Spratt, and Silvestre Reyes have come to rely on the wisdom of Hugh's advice, and it was invariably on the mark. Nevertheless, Hugh is the kind of person who never sought public recognition. Instead, he labored tirelessly in the background to insure those of us in the spotlight had access to the most sound policy analyses and advice possible. On the rare occasions when we might pursue another course, he unfailingly adopted that course as his own immediately and worked to support it with all of his energies and expertise.

Those of us who know Hugh know that this approach has been his modus operandi since he arrived on the Hill in 1985, soon after graduating Magna Cum Laude from Hamilton College in New York and a brief internship at the State Department. After two years in the office of Representative Ben Gilman (R–N.Y.), Hugh left to attend to pursue a master's degree in public administration from Harvard's Kennedy School of Government. Upon graduation he received a prestigious appointment as a Presidential Management Intern and subsequently worked in the Navy Comptroller's Office and in the Office of the Secretary of Defense.

Hugh returned to Capitol Hill in 1992, working first in the office of Representative JOHN SPRATT (D–S.C.) as a legislative assistant focusing on national security and international affairs. It was not long before he moved to the Budget Committee as an analyst for defense and international affairs. From there, Hugh moved to the Armed Services Committee, where he primarily worked on the Strategic Subcommittee on issues concerning space, ballistic missile defense, intelligence policy, budget matters and defense issues within the Department of Energy. Mr. Speaker, I am sure you recognize what an important portfolio that is, with a myriad diverse and complex issues that directly affect our national security. Yet, Hugh mastered it with aplomb.

Typical of Hugh's mastery of substance, as well as his understanding of politics, was his successful effort to establish an equitable worker's compensation program for Energy Department Employees who were exposed to harmful substances while working in nuclear weapons complex. Despite high program costs, budgetary considerations and cross cutting political concerns on both sides of the aisle, Hugh shepherded this legislation into law, where it has received almost universal critical acclaim.

On the personal side, Hugh is a lifelong New York Yankees fan who has remained devoted to the team even as their league standing plummeted and their performance on the field declined to the point that his colleagues have ridiculed their play. Still, he never let his fervor for the Yankees interfere with his work, or with his role as a devoted husband and father. With that said, then, Mr. Speaker, I am sure you can appreciate that perhaps nothing attests to Hugh's great professionalism more than the fact that he stalwartly managed to come to work the day after Game 7 of the 2004 American League Championship, when the outcome could have killed a Yankees fan of lesser constitution.

Mr. Speaker, we are so very fortunate to have people like Hugh Brady, who dedicate themselves to providing us Members of Congress with the very best support imaginable. It is staff members like Hugh Brady who enable Members of Congress to do work so well and who make the House of Representatives the great institution that it is. We do not mention their contribution frequently enough. We miss opportunities to thank them, but they think nothing of it. Instead, they continue to go forth and serve the country as best they can, and the American people are so much the better for it. Hugh Brady has been such a selfless public servant. Mr. Speaker, I know I speak for all Armed Services Committee members in extending to him our deepest thanks.

A PROCLAMATION RECOGNIZING THE CITY OF MOUNT VERNON AS THEY COMMEMORATE THEIR BICENTENNIAL

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, Mount Vernon, of Knox County, Ohio, is celebrating 200 years of establishment; and

Whereas, Mount Vernon in its entirety is recognized and is commended for its excellence, leadership, and ongoing efforts to be an example of success for the rest of the state of Ohio; and

Whereas, Mount Vernon will celebrate its founding on July 16, 1805, exactly 200 years ago.

Therefore, I join with the residents of Knox County and the entire 18th Congressional District in celebrating the Bicentennial Anniversary of Mount Vernon.

25TH ANNIVERSARY OF THE VILLAGE AT ST. BARNABAS

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Village at St. Barnabas on its 25th Anniversary, and recognize the exemplary performance of service that the organization provides the 4th District of Pennsylvania.

Founded in 1980 as part of the St. Barnabas Health System, the Village at St. Barnabas is currently home to 300 happily retired Pennsylvanians. The Village began as Western Pennsylvania's first retirement community. A growing senior population, living longer and healthier lives, produced a need for worry free lifestyle options. Therefore, William V. Day decided to expand the St. Barnabas Healthcare System to include a retirement community. Ground was broken on the $16 million project in 1979 and when construction was finished, the 252 room complex was open for business. Currently, the Village at St. Barnabas complex includes a full service restaurant, a health club, indoor mall, library, crafts rooms, an auditorium and social rooms that include an English Pub and the Williamsburg room, that is reserved for special dining.

I ask my colleagues in the House of Representatives to join me in honoring the Village at St. Barnabas. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute the service of organizations like the St. Barnabas Healthcare System and the Village at St. Barnabas that make the communities that they reside in truly special.

TRIBUTE TO GAITHERSBURG

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. VAN HOLLEN. Mr. Speaker, it is with great pleasure that I rise today to commend the City of Gaithersburg for having recently been ranked seventeenth in the Nation on Money Magazine/CNN Money's list of ''Best Places to Live.''

The list ranked cities according to a number of quality-of-life criteria, accounting for economic, environmental, educational, and cultural factors. Gaithersburg excelled particularly in its access to museums and institutions of higher education, its sound environmental health, and its low elementary student-to-teacher ratio and crime rate.

To the 58,000 residents of Gaithersburg, this commendation comes as no surprise. Gaithersburg is a strong and vibrant community, blessed with an active citizenry and a devoted civic leadership in Mayor Sidney Katz, City Manager David Humpton, and its City Council members. The area has also benefited from the recent revitalization of the Olde Towne residential and commercial district, an endeavor which has highlighted the benefits of thoughtful community planning and enhanced access to cultural and recreational activities. I am confident that Gaithersburg will continue to flourish in the coming years.

Mr. Speaker, I am proud to represent the people of the City of Gaithersburg in the House of Representatives, and I offer them my warmest congratulations on this honor.

COMMENDING THE ARTICLE ''HEALTH SPENDING IN THE UNITED STATES AND THE REST OF THE INDUSTRIALIZED WORLD''

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. STARK. Mr. Speaker, I rise today to draw attention to the annual comparison of health care costs in the 30 OECD member countries. I commend Gerald F. Anderson, Peter S. Hussey, Bianca K. Frogner, and Hugh R. Waters for their Health Affairs article: ''Health Spending in the United States and the Rest of the Industrialized World; Examining the impact of waiting lists and litigation reveals no significant effects on the U.S. health spending differential.''

Once again the United States leads the way, spending $5,267 per capita on health care—53 percent more than the next highest country, Switzerland. The median per capita expenditure in the 30 OECD countries is a mere $2,073, and yet none of these countries have 45 million uninsured people. Even worse, the U.S. is 17th in life expectancy among these countries. It is a travesty that the U.S. spends more than any other country and still can't provide universal coverage or break the top fifteen in life expectancy.

It is no surprise that our failure to embrace universal healthcare and our inefficient fragmented delivery system results in high spending and poor outcomes. The rest of the OECD countries have some form of national health system. It works for them, but instead of working toward that system here in the U.S., House Republicans will put legislation on the floor during their upcoming ''health week'' that will further demolish our health care system.

Republicans will say that universal health care means waiting lists that hold down spending. They'll claim that litigation costs here in the U.S. are the main driver of increased healthcare costs, and that we need to limit malpractice suits to lower our costs. According to the study, neither litigation costs in the U.S., nor waiting lists in other OECD countries account for a significant portion of the difference between domestic and international health care spending.

If Republicans bring Association Health Plan (AHP) and Medical Malpractice legislation to the floor next week, don't think for one second they have any desire to reduce costs, increase access or improve quality. AHPs will actually increase premiums for nearly 80 percent of affected workers. This is how the market works, Republicans pass a bill, insurance companies cash in, and patients pay more and lose important regulatory protections. Medical malpractice makes up less than 0.5 percent of health care costs in all OECD countries with tort based compensation, and damage caps and other reforms will only mean increased profits for malpractice insurance carriers, not increased justice for patients or lower premiums for doctors.

The Republicans will give lip service to health care next week, but the only real way to deal with spiraling health care costs is to follow the lead of the other 29 OECD countries and provide universal health care.

A PROCLAMATION IN MEMORY OF EMMA LOUISE NEY PALAVIDO

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, I hereby offer my heartfelt condolences to the family and friends of Emma Louise Ney Palavido; and

Whereas, Emma Louise Ney Palavido was born August 22, 1925 in Bellaire, Ohio; and

Whereas, Emma Louise Ney Palavido was a woman committed to her family, a devoted wife to her husband, John Palavido, and a strong role model for her three daughters, Sandy Allman, Patty Pleasant, and Debby Showalter and stepson John Palavido; and

Whereas, Emma Louise Ney Palavido was the proud and dedicated grandmother of six grandchildren and three great-grandchildren, devoting much of her later years to their activities; and

Whereas, Emma Louise Ney Palavido was an example of strength of character and courage who will be forever remembered; and

Whereas, the understanding and care which she gave to others will stand as a monument to a truly fine person. Emma Louise Ney Palavido's life and love gave joy to all who knew her.

Therefore, while I understand how words cannot express our grief at this most trying of times, I offer this token of profound sympathy to the family and friends of Emma Louise Ney Palavido.

BAHAMA INDEPENDENCE DAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. RANGEL. Mr. Speaker, I rise today to recognize and celebrate a special occasion for our neighbors and friends in the Bahamas. Last Sunday, July 10, marked the 32nd anniversary of the independence of the islands of the Bahamas. I join my friends of Bahamian heritage and the many citizens of that multi-island nation in celebrating the beauty and uniqueness of their homeland.

On July 10, 1973, the people of the Bahamas peacefully and successfully gained full independence within the British Commonwealth. Once a colony of the British Crown, the Bahamas has emerged as an important voice in international and regional affairs, impacting the Americas and the global community.

The Bahamian culture is an intriguing mixture of its African, European, and indigenous population. The celebrations of this island nation are welcomed festivities and commemorations of the beauty of international culture and merriment. The people truly embrace and emphasize their rich historical backgrounds, national pride, and appreciation of human nature.

This is a place where the simplicity of life is fully enjoyed and its complexities are dealt with one day at a time.

While still facing economic and social challenges in its development, the Bahamas remain a popular tourist attraction which enjoys excellent relations with the U.S. The country and its government have worked diligently to uplift itself and move towards prosperity. The islands offer a rich diversity of geography, history, and beauty that attracts visitors and guests from around the world. Tourism alone provides an estimated 60 percent of the gross domestic product and employs about half the Bahamian work force. In 2000, more than 4 million tourists visited the Bahamas, 83 percent of them from the U.S. With help and assistance from its friends, the Bahamas will continue to grow in prosperity, peace, and beauty.

I congratulate the people of the Bahamas on their 32nd Independence Day and know that many more years of successful growth and economic development are ahead of them. I also wish our friends in the Bahamas years of peace and tranquility, independence and justice, and a robust and prosperous economy.

BAHAMAS IS BLESSED—DAME IVY

Governor-General Ivy Dumont reminded Bahamians of how blessed the country has been over the years, as celebrations to mark 32 years of independent nationhood unfolded at Clifford Park on Saturday night.

In her Independence Day message, Mrs. Dumont said since 1973, Bahamians have made much progress in national economic and political life. She challenged all political, spiritual and civic leaders to continue to adopt the fundamental doctrine upon which the country's independence was declared. That principle, she said, is a national commitment to self-discipline, industry, loyalty, unity and an abiding respect for Christian values and the rule of law.

''As a people we have many reasons to celebrate, not least being the blessings upon our nation flowing from our godly heritage. It is to this rich spiritual legacy that we, as Bahamians, attribute our orderly and sustained economic, social and political development. Accordingly, respect for and service to God must remain the centerpiece of our national life.''

Prime Minister Perry Christie also noted the importance of observing the founding of the nation in his Independence Day message.

He pointed out that while other nations were forged out of war, revolution and bloodshed, The Bahamas emerged out of a peaceful transition from colonial rule to an independent state.

''For those of us who were witnesses to this momentous occasion—the birth of a nation—the enthusiasm, pride and reverence for this day will forever remain fresh in our minds,'' Mr. Christie said.

''It is important therefore, that we seek to pass on these same sentiments to the many who view the 10th July, 1973 as merely an historical date, so that the sense of patriotism and national pride will forever burn bright in the hearts and minds of all Bahamians.''

He recalled that Independence Day has always been a time of great festivity throughout the country. Mr. Christie expressed that every nation should celebrate its founding and development, because nationhood embodies, among other attributes, the culture, ethnicity, values, history and the collective strength of a people.

Thirty-two years ago, under the watchful gaze of thousands of Bahamians, the Union Jack was lowered and the black, aquamarine, and gold-coloured flag of an independent Bahamas was hoisted for the first time on Clifford Park.

The Bahamas was now a sovereign nation, having been a colony of Great Britain for 250 years.

THE WATER RESOURCES DEVELOPMENT ACT OF 2005

SPEECH OF

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2005

Mr. ROTHMAN. Mr. Speaker, I rise today in strong support of H.R. 2864, the Water Resources Development Act. I want to thank and commend Subcommittee Chairman JOHN DUNCAN and Ranking Member EDDIE BERNICE JOHNSON and Committee Chairman DON YOUNG and Ranking Member JAMES OBERSTAR for reporting this bill.

This is a very important bill for the American public. The bill reauthorizes the funding for the Army Corps of Engineers for studies and for the development of projects vital to our nation's water resources. This bill will result in better flood control, improved water navigation, the prevention of beach erosion, and environmental restoration.

I have personally seen the positive effects of some of the environment restoration projects funded by the bill. The Hackensack Meadowlands in my district, which is one of the most densely populated areas in the State, is a beautiful, natural wetlands area. But unfortunately, for decades it had been used as a place to dump garbage and toxic waste. Since the remediation authorized by the Water Resources Development Act began in the Meadowlands 10 years ago, water quality has improved and wildlife has been thriving. In this 8,400-acre environmental park just minutes outside of Manhattan, there are more than 50 species of fish and shellfish in the Meadowlands, and there have been notable increases in populations of white perch, Atlantic silverside, and gizzard shad. Two hundred fifty species of birds can be seen in the Meadowlands, and more than 65 species of birds nest there. Migratory birds are in the Meadowlands during their migration cycle in growing numbers, which has made the area an important part of the American ecosystem.

The improvements that the reauthorization of the Water Resources Development Act have made possible are truly amazing. The remediation that has taken place so far in the Meadowlands is a wonderful example of what can be accomplished when concerned citizens, environmental advocates, the Fish and Wildlife Service, and the Army Corps of Engineers work together. But there is still much work to be done. This important bill will reauthorize the funds to continue the vital efforts to clean up the Meadowlands, as well as to fund numerous other projects that will improve our nation's water resources.

I urge my colleagues to support this important bill.

A PROCLAMATION THANKING AIRMAN SCOTT SCHLEGEL FOR HIS SERVICE TO OUR COUNTRY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, Airman Scott Schlegel has served the United States in Operation Iraqi Freedom as a member of the United States Air Force Reserves; and

Whereas, Airman Scott Schlegel is to be commended for the honor and bravery that he displayed while serving our Nation in this time of war by saving a family from drowning; and

Whereas, Airman Scott Schlegel has demonstrated a commitment to meet challenges with enthusiasm, confidence, and outstanding service;

Therefore, I join with the family, friends and the entire 18th Congressional District of Ohio in thanking Airman Scott Schlegel of the United States Air Force for his service to our country. Your service has made us proud.

50TH ANNIVERSARY OF THE HARMONY MUSEUM

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Harmony Museum on its 50th anniversary. For the past half century the Harmony Museum has provided the citizens of Harmony Village a detailed look into their past.

The museum was founded in 1955 by members of the Harmony volunteer fire department. Since its inception over 50,000 people have visited the museum to learn more about Harmony's rich historical tradition. Currently, 10 volunteers and a small but dedicated staff maintain the museum's buildings and provide tours.

The 50th anniversary celebration of the museum will include comments from former Historic Harmony President Ruth Werner, borough council President Jeff Smith and Esther Veith Ziegler, daughter of co-founder Reverend Loran Veith. A plaque will be presented to representatives of Harmony volunteer fire department and tours will be provided throughout the day till 4 pm.

I ask my colleagues in the United States House of Representatives to join me in honoring the Harmony Museum on its 50th anniversary. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute organizations such as the Harmony Museum which provide such valuable services to the communities in which they reside.

TRIBUTE TO KATHRYN FOX

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate to one of my constituents,

Kathryn Fox, who recently celebrated her 102nd birthday.

Mrs. Fox was born on July 16, 1903 in the small town of Middleport, Ohio. After attending the University of Ohio, she married Richard K. Fox, Sr. The two lived in St. Louis for over three decades, as Mr. Fox enjoyed a long career teaching high school mathematics.

Among Mrs. Fox's favorite pastimes is travel. She and her husband made several trips to Europe and traveled extensively in the American West. Mrs. Fox has continued to visit the Tucson home of her son, Ambassador Richard Fox, Jr., in recent years.

In her active retirement, Mrs. Fox enjoys needlepoint and attends church each Sunday.

Mr. Speaker, I congratulate Mrs. Fox on her birthday and wish her the best of health and much continued happiness in the future.

A PROCLAMATION HONORING LIEUTENANT DANIEL BARNES ON THE OCCASION OF HIS RETIREMENT FROM THE KNOX COUNTY SHERIFF'S OFFICE

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, Lieutenant Daniel Barnes is retiring from the Knox County Sheriff's Office after 34 years of exemplary service; and

Whereas, Lieutenant Daniel Barnes served the citizens of Knox County with dedication and pride as a range officer and firearms instructor for the Knox County Sheriff s Office and other organizations; and

Whereas, Lieutenant Daniel Barnes has been among the most well-liked and well-respected public servants as he served throughout his career in the patrol division, common pleas court bailiff, and most formerly as lieutenant over the civil process and records division; and

Whereas, Lieutenant Daniel Barnes will be deeply missed by many in the Sheriffs Office, community he protected, and by his fellow officers.

Therefore, I join with his wife Cathy, the community, and his fellow officers at the Knox County Sheriffs Office in thanking Lieutenant Daniel Barnes for his 34 years of service and wish him the very best on the occasion of his retirement.

HONORING THE DAVIS STREET FAMILY RESOURCE CENTER'S ROTACARE FREE ACUTE MEDICAL CLINIC

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. STARK. Mr. Speaker, I rise today to recognize the Davis Street Family Resource Center's RotaCare Free Acute Medical Clinic in San Leandro, California. On July 20, 2005, an anniversary celebration will be held to honor the 10th anniversary of the Clinic and will also mark the grand opening of the Dr. Jack Goodrich Free Dental Clinic at the site.

Davis Street is the only multiservice family support agency in the San Leandro area. It provides services to more than 10,000 people in need every year. Programs and services include low-cost and subsidized childcare, emergency food and clothing, acute medical care, crisis counseling, job preparation and placement services, holiday food and toy baskets.

Davis Street Family Resource Center's RotaCare Free Acute Clinic opened its doors in 1995 and serves over 1,000 uninsured and underinsured individuals each year. Over 60% are children. The Clinic is entirely staffed by volunteer doctors, nurses, pharmacists, physical therapists and social workers to provide quality, essential acute care to individuals who otherwise would not have access to adequate health care.

With the support of the community and volunteers, the RotaCare Free Acute Medical Clinic offers Spanish back classes, workshops on diabetes and asthma management, nutrition education, immunizations and physical exams.

Since April 2004, Davis Street has offered Adult Dental days as a series of day clinics leading up to the permanent addition of the free dental program.

With the help of the San Leandro Rotary Club, Dr. Jack Goodrich and funding from Tom Kroetch, a longtime supporter of the medical clinic, the Braddock Foundation and the office of Alameda County Supervisor Alice Lai-Bitker, the Free and Low Cost Acute Dental Clinic will provide low cost and free dental care to adults. Dr. Jack Goodrich, who is also a past Davis Street board member, will offer basic emergency care, basic dentistry, education on dental care and dental screenmgs.

I congratulate the RotaCare Free Acute Medical Clinic on its 10th anniversary of service and congratulate the Davis Street Family Resource Center's opening of the Dr. Jack Goodrich Free Dental Clinic. All who contribute to the success of these exemplary resources for our community are to be commended.

DR. KENNETH B. CLARK: FOUNDER OF THE JOINT CENTER FOR POLITICAL AND ECONOMIC STUDIES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. RANGEL. Mr. Speaker, I rise today to talk about the importance of service, contribution, and dedication. Most Americans recognize these attributes of great leaders and humanitarians. They give of their time, their energy, and their life in the pursuit of the uplift of their people, their generation, and their cause. They see problems, challenges, and struggles and do not wander aimlessly, but head directly, for a solution. They do not wait for others to take the lead of change; they implement the change themselves.

Most Americans would readily acknowledge the true leaders and humanitarians of our time. Few however strive and achieve that recognition though. Dr. Kenneth Bancroft Clark is one of those who had in his life worked for the uplift of all people and particularly African-Americans in this country. He saw the educational problems, the employment challenges, and the academic struggles that faced the African-American community.

Instead of waiting for others to investigate the impact of racism and segregation on Black America, Dr. Clark conducted his own psychological studies of the negative perceptions of black children in their lives. He provided testimony to the National Association for the Advancement of Colored People in their case against school segregation. His study, which showed how segregation had fostered negative self-perceptions and feelings of inferiority among Black youth, was cited by the Supreme Court in their Brown v. Board of Education decision ending the practice.

When Black leaders—then beginning to become elected public officials as a result of the Voting Rights Act of 1965—saw the need for a national organization to create and implement programs to train the newly elected representatives to public office and create a network for their mutual support, Dr. Clark proposed the establishment of a Black-led think tank that would advance strategies to hasten desegregation and eliminate discrimination. Dr. Clark outlined the structure and objectives of that organization and wrote publicly about the significance that such an organization would have. He placed the plan for the organization in historical, contemporary, and advanced terms. Dr. Clark worked to amass a body of scholars, activists, and community leaders to endow the organization and move it to play an important role in the community. He then selected the perfect leader for the Joint Center in Eddie N. Williams, an educator and former State Department official with whom Dr. Clark had worked to increase the number of African-Americans in the Foreign Service. The team of Kenneth Clark and Eddie Williams determined the direction and mission of the Joint Center for Political and Economic Studies.

As the challenges of integrating local school systems increasingly became apparent to the American public, Dr. Clark proposed educational reforms and innovative ideas for addressing these challenges. He served on the New York Board of Regents for two decades, faithfully working to improve the schools, the educational facilities and the curriculum for our future generations of leaders.

When this country and Black America needed someone to stand up for the important issues and causes of the day, Dr. Kenneth Clark was there to fight for our interests. He was a great humanitarian, a powerful champion, and a superb pioneer for the uplift of Black Americans, the American public, and the world community. Dr. Clark passed away on May 1, 2005. He will long be remembered for his service, dedication, and contribution to building a better America.

I submit to the RECORD the following article, written by the Joint Center's new retired leader Eddie N. William the current edition of Focus, the magazine of the Joint Center for Political and Economic Studies about the life and times of Dr. Kenneth Bancroft Clark.

REFLECTING ON KENNETH BANCROFT CLARK: PIONEER AND INSPIRATION TO THE JOINT CENTER

JULY/AUGUST 2005.—Kenneth Bancroft Clark, the distinguished social psychologist whose testimony on the effect of prejudice on children significantly influenced the landmark 1964 Supreme Court desegregation decision, died on May 1, 2005, at

age 90. His many achievements as a scholar-activist, author, and civil rights advocate have been duly noted in many written and oral eulogies. He was truly a giant among his contemporaries, a mighty oak in the world of ideas dedicated to compassionate action. He had a profound impact on this nation.

One of Clark's most important achievements, however, has not been celebrated nearly enough. It is a living testament to his genius, skill, prescience, and unswerving commitment to empowering blacks—the term he always used. He conceived the idea of the Joint Center for Political Studies in 1969 and wrote the proposal that the Ford Foundation funded in 1970. He was also a member of the Joint Center's board of governors during its first 14 years.

THE BEGINNING OF A NEW CHAPTER

Clark believed the Joint Center would serve as a bridge between the protest phase of the civil rights movement, which effectively ended with the assassination of Dr. Martin Luther King, Jr., in 1968 and the political/public policy phase of the civil rights movement. He believed the Joint Center needed to be launched in order to develop and implement programs and laws to hasten desegregation and spur equal opportunity. He field-tested his ideas with key black political figures around the country, and they were converted. Percy Sutton and Basil Patterson in New York City, Mervyn Dymally in California, and Richard Newhouse in Illinois became standard bearers for a new political thrust in the civil rights movement. So did journalist-political guru Louis Martin and Vernon Jordan, who was already busy registering blacks to vote in the South through the Voter Education Project. The culmination of their efforts was the 1969 Institute for Black Elected Officials, which Clark convened in Washington D.C.

In a brilliant essay co-authored by Clark and distinguished historian John Hope Franklin, titled, ''The Nineteen Eighties: Prologue and Prospect'' and published by the Joint Center in 1981, the authors wrote:

At the 1969 Institute for Black Elected Officials, which laid the foundation for the Joint Center for Political Studies (now Joint Center for Political and Economic Studies), it was consensus that political activity among blacks had become the 'new cutting edge' of the civil rights movement.

They added:

Within the past ten years, it has become even clearer that the 'cutting edge' of the civil rights movement needs to be sharpened by the inclusion of groups and individuals who are not ordinarily considered political. For blacks, the political challenge of the Eighties is identical to the civil rights challenge of the Sixties—to mobilize all of the available forces and power necessary to attain the goal of racial justice.

While these words were written nearly a quarter century ago, the authors' keen historical perspective and clarity of vision have stood the test of time and speak to us today about the unfinished tasks which lie ahead. They looked into the future with the skepticism of scholars and pragmatists, and yet their perceptions reflect the faith that has sustained black people in their search for justice, equality, and opportunity.

Clark's writings, values, and perspectives helped to endow the Joint Center with a unique vision and sense of purpose:

I was fortunate that I met KBC, as some of us affectionately called him, in 1965, the year the Voting Rights Act was passed, five years before the Joint Center opened its doors, and seven years before I would become the organization's president. At the time, I was director of the Office of Equal Opportunity in the U.S. Department of State, and Clark had been engaged to conduct a study of the Foreign Service Officer entry examination process. Going back to the days of Ralph Bunche, relatively few blacks made it into the prestigious State Department. Clark's job was to identjfy any discriminatory aspects of the examination. Asked later about his findings in this proprietary study, Clark smiled and said: ''My study will never see the light of day.'' It is still emtombed in the State Department vaults. Meanwhile, the scarcity of black employment and appointments there persists.

In their 1981 essay, Clark and Franklin, both preeminent American intellectual pioneers, proposed a challenge to the Joint Center and indeed the nation as a whole: .

To the extent that racial justice . . . must be defined in terms of the economic progress . . . of deprived blacks, new methods and approaches must be found to cope with . . . pervasive and insidious forms of racism. Black politics now, more than ever, must transcend the usual boundaries and methods of American politics. By mobilizing in [coalitions] blacks can directly influence the political system, and can win new allies who realize that it is in their self-interest to renew the struggle for racial equality and justice.

POLICY AND RACIAL JUSTICE

Clark and Franklin did more than provide a historical framework for the Joint Center as a new kind of civil rights entity, one focusing on political participation and public policy engagement as new weapons in the fight for justice and equality. Drawing on the works of W.E.B. DuBois, they articulated an intellectual framework for the metamorphosis of the nation's first black think tank. In 1982 they collaborated with the Joint Center to create The Committee on Policy for Racial Justice, a group of 30 preeminent black scholars who would convene periodically over nearly a decade to explore the vast array of problems facing black Americans. The committee members published their views in three areas: the economy, the black family, and education.

I think both KBC and Franklin would insist I list all of the scholars here to convey both the rich intellectual diversity and the think tank quality of the other Committee members. Many of these people were highly placed elected officials; the first black women to serve as a Cabinet secretary; and the first black female U.S. ambassador. They were:

Bernard Anderson, economist; Mary Frances Berry, historian and lawyer; Derrick Bell, lawyer; Haywood Burns, lawyer; Lisle C. Carter, Jr., lawyer; Jewell Cobb, social scientist; James Comer, psychiatrist; Drew Days, lawyer; James Gibbs, anthropologist; Bernard Gifford, educator; Charles V. Hamilton, political scientist; Patricia Roberts Harris, lawyer; Matthew Holden, political scientist; Joyce Hughes, lawyer; Walter Leonard, lawyer; Sir Arthur Lewis, sociologist; Eleanor Holmes Norton, lawyer; J. Saunders Reddings, social scientist; William Shack, social scientist; Elliott P. Skinner, anthropologist; Mabel Smythe, Africanist; Howard Stanback, economist; Roger Wilkins, journalist/social scientist; William J. Wilson, sociologist.

With this intellectual powerhouse, the Joint center moved from an organization providing technical assistance to black elected officials and civil rights leaders to a full-fledged one-stop-shop research and public policy institution, commonly referred to as a 'think tank.'

Such was the vision and influence of Kenneth Bancroft Clark. In addition to his many other laudable achievements, he launched a movement and an institution.

A mighty oak has fallen, but its seeds have taken root and continued to flourish.

The Joint Center is one of them.

KENNETH BANCROFT CLARK

Career Highlights:

Founding member and member of the Board of Governors, Joint Center for Political Studies, since 1970.

Landmark 1950 report sited by the U.S. Supreme Court in its historic decision of school desegregation, Brown vs. Board of Education, May 17, 1964.

Founded, with Dr. Mamie Phillips Clark, the Northside Center of Child Development, serving children with special psychological needs, 1946; Director, Board of Education commission to implement integration of city schools, 1954; Organized Harlem Youth Opportunities Unlimited (Haryou), 1962; Founder and President of the Metropolitan Applied Research Center, 1967–1975; First black elected to New York State Board of Regents, 1966–1986; Member of New York State Urban Development Corporation; Director, Social Dynamics Research Institute at CCNY; President, American Psychological Association, 1970–1971; and former President of the Society for the Psychological Study of Social Issues; and, President of Clark, Phillips, Clark & Harris, Inc., from 1975.

Howard University, bachelor's degree in psychology, 1935; Howard University, master's degree in psychology, 1936; Columbia University, doctorate in psychology, 1940; numerous honorary degrees.

Awards: Spingarn Medal, from NAACP, 1961; Sidney Hillman Book Award, 1965; Kurt Lewin Memorial Award from the Society for Psychological Study of Social Issues, 1966; and the President Medal of Liberty, 1986.

Howard University, 1937–38; Hampton Institute, 1940–41; Distinguished Professor of Psychology Emeritus, City College, City University of New York, 1943–75; and first black tenured professor at City College, 1960; visiting professor at Queens College, University of New York, Columbia University, University of California, Berkeley, Harvard University, and, Tuskegee Institute.

Books and Articles: An American Dilemma: The Negro Problem and Modern Democracy (1944); Prejudice and Your Child (1955); The Negro Protest (1963); the prize-winning Dark Ghetto (1965); Dilemmas of Social Power (1965); coauthor with Jeannette Hopkins of A Relevant War Against Poverty (1968); coeditor with Talcott Parsons of The Negro American (1966); A Possible Reality (1972); and, Pathos of Power (1974).

A PROCLAMATION HONORING GEORGE ANNARINO ON HIS 70TH BIRTHDAY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, George Annarino was born in Licking County on July 19, 1935; and

Whereas, George Annarino has taught martial arts in Newark, Ohio for almost 40 years, winning numerous awards for distinction within his practice; and

Whereas, George Annarino has been inducted into the Martial Arts Hall of Fame for his excellence; and

Whereas, George Annarino is a steward of his community, devoting copious amounts of his time to a variety of charities and has been the recipient of the "Key to the City," a prestigious volunteer service award.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in congratulating George Annarino as he celebrates his 70th birthday.

HONORING SAINTS PETER AND PAUL PARISH'S 100TH ANNIVERSARY CELEBRATION

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEAL of Massachusetts. Mr. Speaker, it is my honor today to pay tribute to the Saints Peter and Paul Parish in Three Rivers, Massachusetts upon the occasion of its 100th anniversary.

For the past century, Saints Peter and Paul Parish has played an integral role in the religious, educational and cultural life of its communicants.

The church was started in 1905 as a Polish speaking home to the growing number of Polish immigrants who made Palmer and the surrounding villages of Three Rivers, Thorndike, Bondsville and Depot Village their new home.

Today, the Saints Peter and Paul Parish continues to celebrate time-honored Polish traditions and customs, while serving as the spiritual and religious anchor of the community.

It is my privilege to honor this beautiful parish by placing its history into the CONGRESSIONAL RECORD. I also wish ''Sto lat''—the traditional Polish wish for another 100 years—to the Saints Peter and Paul Parish. Enjoy this momentous occasion.

HISTORY OF SAINTS PETER AND PAUL PARISH

Records indicate that on September 28, 1608 when a group of settlers arrived in the Jamestown Colony, Polish immigrants were among them. Three hundred and seventy-two years later, there now number approximately eleven million Poles in the United States. History books have recorded the heroic exploits and great contributions that individuals from Poland such as Thaddeus Kosciuszko and Casimir Pulaski made during the early part of this country's history; yet it was not until the turn of this century that America felt the effects of mass migrations of men and women from Poland.

Political and religious persecution and severe economic hardship had resulted from the partitioning of Poland by Russia, Austria and Germany. From 1899 to 1910 almost one million people emigrated from Poland to the United States, with approximately 30,000 remaining in the Connecticut Valley.

Early records indicate that the first arrivals from Poland in the Palmer area came in the year 1886. The first Baptism of a Pole was recorded in St. Mary's Church in Thorndike in 1888. The ever-increasing number of Baptisms soon indicated the need for a Polish-speaking church.

The St. Joseph Society was organized in April of 1895 to unite the Polish community in the villages of Three Rivers, Thorndike and Bondsville to assist in meeting the needs and solving mutual problems of the new settlers.

The need for a Polish-speaking parish became paramount, and a church building committee was formed. Judge David Dillon served as adviser to the group and was instrumental in choosing the Four Corners site, geographic center of the town.

The committee was granted permission by the Most Rev. Bishop Thomas D. Beaven to organize and establish the SS. Peter and Paul Parish. This task was entrusted to Rev. Waclaw (Wenceslaus) Lenz in July, 1905. At the start, this fledgling parish numbered one thousand persons in Palmer and the Villages.

SS. Peter and Paul Church—the new parish to bear the names of the two outstanding apostles. Peter—successor to Christ—who was called from his fishing nets to follow Christ and become the Fisher of Men; and Paul—who had persecuted Christians and whose conversion on the way to Damascus resulted in his becoming the most prolific writer and influential evangelist of the Church. With such historic inspiration, the New Parish embarked upon its own unique history.

PARISH ORGANIZATIONS AND MINISTRIES

While there have been many organizations in our parish over one hundred years, the following remain active and vital:

Holy Rosary Sodality—The oldest parish organization, the Rosary Sodality was founded in 1903 by Mrs. Catherine Kosinska: and Mrs. Tekla Pobudzynska to promote devotion to the Blessed Virgin Mary and the daily recitation of the Rosary. In the early years, both men and women were members, but for most of its history, the sodality's membership has been comprised of women. In the 1980s, membership was opened to women from other parishes. Meetings are held monthly on the first Saturday of the month after First Saturday Mass at 7:00 A.M. Current Co-Presidents: Barbara Yurkunas & Debbie O'Connor.

Ladies Guild—Founded in 1948 as the Mothers Club by Rev. Msgr. Alphonse Skoniecki for mothers of parish school children to support the school financially and otherwise; the name was changed in 1973 by Rev. Robert Ceckowski to the Ladies Guild initially to support the religious education program. At the same time, membership was opened to all women of the parish, married and single. Meetings are held on the second Wednesday of the month (except in June, July, and August). Current President: Sheila Gula.

Sacred Heart Society—Founded in 1913 by Rev. Andrew Krzywda for men and women of the parish to spread devotion to the Sacred Heart of Jesus. Current President: Stephanie Putz.

Men's Guild—Founded in 1995 by Rev. Robert Ceckowski for the men of our parish, young and old as both a social and supportive group. The Men's Guild has become well-known for the wonderful parish dinners they organize and host in the parish hall several times throughout the year. Members also serve as ushers/collectors at Mass. Meetings are held on the second Tuesday of the month (except in summertime). Current President: Fred Orszulak.

Militia Immaculata Prayer Group—Formed in the late 1990s from the National Militia Immaculata (founded by St. Maximilian Kolbe, martyr of charity), the group usually meets on Mondays at 7 P.M. (excluding the first Monday of the month). Coordinators: Barbara & John Yurkunas.

Prayer Cenacle for Priests—A prayer group formed to pray specifically for the sanctification of priests and vocations to the priesthood that meets weekly in the church on Thursdays at 7:00 P.M. The evening of prayer closes with the Benediction of the Most Blessed Sacrament.

Eucharistic Adoration Society—Individuals (parishioners and non-parishioners) who pray for an hour before the Most Blessed Sacrament in our church during regular daily Eucharistic Adoration (see ''Mass Schedule'' for specific adoration hours). New adorers/substitutes are always welcome! Coordinator: Barbara Yurkunas, 283–3293.

Children of Mary Sodality/Junior Sodality—Founded in 1911 by Anna Kruczek & Mary Szczepanek. This group was comprised mainly of the young ladies of the parish and was particularly active during the years of our parochial school for girls in grades 1–8. The highlight of the year was the Coronation of the Blessed Virgin Mary statue in May by the 8th grade Queen and her court. After the school closed, the focus shifted to both grammar and high school girls. The group became a junior part of the Rosary Sodality and members participate in processions throughout the year, including the Coronation of Mary in May. Coordinators: Charlene Schultz, Charlene Czaja.

St. Cecilia & Holy Family Choirs—The St. Cecilia Choir is probably as old as our parish. Members sing at the Sunday 8:00 A.M. Mass, as well as for special Masses, Processions, and seasonal Devotions (e.g., Christmas Midnight Mass; Holy Week; Forty Hours). The Holy Family Choir was established in the 1990s for younger members of the parish. They sing at the weekly 9:30 A.M. Mass, as well as other special occasions (e.g., First Holy Communion; Thanksgiving Day). Occasionally, both choirs sing together (e.g., Corpus Christi; Coronation of Mary).

Rehearsals are held in the choir loft on Tuesdays—Holy Family Choir, 6:15 P.M.; St. Cecilia Choir, 7:15 P.M. New members are always welcome and encouraged to join! Current Director: Mark Narreau.

Extraordinary Ministers of Holy Communion—Men and women of the parish who are invited to assist with the distribution of Holy Communion. When lay persons were given permission by the Vatican to minister in this capacity, our parish began the practice in 1977. Extraordinary Ministers understand that when enough priests are available, their assistance is not needed. Current Coordinator: Michael Wostena.

Altar Servers—Young men of the parish who are invited to assist at serving the priest at the altar for Holy Mass and other Devotions. Boys who have made their First Holy Communion are eligible to become Altar Boys.

Lectors—A ministry open to any member of the parish, male and female, young and old. They proclaim the Word of God (except the Gospel which is reserved to priest and deacon) at both daily and Sunday Masses. Current Coordinator: Charlene Czaja.

Parish Staff—Pastor: Fr. Stefan Niemczyk; Religious Education Director: Michael J. Wostena; Parish Council Chairman: Fred P. Brozek; Parish Secretary: Lydia McKee; ''The Parish Chronicle,'' weekly bulletin: Michael Wostena, Maryann Wostena, Fr. Stefan; Director of St. Cecilia (Senior) Choir & Holy Family (Junior) Choir: Mark Narreau; Organists: Mark Narreau; Mary Besko; Sacristans: Maryann Wostena, Michael Wostena; Facilities/maintenance: John Dziedzic, Fred Guzik.

A PROCLAMATION IN MEMORY OF STAFF SERGEANT SHAMUS O. GOARE

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker, I hereby offer my heartfelt condolences to the family, friends, and the residents of Danville of Staff Sgt. Shamus O. Goare upon the death of this outstanding soldier.

Staff Sgt. Goare was a member of the United States Army B Company, 3rd Battalion, 160th Special Operations Aviation Regiment

stationed at Hunter Army Airfield in Georgia. He was serving his great nation in the country of Afghanistan in support of Operation Enduring Freedom.

Staff Sgt. Goare, at 29, was an active citizen in his community and did his best to make his country a better place to live. Staff Sgt. Goare's courage and selflessness to his country was displayed even as his helicopter came under attack on June 28, 2005.

Staff Sgt. Goare will be remembered for his unsurpassed sacrifice of self while protecting others. His example of strength and fortitude will be remembered by all those who knew him.

While words cannot express our grief during the loss of such a courageous soldier, I offer this token of profound sympathy to the family, friends, and colleagues of Staff Sgt. Shamus O. Goare.

HONORING THE LIFE OF KOLMAN KRISHAN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to Kolman Krishan, who passed away on July 2, 2005, at the age of 85. Mr. Krishan was a Veteran of World War II, serving from January 1943 until September 1945, primarily in the Panama Canal Zone. Mr. Krishan was born March 3, 1920 in Union Town, Pennsylvania. He moved to Lincoln Park, Michigan in the late 1930s and finally settled in Newport, Michigan with his wife Lois. Mr. Krishan worked for Detroit Edison and leaves behind three children and three grandchildren. His life serves as a prime example of his generation, with commitment to the values of hard work, sacrifice and duty.

100TH ANNIVERSARY OF CENTRAL UNITED METHODIST CHURCH

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Central United Methodist Church on its 100th anniversary.

This spring, the church will celebrate the 100th anniversary of its foundation in 1905. The congregation is a source of inspiration and symbol of strength for all its members and the Beaver County community as a whole. In order to mark the special occasion, the church will host a dinner from 4 to 7 p.m. that is open to the public. This summer alone the church has proudly served more than 500 people through its monthly meal celebration.

I ask my colleagues in the United States House of Representatives to join me in honoring the Central United Methodist Church. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute an enduring institution like the Central United congregation.

HONORING WOMEN'S RIGHTS MOVEMENT

HON. SHERWOOD BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. BOEHLERT. Mr. Speaker, I rise in honor of the Women's Rights Movement. Today marks the 157th anniversary of the first Women's Rights Convention in Seneca Falls, New York.

Lucretia Mott, Susan B. Anthony, Elizabeth Cady Stanton and hundreds of other influential women planned, organized, marched and petitioned to achieve women's suffrage. These women produced the Declaration of Sentiments, which urges women's equality with men before the law, in education and employment. The declaration also was the first pronouncement demanding that women be given the right to vote. Their efforts brought the issues of equality and freedom to the forefront and forced people to examine the roles and rights of women in society.

In a time when the United States is spreading freedom and democracy across the globe, we must honor the women who helped establish gender equality right here at home. These women exemplify courage and their fight for freedom must be remembered and celebrated.

The recent success of the Iraqi people in their quest to vote is continued proof that all people want to have a say in the way their government functions and represents its citizenry. The United States must continue its quest for freedom and democratic rights for all people.

I am proud to have the Women's Rights National Historical Park and the National Women's Hall of Fame in my Congressional district. The Women's Rights National Historical Park is comprised of the Wesleyan Chapel (the site of the first women's rights convention), Declaration Park (which displays the full text of the Declaration of Sentiments), and the Stanton Home. The National Women's Hall of Fame is a tribute to some of the greatest women in the history of the United States. The Hall continues to honor women's achievements and bring women's accomplishments to the foreground by annually inducting women whose contributions to society have been of great value to the development of their country. I encourage all people to visit and learn more about the women and the events that led to women's equality in the United States.

A PROCLAMATION CONGRATULATING CAPTAIN MICHAEL R. KUHN FOR RECEIVING A BRONZE STAR MEDAL

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, Captain Michael R. Kuhn of the 42nd MP Brigade in the United States Army was awarded the Bronze Star Medal for acting out in bravery and courage against the enemy while engaged in military operations; and

Whereas, Captain Michael R. Kuhn is to be commended for the honor and heroism that he displayed while serving our Nation in Baghdad, Iraq; and

Whereas, Captain Michael R. Kuhn has demonstrated a commitment to meet challenges with enthusiasm, confidence, and outstanding service which has extended from his time serving in the Ohio University Reserve Officer Training Corps to now serving as a soldier in the United States Army.

Therefore, I join with the family and friends, the residents of Logan County, and the entire 18th Congressional District of Ohio in thanking Captain Michael R. Kuhn for his service to our country and to congratulate him on his achievement of receiving the Bronze Star Medal. Your service has made us proud.

TRIBUTE TO MR. WILLIAM BARTLEY CRAWLEY UPON THE FIFTIETH ANNIVERSARY OF HIS DEATH

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to William Bartley Crawley, a prominent Alabama farmer, agricultural leader, and conservationist, on the fiftieth anniversary of his death.

In the heart of Pike County near Banks, Alabama, lies State Road 201, a nondescript mile-and-a-half stretch of blacktop one would use if traveling from Brundidge to Monticello and points beyond. The pastoral setting along State Road 201 understates the legacy and the prominence of the man who lived in the white farmhouse along that highway among the rolling fields of peanuts and cotton. By an act of the Alabama Legislature, State Road 201 now bears that man's name: the William Bartley Crawley Highway.

The legacy of Mr. Crawley is as deep and rich as the red dirt road that ran due east from the white farmhouse into the heart of the 3,000 acre Crawley farm.

William Bartley Crawley was born August 21, 1893, the fifth of six children of John Henry Crawley and Laura Jane Stokes. John Henry was a respected farmer in the Banks community and passed his love for farming to his children. William Bartley, or W.B., married Willie T. Brantley in 1913 and spent the years 1915 to 1932 not as a farmer, but as a road contractor, building many of the farm-to-market and butter-and-egg roads on which agriculture in the South had come to depend.

Mr. Crawley ultimately yielded to his passion to farm full-time, and was soon thereafter called on to speak for all the farmers in the community. Thus began what would become a lifetime of service as a leading voice in agriculture in Alabama and the Nation.

Mr. Crawley's first leadership role began in 1933 when he was named Pike County, Alabama's committeeman to the Agricultural Adjustment Administration (AAA). The AAA, the forerunner of the Production and Marketing Administration (PMA), was established within the U.S. Department of Agriculture to raise farm prices by limiting and diversifying crop production, and to protect the long-term viability of farming by introducing soil conservation methods. Mr. Crawley quickly rose to prominence in the AAA becoming Alabama state

committeeman in 1935 and serving as Chairman of Alabama's State committee from 1938 to 1948.

During the same period, Mr. Crawley founded, in 1937, the Georgia, Florida, Alabama Peanut Association (GFA) to represent the collective interests of all peanut growers in the region. He served as president of the association from 1937 to 1951 during which time GFA became a political juggernaut with over 93,000 members across six States and wielded significant influence in national agriculture policy.

As president of GFA, Mr. Crawley was called to Washington, D.C., by the Secretary of Agriculture, in December, 1940, to consult on legislation regarding peanut farming. In March, 1941, again in Washington, Mr. Crawley testified before the Senate Agriculture Committee, and one month later the landmark ''Pace Peanut Bill'' became law. Among other things, the 1941 Peanut Bill set up marketing quotas that guaranteed peanut farmers a fair price on peanuts grown on their allotted acres. Ultimately, GFA initiatives raised the price of peanuts from $30 per ton in 1937 to $240 per ton in 1948, while at the same time increasing per-acre yields and introducing important soil conservation measures.

Of course, during his years of public service Mr. Crawley continued to manage a large productive farm in Banks as well as help Willie T. rear a large active family: their sons, Thomas Marion, born in 1914, William Douglas, born in 1915, William Brantley, born in 1919; and James Beard (Corky), born in 1928; and their daughters, Annie Lester, born in 1921, and Jane Carolyn, born in 1924. The concept of service-above-self ran strong in the next generation of Crawleys, and during World War II Mr. Crawley had to call on German prisoners of war interned in nearby camps to work his farm while his own sons and many of his tenants were at war. The husband of one of his daughters was, in fact, himself, a prisoner of war of the Germans.

In 1948, Mr. Crawley was once again called to service in Washington, D.C., this time by President Truman and Secretary of Agriculture Charles F. Brannan, for a full-time leadership position in the Production and Marketing Administration (PMA).

Mr. Crawley was reluctant to move to Washington, as the GFA News reported, because, ''frankly . . . leaving his home, his family, his friends, his farm, and last but not least, his fish pond, is a very unhappy task.'' However, as the paper went on to report about Mr. Crawley, ''But fifteen years spent in working with and for farmers in every county in his state . . . have so channeled his thoughts and formulated his actions . . . he has answered the call to Washington with the same understanding for the needs of American agriculture and the same deep sense of loyalty . . . which characterized his long years of public service.''

In Washington, Mr. Crawley served as assistant administrator of PMA and was responsible for all agricultural conservation programs nationwide. In 1949, Mr. Crawley was confirmed by the Senate for the additional responsibility of serving as one of six members on the Board of Directors of the influential Commodity Credit Corporation (CCC). His service on the national stage brought to the Nation the same positive benefits he had earlier delivered for Alabama: higher crop prices, improved per-acre yields, and major improvements in soil conservation methods.

In 1953, Mr. Crawley returned to his farm in Banks and, on July 23, 1955, died at the age of 61. During his life he had never viewed farmers in shades of black and white, but rather fought relentlessly to improve the plight of all farmers. As a testament to his lifetime of inclusion his funeral was officiated by ministers both black and white.

Mr. Speaker, I am honored today to pay tribute to the outstanding service and the lasting legacy of Mr. William Bartley Crawley, and I ask my colleagues to join with me in recognizing the work and achievements of this native son of Alabama.

CELEBRATING THE GERSTEN'S 50TH WEDDING ANNIVERSARY

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. DOOLITTLE. Mr. Speaker, on July 14, 1953, Howard Gersten and Joy Slomonson met for the first time. This Sunday, July 24, 2005, they will celebrate their 50th wedding anniversary. In the time between, they have lived out their dreams together and created a family out of their own love, which continues to grow today.

Howard Gersten grew up in Forest Hills, NY while his future wife, Joy, was raised in Newark, NJ. In summer of 1953, they were both working in the same building when they met and arranged their first date: a day game at Yankee Stadium, which meant Joy would have to skip work. This was only appropriate, as she would make many sacrifices over the years to come in the name of sports.

Shortly after they met, Howard was drafted into the service and was deployed overseas to Germany. Before he left, they became engaged and agreed to marry upon his return. During his long journey abroad, they kept in contact by writing many letters that they still keep with them. Once his tour of duty was over, and Howard returned to the U.S., they immediately planned to wed. On July 24, 1955, Howard and Joy Gersten were married in a rabbi's study with a handful of guests present, and returned home to their apartment on Northfield Ave. in West Orange, NJ, to start their life together.

In 1957, their first son, Andrew, was born. He would be followed by Judith and Laurie. The children grew up with their parents in northern New Jersey. Howard had built a career as a marketing executive in New York City. Despite the benefit of lavish trips abroad, tickets to Knicks games at Madsion Square Garden (when they weren't given away to ''schmucks'') and generous expense accounts, the two always dreamed of a taking a different path in life.

One day, while reading the New York Times (presumably after finishing the crossword puzzle), Howard happened to notice an advertisement in the classified ads. A bookstore was for sale in the college town of Amherst, MA. This was an opportunity they had always talked about and so, even though the chances of going through with the purchase were slim, they packed their bags and went to take a look. While visiting Amherst, and considering the consequences of making such a life-altering change, mother nature weighed in by sending them a rainbow as a sign of things to come in Amherst. Never being ones to ignore good advice, they decided it was meant to be.

Soon after, they bought a house in the woods at 139 High Point Drive and moved to Amherst to become the proprietors of the Jeffrey Amherst Bookshop. Their work at the bookstore continues to this day, as they are always striving to improve business and provide better service to the community of which they are now such a vital part. With the opening of their second store, the Jeffrey Amherst College Store, they expanded their enterprises to take advantage of the rapidly growing market of textbook sales.

In 1980, their first grandchild, Evan Goitein was born. This was the start of something big as eight other grandchildren would follow: Daniel Goitein, Hannah Goitein, Leah Goitein, Ben Gersten, Sarah Gersten, Jonah Goitein, Emma Garrison and James Garrison. Their ''nuclear family,'' as they like to refer to, now includes 20 people. This makes for a lot of birthdays, little league games, school plays and—most importantly—matzah balls. Somehow they manage to always stay on top of what is going on in the lives of everyone in the family, which has earned them awards such as ''World's Best Grandpa'' and ''World's Greatest Grandma.''

These days, Joy and Bill enjoy a life that is easy to envy. They still work at the bookstore at least four days a week and are continuingly improving the business they have built. They regularly hold book signings for local authors, where Grandma's lemon squares steal the spotlight. They go to their local health club and take hikes for exercise. They are regulars at the weekly UMASS sports luncheon. They enjoy the area's fine restaurants frequently, often dining with their children and grandchildren.

At home, they stay very aware of current events, tuning in to C–SPAN to follow the events unfolding in our country and abroad. The day is not complete unless the New York Time crossword puzzle is done, or it is 7:30 at night—whichever comes first. For fun, they travel to visit their families in Hookset, Concord, Westfield and Washington, DC, as well as vacationing in Maine and Rhode Island. They visit museums, see plays and attend concerts, including an annual trip to Tanglewood.

Of all the many things that the Gerstens are—parents, grandparents, local business owners, community supporters, sports fans, friends, and so much more—the role that is most admired by those that know them is that of the foundation for a family who has followed their example and grown, with love, to improve their own lives and the lives of those around them. Their love for each other has become a benchmark that every person who knows them strives to reach, with the hope that one day we can all be as happy and deserving as they are in their lives, today and for many years to come.

A PROCLAMATION HONORING MR. AND MRS. FREGIATO

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, Frank and Mary Fregiato were

united in marriage April 30, 1949, and are celebrating 56 years of marriage; and

Whereas, Frank and Mary Fregiato were married April 30, 1949, at the Immaculate Conception Catholic Church in Wellsville, OH; and

Whereas, Frank and Mary Fregiato are the loving parents of two children and four grandchildren.

Therefore, I join with the residents of Martins Ferry, and the entire 18th Congressional District of Ohio in congratulating Frank and Mary Fregiato as they celebrate their 56th Wedding Anniversary.

RECOGNIZING DR. TEX MONIF, MS. KAREN HICKS, VOLUNTEERS AND STAFF OF WINNEBAGO DENTAL CLINIC

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. ABERCROMBIE. Mr. Speaker, I wish to draw attention to the splendid contributions of Dr. Rex Monif, Director of the Winnebago Dental Clinic, and Karen Hicks, RDH, the Senior Dental Hygienist for the Clinic.

Through their efforts, they have been addressing in a meaningful way the dental health needs of the Winnebago tribe of Nebraska.

In March 2005 Dr. Monif and Ms. Hicks recruited 17 dental hygiene students from Iowa Western Community College, in affiliation with Creighton University, who volunteered as clinicians at the Winnebago Clinic.

The group conducted the first annual Children's Dental Sealant Project at the Winnebago Dental Clinic. As part of the project, they performed dental examinations, sealant placements, and fluoride treatments for students at the Winnebago Public School and St. Augustine School.

During the two-day project 320 children were examined and 1,300 sealants were placed. Most of the children also received a fluoride treatment. Parents were alerted to the need for further dental care for those students who were found to need follow-up dental care.

It is a pleasure to recognize Dr. Rex Monif, Ms. Karen Hicks, and the dedicated volunteers and professionals who have been and continue to devote their efforts to the improvement of dental health of the children of the Winnebago Reservation.

PERSONAL EXPLANATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. WELLER. Mr. Speaker, on rollcall Nos. 380, 381, and 382, I was delayed due to flight problems. Had I been present, I would have voted ''yea'' on all three.

A PROCLAMATION HONORING MARION STEWART ON HER 100TH BIRTHDAY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, Marion was born In New Cumberland, West Virgina on July 19, 1905 and is celebrating her 100th birthday; and

Whereas, Marion Stewart, a graduate of Ohio University in Education, teaching kindergarten and first grade for many years; and

Whereas, Marion Stewart was a faithful and committed member of the Daughters of the American Revolution for 82 years; and

Whereas, Marion Stewart has dedicated her time to the Girl Scouts, Sunday School teaching, service activities, Beacon House activities, where she resides, and the Retired Teachers Association.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in wishing Marion Stewart a very happy 100th birthday.

INTRODUCTION OF THE THOMASINA E. JORDAN INDIAN TRIBES OF VIRGINIA FEDERAL RECOGNITION ACT

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. MORAN of Virginia. Mr. Speaker, last week representatives and leaders of Virginia's Native American tribes left their communities and flew to England to participate in ceremonies that are a prelude to the 400th anniversary of the first permanent English settlement in America. Some of the distinguished Virginia residents who are making this trip are the blood descendants and leaders of the surviving 25 tribes that once were a part of the Great Powhatan Confederacy that initially helped sustain the colonists during their difficult first years at Jamestown. Virginia's best known Indian, Pocahontas, traveled to England in 1617 with her husband John Rolfe and was received by English royalty. She died a year later of smallpox and is buried in the chapel of the parish church in Gravesend, England.

My colleagues, there is tragic irony that while the Kings and Queens of England have recognized the Virginia tribes, starting with Pocahontas and affirmatively with the Treaty of 1677, the United States Government has not. Today, the Virginia tribes even sport a T-shirt that says, ''First to welcome, last to be recognized.''

Mr. Speaker, it's long past time for Virginia's Native American people to be recognized by the Federal Government. Joining me today are my fellow Virginians: Representatives JO ANN DAVIS, TOM DAVIS, BOBBY SCOTT, and Representative DALE KILDEE, in introducing the ''Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act.'' This legislation will grant Federal recognition to six Indian tribes in Virginia: the Chickahominy Tribe, Chickahominy Indian Tribe Eastern Division, the Upper Mattaponi, the Rappahannock Tribe, the Monacan Tribe, and the Nansemond Tribe.

As we approach the 400th anniversary of Jamestown, we are long overdue in recognizing the direct descendants of the Native Americans, who met these settlers. We must acknowledge these historic tribes, they have endured and remain a significant part of Virginia's heritage. Together, the men and women of these tribes represent a long neglected part of our Nation's history.

Like much of our early history as a nation, the Virginia tribes were subdued, pushed off their land, and, up through much of the 20th century, denied their full rights as U.S. citizens. Despite their devastating loss of land and population, the Virginia Indians successfully overcame years of racial discrimination that denied them equal opportunities to pursue their full rights as citizens of the United States, from public education, the right to vote, and even the most basic right to claim their own identity.

That story of survival doesn't encompass decades, it spans centuries of racial hostility and coercive State and State-sanctioned actions. Unlike most tribes that resisted encroachment and obtained Federal recognition when they signed peace treaties with the Federal Government, Virginia's six tribes signed their peace treaties with the Kings of England. Most notable among these was the Treaty of 1677 between these tribes and Charles the II.

In more recent times, this racial hostility culminated with the enactment and brutal enforcement of Virginia's Racial Integrity Act of 1924. This act empowered zealots, like Walter Plecker, a state official, to destroy records and reclassify in Orwellian fashion all non-whites as ''colored.'' To call yourself a ''Native American'' in Virginia was to risk a jail sentence of up to 1 year. Married couples were denied marriage certificates and were unable to obtain the release of their newborn child from a hospital until they changed their ethnicity on the State record to read ''colored,'' not ''Native American.'' For much of the 20th century admission to public schools was denied. Even after federally enforced integration, the State and localities refused to provide bus service to the public high schools. These and other indignities are part of a shameful legacy experienced in our lifetime.

More to the point, this legacy has also complicated these tribes' quest for Federal recognition, making it difficult to furnish corroborating State and official documents. It wasn't until 1997 when then Governor George Allen signed legislation directing state agencies to correct State records that had deliberately been altered to list Virginia Indians on official State documents as ''colored.'' I am proud to say that Senator ALLEN and Senator WARNER are two of Virginia's strongest advocates for seeking a legislative remedy for the Federal Government to recognize these tribes.

Federal recognition would provide what the government has long denied, legal protections and financial obligations, including certain social services and benefits the Federal Government provides the 562-recognized tribes.

I know that the gambling issue may be at the forefront of some people's concerns. For some of my colleagues there are sincere concerns about the morality and destructive effects of gaming. For others, it has been a convenient excuse to look no further and keep a closed mind.

I have worked to close any potential loophole in this legislation to ensure that the Commonwealth of Virginia could prevent casino-type gaming by the tribes. Having worked on this issue for several years, I have gotten to know many of the members of these tribes and believe they are sincere in their claims that gambling is inconsistent with their values. This position is already borne out by the fact that none of the tribes today engage in bingo gambling despite the fact that they have all established non-profit organizations that are permitted under Virginia law to operate bingo games despite compelling financial needs that revenues from bingo could address.

The real issue for the tribes is recognition and the long overdue need for the Federal Government to affirm their identity as Native Americans. Coupled with this affirmation is an opportunity for the tribes to establish a more equitable relationship with the State and secure Federal financial assistance for the tribes' social services, health care and housing needs. Many of their older members face the prospect of retiring without the pensions and health benefits that most Americans take for granted.

I urge my colleagues to support this legislation.

MATTIE J.T. STEPANEK PARK

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. CARDIN. Mr. Speaker, on June 24, 2004, this House passed a Resolution, H. Res. 695, honoring Mattie J.T. Stepanek and his ''braveness, generosity of spirit, and efforts to raise awareness of Muscular Dystrophy.''

Today I am pleased to note the June 18, 2005 groundbreaking for the Mattie J.T. Stepanek Park at King Farm, to be constructed on the corner of Crestfield and Piccard Drive in Rockville, MD. Dedicated to a young man whose courage and vision for peace provide an example for all, his park will become a favorite for Maryland residents and visitors.

A young poet who was diagnosed with neuromuscular disease known as dysautonomic mitochondrial myopathy, Mattie Stepanek achieved international recognition when his collection of poems, Journey Through Heartsongs, which reached the New York Times Best Seller List in 2002. Mattie also authored four other books of poetry. He served as the National Goodwill Ambassador for the Muscular Dystrophy Association in 2002, 2003, and 2004, and in 2004 the Jerry Lewis MDA Telethon was dedicated to him. Mattie also befriended Oprah Winfrey, and was featured often as a guest on her television program.

One of his goals was to meet his hero, former President Jimmy Carter. When Mattie was hospitalized in September 2001, he got his chance. Nurses and staff recall that during their 15-minute conversation, Mattie did not discuss his illness with President Carter, focusing instead on problems affecting developing nations.

The former President and Mattie developed a close friendship, and when Mattie passed away on June 22, 2004 at the age of 13, President Carter delivered a eulogy in which he recalled winning the Nobel Peace Prize. ''Mattie shared the honor that I had received,'' he noted.

Mattie was a gifted poet, and a great companion to his mother, Jeni Stepanek. Mattie's sister, Katie, and his two brothers, Stevie and Jamie, died in early childhood from the same disease Mattie battled.

Plans for the 26.2-acre memorial park include a statue of Mattie with his golden retriever, Micah. The park will plan activities specially designed for people with disabilities, and it will host an event each year for local schools in the spirit of Mattie's passion for peace.

Mr. Speaker, Mattie was a child filled with compassion and imagination. He won the respect and friendship of a President and Nobel laureate, who continues to call Mattie the ''most extraordinary person whom [he has] ever known.''

No one who met Mattie Stepanek could ever forget him. Now future generations of Marylanders—who will not have that opportunity—will be able to visit Mattie's park, celebrate his life, and enjoy the sunsets he loved so much.

A PROCLAMATION RECOGNIZING TOM HARDY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. NEY. Mr. Speaker:

Whereas, Tom Hardy has provided outstanding service and contributions while affiliated with the Ohio Association of Insurance Agents, Inc. serving it since 1976 and at different times holding the positions of executive vice president and chief executive officer; and

Whereas, Tom Hardy's many accomplishments include being the creator, publisher, and editor of Ohio Insurance magazine and guiding the continual growth of the Association with dedication and strong leadership; and

Whereas, Tom Hardy has served on the Board of Directors of the Griffith Foundation for Insurance Education at the Ohio State University where he received his degree in 1971 as well as giving his talents to multiple other organizations within his field; and

Whereas, Tom Hardy has worked selflessly and with dignity as an integral part of various committees of the Independent Insurance Agents and Brokers of America, being the longest serving state executor in the Nation.

Therefore, I join with Tom Hardy's family, friends, and the entire 18th Congressional District of Ohio in commending Tom Hardy for his exceptional work and years of service, and wish him the very best in his future endeavors.

WELCOMING HER MAJESTY'S CANADIAN SHIP ''TORONTO'' TO CLEVELAND, OH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. KUCINICH. Mr. Speaker, I rise today to welcome Her Majesty's Canadian Ship *Toronto*, where she makes Cleveland her first United States stop on a series of port calls along the Great Lakes on Friday, July 15, 2005.

The HMCS *Toronto* is a multi-role patrol frigate built in St. John, NB, in 1992 and commissioned in Toronto, ON, in 1993. Certified operational in 1994 and homeported in Halifax, NS, the *Toronto* has distinguished itself and Canada through its participation in some of the world's most sensitive operations of the last decade.

The *Toronto* participated in Operation Sharp Guard in 1994, patrolling of the coast of the former Yugoslavia to restrict importation of arms and fuel in an effort to end the civil war in Bosnia-Herzogovina. In 1995, the *Toronto* joined Operation Victory in Europe, an international flotilla of warships celebrating the 50th anniversary of the Allies' victory in Europe. As part of the Standing Naval Force Atlantic in 1997, the *Toronto* deployed for North Atlantic operations with the NATO squadron and was involved in a major search and rescue operation off the coast of Spain. In 1998, the *Toronto* participated in U.N. patrols in the northern Arabian Gulf to affect an embargo against Iraq. In November of that year, the *Toronto* became the flagship for the Canadian Task Group Atlantic, beginning an intensive year of operation, sailing in every Task Group exercise.

In 1999, the *Toronto* participated in Exercise El Morro Castle, a series of successful missile engagements against target drones and missiles, confirming the effectiveness of the ship's advanced missile defense system and crew's training. As part of the 2000 Search and Rescue operation at the site of the sinking M/V *Leader L*, the crew was involved in the rescue of 13 crew members in an accident in which 18 men perished. The following year, the *Toronto* responded to a distress call of a sinking fishing boat while conducting work-ups off the Nova Scotia coast and rescued three crew members in an accident that claimed one life. In 2001–02, the *Toronto* deployed in the eastern Mediterranean with NATO's Standing Naval Force Atlantic, and later to the northern Arabian Sea in international security operations. In 2003, the *Toronto* participated in Operation Splinter, aiding in the clean-up and restoration of Halifax following the devastation of Hurricane Juan. Last year, the *Toronto* returned to the Arabian Sea, the Gulf of Oman, and the Arabian Gulf as Canada's contribution to the global war on terrorism.

Mr. Speaker and colleagues, I am pleased that the officers and crew of the HMCS *Toronto* chose Cleveland as their first U.S. stop on the 2005 Great Lakes Tour. I welcome the *Toronto* to Cleveland and wish the *Toronto*, its officers and crew, and Canada, much success in their endeavors around the world.

CALL FOR MORE ROBUST TIES WITH GULF OF GUINEA REGION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. RANGEL. Mr. Speaker, I rise today to praise the release of a very timely report which documents an issue of growing importance to the United States. The report, entitled

"Breaking the Oil Syndrome: Responsible Hydrocarbon Development in West Africa", was commissioned by the Congressional Black Caucus Foundation, and argues that the United States must work to build a strategic alliance with energy producing Nations in the Gulf of Guinea region of West Africa—in an attempt to both broaden the supply of U.S. energy imports, and provide economic and political development to the West Africa region.

The call for an alliance is warranted for several reasons. Firstly, the demand for energy resources within the United States, and globally, is predicted to surge in coming years. China and India with their enormous populations; and burgeoning economies, promise to one day rival the United States in terms of energy demand. Even when considering Western demand alone the situation is concerning. Just this month, Saudi Arabian officials predicted that the Organization of the Petroleum Exporting Countries (OPEC) will be unable to meet projected western demand in 10 to 15 years.

This increasing demand comes at a time when the U.S. needs to shift its reliance away from its traditional energy providers. The events of 9/11 demonstrated just how much of a liability our dependence on Middle East oil has become. Our over-dependence on Middle East oil—and our subsequent influence with Middle East governments—is a source of resentment and hostility in the region.

This contributes to regional instability, which in turn helps to keep the price of energy resources high. Some have even posited that our dependence on Middle East oil weakens our posture in addressing the global war on terrorism. Equally concerning is the fact that Venezuela, a major non-Middle Eastern energy exporter, is not exactly an ally of the current U.S. Administration, and stability in that country is tenuous at best.

With all of these worrisome issues swirling around the current international energy landscape, the Gulf of Guinea offers the United States a potentially significant and fruitful energy partnership—if we lay the proper foundation now. The Gulf of Guinea currently accounts for 14 percent of U.S. oil supply, with the region possibly poised to increase its share of U.S. imports to over 20 percent in coming years if the requisite investment and security environment is further developed. The region's share of global oil production is already predicted to rise from around 4 percent to nearly 6 percent by 2007, and attract $40 billion in investment within the current decade.

As such the nations of the Gulf of Guinea—Nigeria, Chad, Equatorial Guinea, Gabon, and Sao Tome and Principe (along with Angola)—must engender the focused and balanced engagement of U.S. policy makers.

With the region also predicted to garner over $150 billion in oil-related government revenues by 2010, opportunities and pitfalls are ever-present. The region still suffers from serious deficiencies in the area of anti-corruption, transparency, and the rule of law. With such large financial windfalls predicted, the CBCF report asserts that the United States must work closely with its partners in the Gulf of Guinea region to help strengthen their capacities in this regard. If they fail, the results could be disastrous.

Oil wealth has rarely translated into socio-political stability for most developing countries. In fact it has often had the opposite effect, because the institutional safeguards were not in place to ensure that the government was accountable to its citizens, and the country as a whole benefited from its own wealth. We can not allow that to happen in the Gulf of Guinea, especially considering the golden opportunity we now have.

Again, I thank the Congressional Black Caucus Foundation for their report. I must especially commend the leadership of Congressman William Jefferson, Chair of the CBCF, as well as Dr. Maya Rockeymore, outgoing CBCF Vice President of Research and Programs, for their leadership in bringing this important issue to the forefront of the policy arena.

[From the Congressional Black Caucus Foundation, Inc., July 7, 2005]

CONGRESSIONAL BLACK CAUCUS FOUNDATION CALLS WEST AFRICA A STRATEGIC BUT UNDERUTILIZED PARTNER IN QUEST FOR U.S. ENERGY SECURITY

WASHINGTON, DC.—As gas prices continue to skyrocket, the debate over how to address America's energy crisis has intensified among policymakers, analysts, and other key opinion leaders. Simultaneously, the U.S. faces increased international pressure to provide more aid, fair trade, and debt relief assistance to Sub-Saharan African countries.

A new study by the Congressional Black Caucus Foundation (CBCF) entitled, "Breaking the Oil Syndrome: Responsible Hydrocarbon Development in West Africa," argues that the U.S. must link these seemingly disparate concerns by forming a strategic alliance with West African hydrocarbon states that can help secure U.S. energy needs while advancing human and infrastructure development goals in West Africa.

"The fact of the matter is that West Africa is vital to the energy security of the United States," said Dr. Don Tharpe, President and CEO of CBCF. "The region is poised to increase the world supply of oil but it has been largely overlooked as a key U.S. partner in this regard."

"Changing global geopolitical dynamics have once again increased U.S. interest in Africa and its natural resources. Yet, it will not be enough to conduct business as usual in West Africa," said Dr. Maya Rockeymoore, former CBCF Vice President of Research and Programs. "The U.S. must embark upon a mutually beneficial alliance that increases U.S. energy security while promoting sustainable development in African oil-producing countries."

The paper highlights that a mutually beneficial dynamic engagement framework will be especially important as the demand and competition for scarce oil resources increases in countries like China and India.

According to Paul Michael Wihbey, the lead author of the study and President of Global Water and Energy Strategy Team, "This report makes recommendations that could have significant implications for U.S. energy security over the short and long terms," Wihbey says. "The U.S. has a very important opportunity at this critical juncture in world history. The country could benefit tremendously if it recognizes that good governance, infrastructure, and human development goals are keys to the security and sustainability of oil-exports from West African hydrocarbon states."

The CBCF maintains that investment in alternative, non-carbon energy sources represents the greatest possibility for reducing U.S. dependence on foreign oil sources. Yet the Foundation recognizes that it will take time to develop mass technologies that utilize alternative energy sources across the various carbon-dependent industries. While it is important to support the development and application of non-carbon energy sources, in the meantime, it remains vitally important to diversify how and where the U.S. imports its oil.

The paper will be released to the public on Tuesday, July 19, 2005 at 9:30 a.m. in the Members Room of the Library of Congress (Jefferson Building). The forum will be hosted by Congressman William J. Jefferson, Chairman of the Congressional Black Caucus Foundation, and will feature Members of Congress, subject matter experts, key Bush Administration officials, private sector participants, and members of the African Diplomatic Corps.

The CBCF, established in 1976, is a non-profit, nonpartisan public policy, research and educational institute focused on leadership education, public health, economic development, and African globalism.

EXECUTIVE SUMMARY

Government officials and observers have consistently asserted that the United States has a strategic energy interest in hydrocarbon development in West Africa. Worldwide growth in energy consumption is consistently outpacing production, and reports indicate that in the United States demand for oil may reach 28.3 million barrels per day by 2025. Coupled with energy price volatility, political instability, and supply uncertainty, many have recognized that the United States can ill afford to remain predominately dependent upon oil-imports from certain regions. Simultaneously, this recognition has generated a chorus of calls for more investment in alternative energy sources and "greater diversity of world oil production."

Ultimately, investment in alternative, non-carbon energy sources represents the greatest possibility for reducing U.S. dependence upon foreign oil sources. Nevertheless, it will take some time to develop mass technologies utilizing alternative energy sources across the various carbon-dependent industries. While it is important to support the development and application of non-carbon energy sources in the meantime, it remains vitally important to diversify how and where the U.S. imports its oil.

There is no doubt that certain countries in Sub-Saharan Africa could be the source of expanded U.S. oil imports. Yet, despite calls to look beyond traditional oil markets and allies, efforts to create a mutually beneficial framework that systematizes relations between the U.S. and West African hydrocarbon states have fallen on deaf ears. Paradoxically, as the U.S. explores its sourcing options in the face of a looming energy crisis, its narrow vision with regard to broadening the nature of its engagement with West African states has prevented it from establishing dynamic relationships that could ensure energy supplies, while forging necessary alliances in the global war against terrorism.

In the end, the United States is missing an opportunity to connect its quest for energy security to an array of other important initiatives, such as the promotion of good governance practices, the campaign to enhance human development in Sub-Saharan Africa, the reduction/eradication of poverty, and the war against terrorism.

The fundamental conclusion of this report is that the United States can capitalize on the interconnectedness of these initiatives by recognizing that good governance, infrastructure, and human development are the keys to the development, security, and sustainability of oil-exports from West African hydrocarbon states. Only by aggressively pursuing these measures can the United States and West African nations reap the benefits of oil-import/exports and enhanced trade opportunities.

Systematizing these relationships through a dynamic engagement framework can result in mutually beneficial outcomes, such as: a reduced reliance on oil from more volatile regions; the development of additional strategic partners in the war against terrorism; an enhanced exports market for U.S. and African goods and services; a practical ''oil-revenue for poverty-reduction policy'' framework that reduces African reliance on foreign aid; and the strengthening of democratic regimes and indigenous efforts to move African authoritarian regimes closer to democracy.

RECOMMENDATIONS

These recommendations, in keeping with democratic foreign policy principles including the promotion of good governance, economic development, human rights, and enhanced relations with the United States and the African-American community, are submitted for consideration. Many of the recommendations echo calls already made by major stakeholders interested in ensuring sustainable development in the West African energy sector.

U.S. Government

The United States Congress should: Establish immediately a bi-partisan Congressional Advisory Committee that should: Meet with oil companies and other interested parties to discuss how to promote sustainable development through innovative energy sector initiatives. Host a summit with African heads of state and other officials to promote the importance of West Africa-U.S. energy relations. Prepare legislation to establish a Commission for Sustainable Development in West Africa.

Establish a Commission for Sustainable Development in West Africa that should: Consider legislation declaring West Africa of strategic interest to the United States. Conduct meetings with experts to gather information about improving and coordinating U.S. aid, trade, economic, environmental, and counterterrorism efforts in the region. Review efforts by African goverments, oil companies, international institutions, and non-governmental organizations to advance development goals using innovative revenue-sharing models. Formulate a strategy for engaging West African states in a mutually beneficial partnership that seeks to promote specific economic, social, political, infrastructure, environmental, and counterterrorism goals.

Support the development of a world-class West African Science and Technology Institute that offers a curriculum that promotes excellence in higher education and research and development in science and engineering. The ultimate goal will be establish an education and training vehicle that will enable Africans to have a key role in improving Sub-Saharan Africa's living standards through increased productivity, economic growth, and diversification.

Provide additional debt relief to West African hydrocarbon states contingent upon achieving measurable targets related to financial transparency and good governance benchmarks.

Require federal grant recipients, West African hydrocarbon states, and oil companies to submit documentation of capacity building programs related to human development initiatives. Submit capacity building proposals to the aforementioned Commission for review and recommendations.

Review U.S. businesses operating in the area to ensure compliance with the U.S. Foreign Corrupt Practices Act.

Provide additional incentives to U.S. businesses to purchase goods and services from AGOA-eligible countries.

West African Hydrocarbon States

Governments of West African oil-producing nations should:

Establish oil ministers whose appointments are approved by parliamentary bodies.

Publish information on all oil revenues and participating oil companies.

Establish advisory bodies with representation from political parties, civil society groups (e.g., human rights activists and advocates for women and children), independent third parties (e.g., World Bank or major investment banks with stated and monitored priorities that earmark significant portions of oil revenue for investment in infrastructure and education), and members of the media.

Make public any recommendations on reforming real property laws conducted in the last five years.

Consider legislation that encourages relinquishment of inactive marginal fields by foreign companies to indigenous operators willing to develop their residual reserves through enhanced recovery technologies.

Submit to an audit of oil revenue distribution conducted by representatives of the International Monetary Fund, the World Bank, USAID, and ECOWAS.

Charge the appropriate parliamentary committees with examining the benefits of creating a Development Trust Fund based in Nigeria to fund the indigenous petroleum industry and to support a Gulf of Guinea School of Petroleum Technology (possibly located in Port Harcourt), with the cooperation and assistance of USAID.

Oil Companies

Oil companies interested in West African oil-producing nations should:

Make public annual audits conducted by reputable international firms relating to activities in West Africa to augment participation in the concept of ''publish what you pay'' initiatives.

Immediately publish oil-field specific and cumulative environmental and social impact assessments.

Participate in and expand local content and joint venture projects with indigenous operators/businesses with verifiable long-term social, cultural, and historic ties to the region/country.

Conduct capacity building and technology transfer initiatives in order to provide valuable skill sets to indigenous employees that may be used across different economic sectors.

Consider establishing at least one oil refinery for the host country.

Collaborate with host governments to relinquish or farm out inactive marginal fields, make their technical data available, and finance (if possible) local operators that will develop them.

Reach out to the African-American community, both through encouraging African-American owned businesses to take an active role in the enterprise of West African development and through the informational promotion of positive impacts that oil companies have in the region.

International Financial Institutions (IFIs)

International financial institutions should:

Require demonstrated progress on enforcing laws relating to good corporate governance, including sanctions by the government for violations of procurement regulations.

Ensure that governments do not create a second, separate system of oversight for revenues generated by new oil fields.

Require that governments support the public dissemination of information about oil revenues by helping to offset costs of reproduction, distribution and communication of information to the public.

Ensure that public documents related to oil exploration and oil revenues are made available in both the official language and the indigenous languages spoken most predominately throughout the country.

Support and publish an independent assessment of the human development constraints facing citizens of Chad, Congo-Brazzaville, Equatorial Guinea, and São Tomé and Principe, as well as all other hydrocarbon states in the near future.

Establish and publish benchmarks for determining whether a country is granted a loan or a grant, and how these benchmarks are tied to transparency, investment in human development initiatives, and good governance indicators.

Non-Governmental Organizations (NGOs)

Non-governmental organizations should:

Establish additional and enhance current monitoring programs that track compliance with transparency and revenue destination agreements between African governments, IFIs, the United States, and oil companies.

Establish a scorecard for African oil producing nations on the management of oil revenues, raising media awareness of ''worst offenders'' and ''best practitioners,'' and including civil society participation in determining revenue destinations. This will initiate a healthy competition to attract direct foreign investment.

Submit recommendations to the Commission for Sustainable Development in West Africa on sustaining improvements in human development in hydrocarbon states.

Develop strategies to mobilize citizens for effectively engaging governments over policies to develop oil resources.

IN HONOR AND RECOGNITION OF COUNCILMAN EDWARD RYBKA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of my good friend Edward Rybka, upon his retirement following 20 years of dedicated service as the City Councilman representing the people of Cleveland's Ward 12.

Councilman Rybka was first elected to City Council in 1985. Equipped with a law degree and sincere concern for his richly diverse Slavic Village neighborhood, Councilman Rybka set out to energize the process of restoration and preservation in the place he has always called home. His focus on community activism began nearly thirty years ago, through his involvement with the Slavic Village Development Corporation. He was a founding member who volunteered in every capacity, including Chairperson of the Association, a position he held for several years in the early 1980s.

As the elected City Councilman, his spirited and unified effort to improve the neighborhood created vital bonds with residents, community leaders, and business advocates that still exist today. These bonds of hope and restoration created connections not only among the people of Slavic Village today, but also with the neighborhood's historic roots going back to its original settlement as part of the former Newburgh Township in 1814. His work helped to protect the historic fabric of the neighborhood; enabled new businesses to flourish; brought hundreds of new jobs into the neighborhood;

created safe and quality housing for families and the elderly; led the effort for a multi-million expansion of the Boys and Girls Club; and assisted in preserving green space in Mill Creek Falls and Washington Park.

Mr. Speaker and Colleagues, please join me in honor and recognition of Councilman Edward Rybka. His vision, integrity, and steadfast devotion to the people of Ward 12 defined his tenure and continues to frame this neighborhood. Councilman Rybka's unending faith in the notion that together, we can make a positive difference, will always exist as a source of possibility and light along Broadway Avenue and far beyond.

WELCOMING INDIAN PRIME MINISTER MANMOHAN SINGH

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. HOLT. Mr. Speaker, I rise to welcome India's distinguished Prime Minister, Dr. Manmohan Singh. I was recently pleased to join 70 of my colleagues in encouraging Speaker HASTERT to invite Prime Minister Singh to address a joint session of Congress during his visit to the United States. I am honored that Dr. Singh has chosen to accept Congress's invitation.

During a visit to New Delhi in early 2001, I had the opportunity to meet with several government officials, including Dr. Singh, who then served as economic advisor to the Congress Party leader Sonia Gandhi. Already distinguished as the author of India's most successful economic plan, Dr. Singh's wisdom and common sense were evident. I was pleasantly surprised when, in May 2004, Manmohan Singh was sworn in as India's fourteenth Prime Minister. Dr. Singh's position as leader of the world's largest democracy, his keen intellect, and his successful economic plan for India lend him the admiration of governments around the world.

An accomplished economist, Dr. Singh began service in the Indian government in the 1970s. Ever since, his shrewd intellect and thoughtful consideration of complex matters have distinguished him among his colleagues. His elevation to the position of Prime Minister speaks volumes about his country's respect for intelligence and integrity in public leaders.

India is beginning to realize its enormous potential, and I am continually impressed by its citizens. When I came to Congress in the beginning of 1999, the first Member organization that I joined was the Congressional Caucus on India and Indian-Americans, which seeks to inform Members of Congress about issues of particular importance to the sub-continent. Since then, my interest in India and my respect for its people have only grown.

As the world's largest democracy and second most populous country, India has faced and overcome challenges that few can fully appreciate. Through aggressive investment in its education system and infrastructure, India has experienced impressive growth as an economy and as a nation. After years of growth and advancement, India's position in the global community has never been stronger.

I was pleased to join my colleagues yesterday in supporting House Resolution 364, which commends the continuing improvement in U.S.-India relations. The close relationship that our governments share advances the interests of our Nation and our people.

Mr. Speaker, I welcome Dr. Manmohan Singh to this joint session of Congress. I look forward to hearing Dr. Singh speak, and I look forward to continuing to build the important and special relationship between our two countries.

IN HONOR AND RECOGNITION OF THE HONORABLE JUDGE JEAN MURRELL CAPERS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Judge Jean Murrell Capers for her significant and groundbreaking accomplishments in the legal profession, and for serving as an inspiration and role model for minority women and men in Cleveland, Ohio, and far beyond.

Judge Caper's unwavering integrity, strong work ethic and the belief in the nobility of service to others were gently woven into her psyche, brought to life by the example and teachings of her parents, Edward and Dolly Murrell. Judge Caper grew up on Cleveland's eastside. She excelled academically as well as athletically at Central High School. She was a citywide tennis champion and basketball star, and was awarded a scholarship to Western Reserve University, where she graduated with a degree in education. As a young adult, Judge Capers became involved in the civil rights movement, and was an active NAACP volunteer. She lobbied local, state and federal legislature on many issues, including civil rights. She was also a significant leader in many local and national campaigns, including that of President Harry Truman, who was vocal in his opposition to racial segregation, and later, with Cleveland Mayor Carl B. Stokes.

Judge Capers enrolled in Cleveland Law School at a time when women, especially minority women, were discouraged from doing so. Focused and determined, she attended night classes and graduated with her law degree in 1945. She was elected to the Cleveland City Council in 1949, and held that office for the next 10 years. She remains active in politics, and even ran for Mayor of Cleveland in the seventies. In 1977, she was appointed by then Governor James Rhodes to a judgeship with the Cleveland Municipal Court; she was reelected and retired from the bench in 1985. She continued her law practice until just recently, reflecting a life-long vocation of professional excellence that focused on social and legal justice.

Mr. Speaker and colleagues, please join me in honor and recognition of Judge Jean Murrell Capers, for her 60 year commitment to improving our legal system, carrying out our laws of justice, and inspiring and empowering others to attain their educational and professional dreams. Judge Jean Murrell Caper's professional excellence and accomplishment as a distinguished attorney and judge serves as a beacon of light and possibility for women, and for people of all backgrounds. Her impressive journey from the basketball court at Central High to Council Chambers at City Hall to the Municipal Court Bench, to the picket lines and rallies, has cut a path built on tenacity, integrity, dreams and hope—and she will continue to inspire us all.

HONORING THE RETIREMENT OF JAMES R. DRINNON

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. KINGSTON. Mr. Speaker, I wish to honor James R. Drinnon on his retirement of 34 years of service in Public Health. I'm honored to represent this hard working constituent who has devoted great service to the State of Georgia.

In 1971, James R. Drinnon graduated from Mercer University in Macon, GA with a Bachelor of Science degree in Biology. Upon his graduation he was commissioned to the United States Army as a 2nd Lieutenant.

After beginning his public health career in 1971, Drinnon worked in Putman and Houston Counties. In 1981, he was transferred to the Georgia State Office of Environmental Health Section as the Occupational Health and Response Specialist. During his time of service Drinnon was named the 1976 Sanitarian of the Year GEHA. He oversaw the Olympic training manual for the 1996 Olympic Games and shared the Golden Hammer Award with the Fulton County Health Department for his service during the Olympics.

During his 34 years of service Drinnon has helped enhance and beautify the State of Georgia. He is an accomplished individual whose heart will always be in public service. Supporting his many accomplishments is his wife Elizabeth and four sons. Drinnon is also an active member of the Lutheran Church of the Redeemer in Wilmington Island, GA, active with the National Environmental Health Association, Georgia Public Health Association, and Georgia Environmental Health Association.

IN HONOR AND REMEMBRANCE OF LOUIS MACON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Louis Macon, beloved husband and father, grandfather, great-grandfather, World War II Veteran, and friend and mentor to many.

Mr. Macon's unwavering devotion to his family paralleled his dedication to his community and to his church. With unyielding faith and conviction, he served as a Deacon at Mt. Zion Church of Oakwood, where his son, Dr. Larry L. Macon, is Pastor. He was born with a gift for storytelling, a kind heart and an iron will, and he easily drew others to him. His entire life consistently reflected grace, integrity, hard work and concern for others. In the early sixties, he blazed a trail of courage and enlightenment, piercing the ignorance of racially divided Cincinnati, where he became the first African American to own a gas station.

Family was central to his existence, and Mr. Macon served as a touchstone of stability and security for his family. Together, Mr. Macon and his late wife Delina were married for 56 years before her death in 2002. Together they raised nine children. Despite financial hardship and without hesitation, they adopted five more children—who quickly became integral and inseparable members of the Macon family. With strength, love and kindness, he taught by example—gently challenging, and always encouraging and inspiring.

Mr. Speaker and colleagues, please join me in honor and remembrance of Louis Macon, an outstanding American citizen and exceptional human being whose integrity, warmth, faith and concern for others has served to forever touch the lives of his family, friends and extended family at Mt. Zion Church of Oakwood. I extend my deepest condolences to Mr. Macon's children; Geraldine, Richard, Walter, Robert, Phillip, Helen, Larry, Raymond, Elmer, Marvin, Denise, Frank and Curtis; his sixty grandchildren and great-grandchildren; and his extended family and many friends. Although he will be deeply missed, the wonderful life and legacy of Louis Macon will live on in the hearts of all whom he loved and inspired—especially his family and closest friends—today, and for generations to come.

IN HONOR AND REMEMBRANCE OF CHUNG-CHENG ''MICHAEL'' CHEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mr. Chung-Cheng ''Michael'' Chen, loving husband, father, grandfather, and dear friend and mentor to many. His passing marks a great loss for his family and friends, yet his strength, love and outreach, extending from Cleveland to Taiwan, serves as a bridge of possibility and goodwill, forever transcending time and distance.

Mr. Chen's wife, Miriam Chen, and their four children were central to his life. Equipped with hope, faith, courageous hearts, and the simple dream of a better life, Mr. and Mrs. Chen and their four young children journeyed the arduous road of the immigrant, leaving behind their beloved Taiwanese homeland to forge a new beginning in America. Despite great sacrifice and struggle, Mr. and Mrs. Chen worked diligently to create a secure and loving life for their family. A highly respected chemist and entrepreneur, Mr. Chen directed numerous successful business ventures and built strong relationships with business owners, developers and government leaders that crisscrossed the globe from Cleveland to Taiwan. Mr. Chen's business savvy equaled his strong sense of diplomacy, and above all, his kind and generous heart.

Proud American citizens, Mr. and Mrs. Chen coveted the democratic ideals of the United States, yet always held the ancient traditions and culture of their Taiwanese homeland close to their hearts, preserving their rich heritage within the hearts and minds of their children. Mr. Chen's love of his homeland reflects throughout the Taiwanese community of Greater Cleveland. His leadership, concern for others and joyous spirit has served to strengthen every facet of communication, commerce and interaction between public and private leaders in the United States and in Taiwan.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Mr. Chung-Cheng ''Michael'' Chen. Mr. Chen's life was lived with great joy, integrity and concern for others, especially his family. I extend my deepest condolences to his beloved wife, Miriam; his children, Faye, Kim, Kimberly and Bill; his grandchildren, Brandon, Andrea, Nathaniel and Isabella; and his numerous extended family and many friends. His great love for his family, for his community and for the people of Taiwan will forever exist as a powerful legacy of goodness, strength, hope and possibility for all who knew and loved him well—from Cleveland to Taiwan and miles beyond.

Daily Digest

HIGHLIGHTS

The House and Senate met in a Joint Meeting to receive His Excellency Manmohan Singh, Prime Minister of the Republic of India.

Senate

Chamber Action

Routine Proceedings, pages S8439–S8501

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 1421–1426, and S. Res. 201–202. **Pages S8487–88**

Measures Passed:

Burma Import Restrictions: By 97 yeas to 1 nay (Vote No. 191), Senate passed H.J. Res. 52, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, clearing the measure for the President. **Pages S8440–46**

Prior to this action, Senate began consideration of S.J. Res. 18, (Senate companion measure), and pursuant to the order of July 18, 2005, the joint resolution was read for a third time and returned to the Senate calendar. **Page S8440**

Highway Extension: Senate passed H.R. 3332, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page S8499**

Sudan Peace Agreement: Senate agreed to S. Res. 202, urging the Government of Sudan and the Sudan People's Liberation Movement/Army to fully implement the Comprehensive Peace Agreement of January 9, 2005. **Pages S8499–S8500**

National Health Center Week: Committee on the Judiciary was discharged from further consideration of S. Res. 31, expressing the sense of the Senate that the week of August 7, 2005, be designated as "National Health Center Week" in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Pages S8500–01**

Frist (for Coleman) Amendment No. 1302, to provide for the observance of the week with appropriate ceremonies and activities. **Page S8500**

Controlled Substances Act Amendment: Committee on the Judiciary was discharged from further consideration of S. 45, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and the bill was then passed. **Page S8501**

Foreign Operations Appropriations: Senate continued consideration of H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages S8447–76**

Adopted:

McConnell (for Brownback/Kennedy) Amendment No. 1276, to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees. **Page S8452**

McConnell (for Leahy) Amendment No. 1277, to provide a United States contribution to the Extractive Industries Transparency Initiative Trust Fund. **Page S8452**

McConnell (for Brownback) Amendment No. 1278, to provide that certain funds should be used for educational programs in Egypt. **Page S8452**

McConnell (for Obama/Hagel) Amendment No. 1264, to support a United States contribution to the Special Court for Sierra Leone. **Pages S8449–51, S8452**

McConnell (for Allen/Leahy) Modified Amendment No. 1238, to combat piracy of United States copyrighted materials. **Page S8453**

McConnell (for Feingold) Modified Amendment No. 1253, to require an annual report on antiretroviral drug procurement. **Page S8453**

McConnell (for Salazar) Modified Amendment No. 1262, to provide that funds should be made available for law enforcement programs to combat the prevalence of violent gangs in Guatemala, Honduras, and El Salvador. **Page S8453**

McConnell (for Brownback) Amendment No. 1283, to express the sense of the Senate regarding the forced repatriation of refugees in Cambodia. **Pages S8453–54**

By 59 yeas to 40 nays (Vote No. 193), Coburn Amendment No. 1241, to prohibit funds from being made available to the United States Agency for International Development for entertainment expenses. **Pages S8455–56, S8468–69**

Santorum/Durbin Amendment No. 1260, to transfer $100,000,000 from the Economic Support Fund to provide for an additional contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria. **Pages S8470–71**

Corzine Amendment No. 1290, to make funds available for the African Union Mission in Sudan. **Pages S8456–58, S8471–72**

McConnell (for Feingold) Modified Amendment No. 1254, to support democracy and governance activities in Zimbabwe. **Page S8472**

McConnell (for Nelson (FL)/Coleman) Modified Amendment No. 1285, to provide that funds be used for democracy programs in Venezuela. **Page S8472**

McConnell (for Sessions) Modified Amendment No. 1274, to prohibit the use of funds for any loan to the United Nations in excess of $600,000,000 for the renovation of its headquarters in New York, New York. **Page S8472**

McConnell (for Grassley) Modified Amendment No. 1273, to prohibit the use of funds to approve or administer a loan, guarantee, or insurance policy for certain ethanol dehydration plants. **Pages S8453, S8472**

McConnell (for Vitter) Modified Amendment No. 1287, to limit funds relating to attendance of Federal employees at conferences occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest. **Page S8472**

McConnell (for Leahy) Amendment No. 1295, of a technical nature relating to Indonesia. **Pages S8472–73**

McConnell (for Brownback) Amendment No. 1296, to support commodities, equipment and other assistance to combat malaria. **Page S8473**

McConnell (for Feinstein) Amendment No. 1297, to require a report on states that have not cooperated in small arms programs. **Page S8473**

McConnell (for Sununu/Chafee) Amendment No. 1298, to increase by $5,000,000 the amount available for Economic Support Fund assistance for Lebanon, and to increase by $2,000,000 the amount of such assistance that should be made available for scholarships and direct support of American educational institutions in Lebanon. **Page S8473**

McConnell (for Kennedy/Biden) Amendment No. 1299, to make available, out of funds appropriated for Economic Support Fund assistance, $28,000,000 to the International Republican Institute and $28,000,000 to the National Democratic Institute for fiscal year 2006 to support democracy building programs in Iraq. **Page S8473**

McConnell (for Stevens/Inouye) Amendment No. 1300, to provide funding to the Center for Middle Eastern-Western Dialogue. **Page S8473**

Rejected:

By 37 yeas to 62 nays (Vote No. 192), Coburn/Boxer Amendment No. 1242, to prohibit any funds from being used by the Export-Import Bank of the United States to approve a loan or a loan guarantee related to a nuclear project in China. **Pages S8458–64, S8468**

By 33 yeas to 66 nays (Vote No. 194), Dorgan/Wyden Amendment No. 1294, to provide that no funds may be made available to provide television broadcasting to Cuba, to increase by $21,100,000 the amount appropriated to the Peace Corps, and to reduce by the same amount the amount appropriated under title I to the Broadcasting Board of Governors for broadcasting to Cuba. **Pages S8464–68, S8469–70**

Withdrawn:

Grassley Amendment No. 1250, to prohibit the use of funds to approve or administer a loan or guarantee for certain ethanol dehydration plants. **Pages S8447, S8471**

Pending:

Landrieu Amendment No. 1245, to express the sense of Congress regarding the use of funds for orphans, and displaced and abandoned children. **Page S8447**

Chambliss Amendment No. 1271, to prevent funds from being made available to provide assistance to a country which has refused to extradite certain individuals to the United States. **Page S8454**

A unanimous-consent agreement was reached providing that only certain remaining first-degree amendments be in order to the bill; that the first-degree amendments be subject to second-degree amendments which are related to the first-degree amendments to which they are offered; that following the disposition of the amendments, the bill be read a third time, and the Senate then vote on final passage of the bill, as amended; provided further, that the Senate insist on its amendment, request a conference with the House thereon, and the

Chair be authorized to appoint conferees on the part of the Senate. **Page S8474**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, July 20, 2005. **Page S8501**

SIGNING AUTHORITY—AGREEMENT: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Majority Whip, be authorized to sign duly enrolled bills or joint resolutions. **Page S8499**

Dorr Nomination—Cloture: Senate began consideration of the nomination of Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development. **Page S8498**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, July 21, 2005. **Page S8498**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency blocking property of certain persons and prohibiting the importation of certain goods from Liberia that was established in Executive Order 13348 on July 22, 2004; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–18) **Page S8487**

Transmitting, pursuant to law, the District of Columbia's Fiscal Year 2006 Budget Request Act; which was referred to the Committee on Homeland Security and Governmental Affairs. (PM–19) **Page S8487**

Nominations Received: Senate received the following nominations:

3 Army nominations in the rank of general.

A routine list in the Air Force. **Page S8501**

Messages From the House: **Page S8487**

Executive Communications: **Page S8487**

Additional Cosponsors: **Pages S8488–89**

Statements on Introduced Bills/Resolutions: **Pages S8489–91**

Additional Statements: **Pages S8486–87**

Amendments Submitted: **Pages S8491–98**

Authority for Committees to Meet: **Page S8498**

Privilege of the Floor: **Page S8498**

Record Votes: Four record votes were taken today. (Total–194) **Pages S8446, S8468, S8469, S8469–70**

Adjournment: Senate convened at 11 a.m., and adjourned at 8:56 p.m. until 9:30 a.m., on Wednesday, July 20, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8501.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: MILITARY CONSTRUCTION/VA

Committee on Appropriations: Subcommittee on Military Construction and Veterans' Affairs and Related Agencies approved for full Committee consideration H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

APPROPRIATIONS: DOT

Committee on Appropriations: Subcommittee on Transportation, Treasury, The Judiciary, Housing and Urban Development, and Related Agencies approved for full Committee consideration H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

DEPARTMENT OF HOMELAND SECURITY REORGANIZATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine modifications to the organizational structure and operations of the Department of Homeland Security as part of an effort to make it more efficient and effective, focusing on preparedness, borders and immigration, transportation security, and information sharing, after receiving testimony from Michael Chertoff, Secretary of Homeland Security.

FAA's AGE 60 RULE

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine the Federal Aviation Administration's Age-60 Rule, which provides that a pilot may not engage in what are known as part 121 operations if the pilot has reached his 60th birthday, including operations of large commercial passenger aircraft, smaller propeller aircraft with 10 or more passenger seats, and common carriage operations of all-cargo aircraft with a payload capacity of 7500 pounds, after receiving

testimony from Senator Inhofe and Representative Gibbons; Jon L. Jordan, Federal Air Surgeon, Federal Aviation Administration, Department of Transportation; Russell B. Rayman, Aerospace Medical Association, Alexandria, Virginia; Duane E. Woerth, Air Line Pilots Association, International, Washington, D.C.; Joseph Eichelkraut, Southwest Airlines Pilots' Association, Dallas, Texas; Ralph Hunter, Allied Pilots Association, Fort Worth, Texas; and Al Spain, Jet Blue Airways Corporation, Salt Lake City, Utah.

NUCLEAR TESTING ON MARSHALL ISLANDS

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine the effects of the United States nuclear testing program on the Marshall Islands, focusing on the development of baseline cancer and radiation-related illness rates relating to the testing, after receiving testimony from American Samoa Delegate Faleomavaega; Howard M. Krawitz, Acting Assistant Secretary of State for East Asia and Pacific Affairs; Thomas Lum, Specialist in Asian Affairs, Congressional Research Service, Library of Congress; Kiyohiko Mabuchi, Division of Cancer Epidemiology and Genetics, National Cancer Institute, National Institutes of Health, Department of Health and Human Services; Gerald M. Zackios, Minister of Foreign Affairs, and James H. Plasman, Nuclear Claims Tribunal, both of Republic of the Marshall Islands, Majuro; Neal A. Palafox, University of Hawaii John A. Burns School of Medicine, Manoa; and Steven L. Simon, Washington, D.C.

IRAQI POLITICAL DEVELOPMENT

Committee on Foreign Relations: Committee concluded a hearing to examine advancing Iraqi political development, focusing on the development of a constitution, after receiving testimony from Phebe Marr, United States Institute of Peace, and Judy Van Rest, International Republican Institute, both of Washington, D.C.; and Noah Feldman, New York University School of Law, New York.

SECURING CYBERSPACE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine efforts to protect national information infrastructures, focusing on challenges in protecting United States critical infrastructures from cybersecurity threats, after receiving testimony from Donald Purdy, Jr., Acting Director, National Cyber Security Division, Department of Homeland Security; David A. Powner, Director, Information Technology, Management Issues, Government Accountability Office; Thomas M. Jarrett, Delaware Department of Technology and Information, Dover; and Paul M. Skare, Siemens Power Transmission and Distribution, Inc., Minnetonka, Minnesota.

VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION

Committee on the Judiciary: Committee concluded a hearing to examine S. 1197, to reauthorize the Violence Against Women Act of 1994, focusing on the Family Justice Center Initiative, the sexual assault forensic exam protocol, and other efforts to eradicate crimes of domestic violence, dating violence, sexual assault, and stalking, after receiving testimony from Diane M. Stuart, Director, Office on Violence Against Women, Department of Justice; Sheriff Edmund M. Sexton, Sr., Tuscaloosa County, Alabama, on behalf of the National Sheriffs' Association; Lynn Rosenthal, National Network to End Domestic Violence, and Mary Lou Leary, National Center for Victims of Crime, both of Washington, D.C.; M.L. Carr, WARM2Kids, San Francisco, California, on behalf of the Family Violence Prevention Fund; and Salma Hayek, Avon Foundation, New York, New York.

FEDERAL CONSENT DECREE FAIRNESS ACT

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing to conduct a review of Federal consent decrees, focusing on S. 489, to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, after receiving testimony from Senator Alexander; Representative Berman; Lois J. Schiffer, Baach, Robinson, and Lewis, PLLC, former Assistant Attorney General, Department of Justice, and Michael S. Greve, American Enterprise Institute, both of Washington, D.C.; Alabama Attorney General Troy King, Montgomery; Judge Nathaniel R. Jones (Ret.), Blank and Rome, LLP, Cincinnati, Ohio; Ross Sandler, New York University School of Law, New York, New York; and Timothy Stoltzfus Jost, Washington and Lee University School of Law, Lexington, Virginia.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Benjamin A. Powell, of Florida, to be General Counsel of the Office of the Director of National Intelligence, after the nominee, who was introduced by Senator Martinez, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 3329–3352; 5 private bills, H.R. 3353–3357; and 3 resolutions, H. Res. 366–368 were introduced. **Pages H6106–07**

Additional Cosponsors: **Pages H6107–08**

Reports Filed: Reports were filed today as follows:

H.R. 3020, to extend the existence of the Parole Commission (H. Rept. 109–176); **Page H6105**

Chaplain: The prayer was offered today by Dr. Jerry C. White, Pastor, Riverside Baptist Church in Greer, South Carolina. **Page H5965**

Recess: The House recessed at 9:08 a.m. for the purpose of receiving Prime Minister Manmohan Singh. The House reconvened at 11:30 a.m., and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Page H5965**

Joint Meeting to receive His Excellency Manmohan Singh, Prime Minister of the Republic of India: The House and Senate met in a joint session to receive His Excellency Manmohan Singh, Prime Minister of the Republic of India. He was escorted into the Chamber by a committee comprised of Representatives DeLay, Blunt, Shadegg, Doolittle, Ros-Lehtinen, Tom Davis of Virginia, Jindal, Pelosi, Hoyer, Menendez, Lantos, Faleomavaega, Pallone, and Crowley; and Senators Frist, McConnell, Stevens, Thomas, Martinez, Reid, Durbin, Stabenow, and Sarbanes. **Pages H5965–66**

Foreign Relations Authorization Act for Fiscal Years 2006 and 2007: The House began consideration of H.R. 2601, to authorize appropriations for the Department of State for fiscal years 2006 and 2007. Further consideration will continue tomorrow, July 20. **Pages H5972–H6074**

Pursuant to the rule the amendment in the nature of a substitute recommended by the Committee on International Relations, now printed in the bill and modified by the amendment printed in part A of H. Rept. 109–175, was considered as an original bill for the purpose of amendment. **Pages H5990, H6025**

Agreed to:

Hyde manager's amendment (no. 1 printed in H. Rept. 109–175) that makes technical revisions and minor changes and amendments to clarify certain provisions, and correct oversights and errors found after the bill was reported; **Pages H6025–27**

Dreier amendment (no. 3A made in order under section two of the rule) that provides for the authorization to establish an Active Response Corps to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are in, are transitioning from, or are likely to enter into, conflict or civil strife; **Pages H6039–41**

Poe amendment (no. 4 printed in H. Rept. 109–175) that authorizes funding through the Migration and Refugee Assistance account to provide emergency aid to the internally displaced people of Burma; **Pages H6041–42**

Poe amendment (no. 5 printed in H. Rept 109–175) that amends the Foreign Service Act to strengthen the statutory basis of the Department's requirement for world-wide availability for new entrants to the Foreign Service; and clarifies the medical policies regarding applicants; **Page H6042**

Burton amendment (no. 7 printed in H. Rept. 109–175) that authorizes the transfer of two aircraft to the government of Columbia for use by the Columbian Navy to disable ships carrying cocaine and heroin; **Pages H6042–44**

Souder amendment (no. 11 printed in H. Rept. 109–175) that authorizes funding for INL to purchase or lease a maritime refueling support vessel capable of refueling U.S. and allied vessels engaged in drug interdiction in the Eastern Pacific transit zone; **Page H6048**

Hyde amendment (no. 13 printed in H. Rept. 109–175) that authorizes measures to deter arms transfers by foreign countries to the People's Republic of China; **Pages H6052–56**

Ackerman amendment (no. 14 printed in H. Rept. 109–175) that raises the authorized level for the State Department program which provides for reimbursement to localities for services provided for the protection of foreign missions and officials; and authorizes back payments to New York City for expenses incurred since 2002; **Page H6056**

Blunt amendment (no. 15 printed in H. Rept. 109–175) that declares that it is U.S. policy to oppose the creation of any international or global taxation by the UN; and that no U.S. person shall be subject to such a tax; **Pages H6056–57**

Lantos amendment (no. 16 printed in H. Rept. 109–175) that provides for equal treatment of employees of the State Departments who are residents of U.S. territories in the personnel policies of the Department; and permits the same reimbursements for travel of dependents of Department employees from overseas station to public universities in the territory of the employee's legal residence; **Page H6068**

Burton amendment (no. 17 printed in H. Rept. 109–175) that requires the Secretary of State to conduct a cost-benefit analysis on how best to use American security assistance dollars to thwart alien smuggling, trafficking in person, and possible terrorists entering from Ecuador; **Pages H6068–69**

Lantos amendment (no. 18A made in order under section two of the rule) that expresses concern about language in the declaration of the Heads of State of the Shanghai Cooperation Organization; **Pages H6069–70**

Smith of New Jersey amendment (no. 19 printed in H. Rept. 109–175) that withholds funding to the UN for any of its agencies or committees headed by nations on the State Department's terrorist watch list; **Page H6070**

Hyde amendment (no. 2 printed in H. Rept. 109–175), as modified by unanimous consent agreement, that adds the Henry J. Hyde United Nations Reform Act of 2005, as passed by the House, to the bill (by a recorded vote of 226 ayes to 195 noes, Roll No. 385); **Pages H6027–39, H6057–68, H6070–71**

Kennedy of Minnesota amendment (no. 8 printed in H. Rept. 109–175) that requires the State Department to annually certify that the five biggest exporters and importers of certain methamphetamine precursors are ''fully cooperating'' with U.S. law enforcement to prevent diversion of these chemicals for illicit purposes (by a recorded vote of 423 ayes to 2 noes, Roll No. 386); **Pages H6044–46, H6071–72**

Hooley amendment (no. 9 printed in H. Rept. 109–175) that directs the Bureau for International Narcotics and Law Enforcement Affairs (INL) to make a priority of stemming the influx of methamphetamine from Mexico; and directs INL to improve border security (by a recorded vote of 424 ayes to 1 no, Roll No. 387); **Pages H6046–47, H6072**

Souder amendment (no. 10 printed in H. Rept. 109–175) that requires a report on extradition requests for Afghans who have committed violations of narcotics laws in the U.S. (by a recorded vote of 426 ayes to 1 no, Roll No. 388); and **Pages H6047–48, H6073**

Smith of New Jersey amendment (no. 12 printed in H. Rept. 109–175) that expands activities to treat and prevent obstetric fistula, and provide access to contraceptive services and family planning; and makes these activities discretionary rather than obligatory (by a recorded vote of 223 ayes to 205 noes, Roll No. 389). **Pages H6050–52, H7073–74**

H. Res. 365, the rule, as amended, providing for consideration of the bill was agreed to by recorded vote of 228 ayes to 190 noes, Roll No. 384, after agreeing to order the previous question on the amendment and the rule by a yea-and-nay vote of 226 yeas to 196 nays, Roll No. 383. **Pages H5972–82**

Presidential Messages: Read a message from the President wherein he transmitted the District of Columbia's Fiscal Year 2006 Budget Request Act—referred to the Committee on Appropriations and ordered printed (H. Doc. 109–47). **Page H6074**

Read a message from the President wherein he notified Congress of the continuation of the national emergency and related measures blocking the property of certain persons and prohibiting the importation of certain goods from Liberia—referred to the Committee on International Relations and ordered printed (H. Doc. 109–48). **Page H6074**

Benjamin Franklin Tercentenary Commission: The Chair announced the Speaker's appointment of Representative Castle to the Benjamin Franklin Tercentenary Commission. **Page H6074**

Surface Transportation Extension Act: The House passed H.R. 3332, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. **Pages H6087–91**

Senate Messages: Message received from the Senate today appears on pages H6074, H6103.

Senate Referrals: S. 335 was referred to the Committee on Education & the Workforce; S. 1413 was referred to the Committee on Transportation & Infrastructure; S. Con. Res. 26 was referred to the Committee on Transportation & Infrastructure. **Page H6103**

Quorum Calls—Votes: One yea-and-nay vote and six recorded votes developed during the proceedings of today and appear on pages H5981–82, H5982, H6071, H6071–72, H6072, H6073, H6073–74. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 9:55 p.m.

Committee Meetings

MILITARY RECRUITING AND RETENTION

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the Current Status of Military Recruiting and Retention. Testimony was heard from the following officials of the Department of Defense: David S. C. Chu, Under Secretary, Personnel and Readiness; Thomas F. Hall, Assistant Secretary, Reserve Affairs; LTG Franklin L. Hagenbeck, USA, Deputy Chief of Staff, G–1, Headquarters, Department of the Army; VADM Gerald Hoewing, USN, Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education), Department of the Navy; LTG H.P. Osman, USMC,

Deputy Commander, Manpower and Reserve Affairs, U.S. Marine Corps; LTG Roger A. Brady, USAF, Deputy Chief of Staff, Personnel, Headquarters, U.S. Air Force; LTG Clyde A. Vaughn, USA, Director, Army National Guard; LTG James R. Helmly, USA, Chief, Army Reserve and Commanding General, U.S. Army Reserve Command; VADM John G. Cotton, USN, Chief of Naval Reserve; LTG John W. Bergman, USMCR, Commander, Marine Forces Reserve/Marine Forces North; LTG Daniel James, III, USAF, Director, Air National Guard; and LTG John Bradley, USAF, Chief of Air Force Reserve and Commander Air Force Reserve Command.

DD(X) SURFACE COMBATANT SHIP

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on Department of the Navy FY06 Plans and Programs for the DD(X) Next-Generation Multi-Mission Surface Combatant Ship. Testimony was heard from the following officials of the Department of Defense: Kenneth J. Krieg, Under Secretary, Acquisition, Technology and Logistics; Adm Vern E. Clark, USN, Chief of Naval Operations; John J. Young, Jr., Assistant Secretary, Research, Development and Acquisition; and RAD Charles S. Hamilton, II, USN, Program Executive Officer for Ships, Naval Sea Systems Command, all with the Department of the Navy; Paul L. Francis, Director, Acquisition and Sourcing Management GAO; Ronald O'Rourke, Specialist in National Defense, CRS, Library of Congress; J. Michael Gilmore, Assistant Director and Eric J. Labs, Principal Analyst, both with the National Security Division, CBO; and a public witness.

Hearings continue tomorrow.

NIH REAUTHORIZATION

Committee on Energy and Commerce: Held a hearing entitled "Legislation to Reauthorize the National Institutes of Health." Testimony was heard from Elias A Zerhouni, M.D., Director, NIH, Department of Health and Human Services.

NATIVE AMERICAN LAND TITLE GRANTS

Committee on Financial Services: and the Committee on Resources held a joint hearing entitled "Improving Land Title Grant Procedures for Native Americans." Testimony was heard from Rodger J. Boyd, Deputy Assistant Secretary, Public and Indian Housing, Office of Native American Programs, Department of Housing and Urban Development; and William P. Ragsdale, Director, Bureau of Indian Affairs, Department of the Interior.

DEPLOYED FORCES HEALTH SURVEILLANCE

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Occupational and Environmental Health Surveillance of Deployed Forces: Tracking Toxic Casualties." Testimony was heard from the following officials of the Department of Defense: Michael Kilpatrick, M.D., Deputy Director, Deployment Health Support Directorate; and Company Sergeant Major Brian Scott La Morte, Company Sergeant Major, B Company, 3rd Battalion, 20th Special Forces Group (Airborne), North Carolina Army National Guard; Marcia Crosse, M.D., Director, Health Care, GAO; Susan Mather, M.D., Chief Officer, Public Health and Environmental Hazards, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

IMPROVING AVIATION SECURITY

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity concluded hearings entitled "Leveraging Technology to Improve Aviation Security, Part II." Testimony was heard from Clifford A. Wilke, Assistant Administrator, and Chief Technology Officer, Transportation Security Administration, Department of Homeland Security.

OVERSIGHT—CAN CONGRESS CREATE A RACE-BASED GOVERNMENT/HAWAII

Committee on the Judiciary, Subcommittee on the Constitution held an oversight hearing on Can Congress Create A Race-Based Government?: The Constitutionality of H.R. 309, Native Hawaiian Government Reorganization Act of 2005, and S. 147, Native Hawaiian Government Reorganization Act of 2005. Testimony was heard from Mark Bennett, Attorney General, State of Hawaii; and public witnesses.

U.S. GOVERNMENT AND FOREIGN INFLUENCE

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on the following: H. Res. 97, Expressing the sense of the House of Representatives that judicial determinations regarding the meaning of the Constitution of the United States should not be based on judgments, laws, or pronouncements of foreign institutions unless such foreign judgments, laws, or pronouncements inform an understanding of the original meaning of the Constitution of the United States; and the Appropriate Role of Foreign Judgements in the Interpretation of American Law. Testimony was heard from public witnesses.

EASTERN OYSTERS/ENDANGERED SPECIES ACT

Committee on Resources: Held an oversight hearing entitled "The Status of the Eastern Oyster (Crassostrea virginica) and the Petition to List the Eastern Oyster as Endangered or Threatened under the Endangered Species Act." Testimony was heard from Jim Wesson, Department Head of Conservation and Replenishment, Marine Resources Commission, State of Virginia; William S. Perret, Director, Marine Fisheries, Department of Marine Resources, State of Mississippi; Chris Judy, Director, Fisheries Service, Shellfish Restoration Program, Department of Natural Resources, State of Maryland; and public witnessers.

OVERSIGHT—UPGRADING BUREAU OF RECLAMATION'S FACILITIES

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "Maintaining and Upgrading the Bureau of Reclamation's Facilities to Improve Power Generation, Enhance Water Supply and Keep our Homeland Secure." Testimony was heard from John Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

NASA AUTHORIZATION ACT

Committee on Rules: Testimony was heard from Chairman Boehlert and Representatives Calvert, Honda and Jackson-Lee of Texas, but action was deferred on H.R. 3070, National Aeronautics and Space Administration Authorization Act of 2005.

Joint Meetings

ENERGY POLICY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, but did not complete action thereon, and will meet again on Thursday, July 21, 2005.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 20, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine biosecurity preparedness and efforts to address agroterrorism threats, 10 a.m., SR–328A.

Committee on the Budget: to hold hearings to examine the Federal role and budget implications relating to health information technology, 10 a.m., SD–628.

Committee on Commerce, Science, and Transportation: Subcommittee on Global Climate Change and Impacts, to hold hearings to examine the climate policy of the United States, focusing on the climate-related science and technology budget request for fiscal year 2006, 10 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 703, to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway, S. 997, to direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge Forest, Montana, to Jefferson County, Montana, for use as a cemetery, S. 1131, to authorize the exchange of certain Federal land within the State of Idaho, S. 1170, to establish the Fort Stanton-Snowy River National Cave Conservation Area, S. 1238, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and H.R. 1101, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California, 2 p.m., SD–366.

Committee on Environment and Public Works: business meeting to consider H.R. 1428, to authorize appropriations for the National Fish and Wildlife Foundation, S. 1339, to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994, S. 1250, to reauthorize the Great Ape Conservation Act of 2000, S. 1340, to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment, S. 1265, to make grants and loans available to States and other organizations to strengthen the economy, public health, and environment of the United States by reducing emissions from diesel engines, S. 158, to establish the Long Island Sound Stewardship Initiative, S. 1400, to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States, S. 1410, to reauthorize the Neotropical Migratory Bird Conservation Act, the Lacey Act Technical Correction Act, the Alaska Native Villages Reauthorization Act, the nominations of Marcus C. Peacock, of Minnesota, to be Deputy Administrator of the Environmental Protection Agency, Granta Y. Nakayama, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, and Susan Bodine, of Maryland, to be Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency, 9:30 a.m., SD–406.

Committee on Finance: to hold hearings to examine the nominations of Robert M. Kimmitt, of Virginia, to be Deputy Secretary of the Treasury, Randal Quarles, of Utah, to be Under Secretary of the Treasury for Domestic Finance, Sandra L. Pack, of Maryland, to be Assistant Secretary of the Treasury for Management, and Kevin I. Fromer, of Virginia, to be Deputy Under Secretary of the Treasury for Legislative Affairs, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine economic progress in Iraq, 10:15 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 1420, to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees, S. 1418, to enhance the adoption of a

nationwide inter operable health information technology system and to improve the quality and reduce the costs of health care in the United States, and the nomination of Kathie L. Olsen, of Oregon, to be Deputy Director of the National Science Foundation, 9:30 a.m., SD–430.

Committee on the Judiciary: to hold hearings to examine issues and implications relating to reporters' shield legislation, 9:30 a.m., SD–226.

Select Committee on Intelligence: to hold a closed briefing regarding intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: to hold hearings to examine solutions to saving money in Medicaid, 2:30 p.m., SD–106.

House

Committee on Armed Services, hearing on the Air Force's Future Total Force Plan, 10 a.m., 2118 Rayburn

Subcommittee on Projection Forces, to continue hearings on Department of the Navy FY06 Plans and Programs for the DD(X) Next-Generation Multi-Mission Surface Combatant Ship, 2 p.m., 2212 Rayburn.

Committee on the Budget, hearing on Performance-Based Budgeting, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, to mark up H.R. 609, College Access and Opportunity Act, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to consider the following measures: H.R. 3204, State High Risk Pool Funding Extension Act of 2005; H.R. 3205, Patient Safety and Quality Improvement Act; H.R. 1132, National All Schedules Prescription Electronic Reporting Act of 2005; H.R. 2355, Health Care Choice Act of 2005; and H. Res. 220, Recognizing America's Blood Centers and its member organizations for their commitment to providing over half the Nation with a safe and adequate volunteer donor blood supply, 10 a.m., 2123 Rayburn.

Subcommittee on Environment and Hazardous Materials, hearing entitled "Electronic Waste: An Examination of Current Activity, Implications for Environmental Stewardship, and the Proper Federal Role," 2 p.m., 2123 Rayburn.

Committee on Financial Services, hearing on Monetary Policy and the State of the Economy, 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Government Management, Finance, and Accountability, hearing entitled "Implementing the Improper Payments Information Act—Are We Making Progress?" 2 p.m., 2247 Rayburn.

Subcommittee on Regulatory Affairs, hearing entitled "Improving the Information Quality in the Federal Government," 10 a.m., 2154 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, hearing entitled "A Progress Report on Information Sharing for Homeland Security," 10 a.m., 2257 Rayburn.

Committee on Rules, to report a rule for consideration of H.R. 3070, National Aeronautics and Space Administration Authorization Act of 2005, and to consider H.R. 3199, USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005, 2:30 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Energy and the Subcommittee on Research, joint hearing on Fueling the Future: On the Road to the Hydrogen Economy, 10 a.m., 2318 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, hearing on Fraud in Income Tax Return Preparation, 3 p.m., 1100 Longworth.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, July 20

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of H.R. 3057, Foreign Operations Appropriations, consider certain amendments to be proposed thereto, and expects to vote on final passage of the bill.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, July 20

House Chamber

Program for Wednesday: Consideration of Suspensions: H. Con. Res. 202, permitting the use of the rotunda of the Capitol for a ceremony to honor Constantino Brumidi on the 200th anniversary of his birth. Continue consideration of H.R. 2601, Foreign Operations Authorization Act for FY 2006 and 2007 (structured rule). Begin consideration of H.R. 3070, National Aeronautics and Space Administration Authorization Act of 2005 (subject to a rule).

Extensions of Remarks, as inserted in this issue

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