United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 99th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Thursday, July 11, 1985*

The House met at 10 a.m.

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

Gracious God, we pray that our words and deeds will be received as instruments of understanding and not to hurt or cause pain. May the spirit of forgiveness be our constant companion and may we remember that we are members of the human community, all created by Your grace. Help us to live together so that our words and deeds remind us of our common heritage and allow every person to live in peace. 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate passed a bill of the following title, in which the concurrence of the House is requested:

S. 49. An act to protect firearms owners' constitutional rights, civil liberties, and rights to privacy.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 124) an act entitled the "Safe Drinking Water Amendments of 1985," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STAFFORD, Mr. DURENBERGER, Mr. SIMPSON, Mr. BENTSEN, and Mr. BAUCUS to be the conferees on the part of the Senate.

THE QUESTION OF PRIVILEGE

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

Mr. STRANG. Mr. Speaker, this week this House was offered the opportunity to examine what appeared to be a possible conflict between the rules of the House and the conduct of partisan activity on Federal premises. Our opportunity, Mr. Speaker, was to refer this matter to the Committee on Official Standards of Conduct. Nothing less, Mr. Speaker, should have been expected by the American people or indeed by us, the elected Members of this body.

To sweep this grave matter under the partisan carpet can serve only to reinforce the lurking suspicion that this body does not intend to abide by the rules or by law either here or in the sovereign State of Indiana.

APPOINTMENT OF CONFEREES ON S. 1160, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1986

Mr. ASPIN. Mr. Speaker, pursuant to the rule, I move that the House insist on its amendments to the Senate bill (S. 1160) to authorize appropriations for the military functions of the Department of Defense and to prescribe personnel levels for the Department of Defense for fiscal year 1986, to authorize certain construction at military installations for such fiscal year, to authorize appropriations for the Department of Energy for national security programs for such fiscal year, and for other purposes, and request a conference with the Senate thereon.

The Clerk read the title of the Senate bill.

The SPEAKER. Without objection, the motion is agreed to.

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. MC COLLUM

Mr. McCOLLUM. Mr. Speaker, I offer a motion to instruct the conferees.

The Clerk read as follows:

Mr. MCCOLLUM moves that the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill S. 1160, be instructed to insist on the House position on the McCollum amendment relating to the creation of a peacetime espionage offense with a death penalty in the Uniform Code of Military Justice.

The SPEAKER. The gentleman from Florida [Mr. MCCOLLUM] is recognized for 1 hour.

Mr. McCOLLUM. Mr. Speaker, the motion to instruct in this case is being offered for two primary reasons; one, it has been my feeling since we did not get a recorded vote on this issue on the floor when the amendment was adopted on the Department of Defense authorization bill that it would be wise to give the conferees, the managers, the full force of the House on this very vital subject; but it is also being offered, and frankly the primary reason for it being offered, is because Members on our side who wanted that recorded vote were very concerned about not getting it and some of the procedures involved in that process.

I want to first of all pay good respect to the chairman of the Armed Services Committee, the gentleman from Wisconsin [Mr. ASPIN], who has I think admirably conducted the proceedings of the bill that is before us today again. This motion is no reflection on him or on the minority ranking member of our committee or any of the other members of the Armed Services Committee. It is strictly in order to avail ourselves, at least on this side, of the opportunity to discuss the issue a little bit more and to get that opportunity for the vote which, as I said, some of our Members felt very badly they did not have a chance to have.

To refresh the Members' recollection on what this amendment was and what we would be instructing the conferees on today, I would say this about the amendment. The amendment was specifically to establish for the first time a peacetime crime, a peacetime offense, for espionage under the Uniform Code of Military Justice. At the present time there is no specific crime of espionage in peacetime under the UCMJ.

Included in the amendment and included in this new crime would be a constitutionally valid death penalty

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that could be given by the court members under the Uniform Code of Military Justice and under the regulations established by the Manual for Courts Martial.

I think this is an exceedingly important issue which is why many Members were disappointed they did not have an opportunity to be recorded individually on this issue which passed by voice vote during the debate 2 weeks ago.

The fact of the matter is that under our law system today we have a peacetime espionage crime in the civilian world but we do not have it in the Uniform Code of Military Justice, unless you go the circuitous route of bringing in article 134, which allows for the other Federal criminal laws to be incorporated in military law and charges brought under them. If you do that, though, the sentencing is limited to a maximum of 10 years' confinement for whoever might be convicted, so that is, as a practical matter, not sufficient.

If, for example, John Walker had been brought to trial, which he could have been, under the Uniform Code of Military Justice, for espionage instead of out in the civilian world, and by the way, under the laws of our country, since he committed these offenses back when he was, or some of them back when he was on active duty, and they were connected with his military service as a retired warrant officer, John Walker could have been recalled for trial under the UCMJ. If he had been tried under the UCMJ, under the provisions of existing law, the maximum sentence he could have been given would have been 10 years.

As it is, the peacetime crime of espionage under which he may well be tried on the civilian side of the ledger, under Federal law, has a maximum sentence of life imprisonment and a much more severe possibility for confinement.

However, I might point out to the Members that not only do we need a peacetime espionage crime under the Military Code, we also need to address the question of the death penalty itself. Since 1972 when the Supreme Court ruled that the death penalty statutes in this country generally were unconstitutional, because the procedures and the guidelines for instructing juries and court members on how they would find or not find the death penalty were vague or nonexistent, and the specific safeguards to make sure they considered matters in mitigation and matters in aggravation were not present, since that time we have not had a full death penalty visit by this Congress to reenact or to make constitutionally valid a death penalty.

Many of the States, some 30 or so, have in fact, since then, revisited that issue and have established what have been upheld in many cases by the Supreme Court valid death penalty procedures. We have one time, one time since 1972, enacted what is believed to be a constitutionally valid death penalty and that was in 1974 in the case of air piracy and skyjacking, but we have not done it with regard to any other Federal criminal laws, so that today, with regard to espionage, for example, spying on the civilian side, as well as in the military, there is no statutorily enacted, constitutionally valid death penalty and it seems to me that this is long overdue, as it does to many other Members of this body, that the Judiciary Committee revisit and bring out to the floor a bill which gives an opportunity for us to have a constitutionally valid death penalty vote on the other crimes, not just the one involving spying and espionage, but those such as assassination of the President and certain murder cases and others that involve very serious and heinous crimes.

But it also occurs to me that we specifically find the most egregious possible crime against the American people, threatening lives, threatening the very liberty of our Nation when we talk about spying and treason and, above all else, I think the Members, when they voted by the voice vote earlier on this action were saying "We understand that, we want to see a correct peacetime espionage crime in the military, but we also want to see an opportunity for the death penalty to be imposed in this situation and under those conditions"

Now, it is also true that there are currently in existence under the present system of the President's orders in the Manual For Court Martial, in other areas related not to this peacetime crime, but to certain existing military crimes, provisions which would presumably set forth a constitutionally valid mechanism for imposing the death penalty. It appears that this is approved by the Court of Military Appeals and hopefully it would be approved as a procedure for establishing this by the Supreme Court if and when a case is reviewed under those procedures sometime in the future. But this statute does what I think is an important and consistent thing; that is, the amendment that is being discussed today for the purposes of instructing the conferees that was adopted a week ago sets forth a legislative, clearly constitutionally valid procedure so that regardless of the ultimate decision on the constitutionality of the Manual For Courts Martial procedure, this would be a death penalty that would be upheld by the courts ultimately for the crime of spying or peacetime espionage.

So it is for those reasons that I offered the amendment to begin with. It is for those reasons, to establish a peacetime espionage crime under the UCMJ with a death penalty that I believe the Members of this body, by voice vote, so willingly adopted that amendment. And today what we are attempting to do, and why I am offering this motion to instruct, is to give force to the views of the House in the conference by a vote affirmatively instructing and to allow us the opportunity here today to get a recorded vote on that issue that Members wanted, many Members did, but did not have the opportunity to get.

Some were aggrieved because they felt there might have been a quick gavel or whatever involved in that. But whatever that issue is today, the key reason for offering it is to have the opportunity to get that vote, to clearly state the will of the House on the record and to let Members say their will in this particular case.

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

Mr. McCOLLUM. For purposes of debate only, I will be glad to yield to the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Speaker, I thank the gentleman from Florida for yielding, and I would tell the gentleman from Florida that we would defend his position in the conference anyway. I think that the gentleman's amendment had strong support in the House and there is no reason why we would not support it.

However, I understand the gentleman's concern about getting a vote on it and I have no problem with this vote and in fact I plan to vote for the gentleman's motion to instruct.

Mr. ANDERSON. Mr. Speaker, will the gentleman yield to me?

Mr. McCOLLUM. For the purposes of debate only I yield to the gentleman from California.

Mr. ANDERSON. Mr. Speaker, I want to direct a question to the chairman of the Armed Services Committee.

Mr. Speaker, 2 weeks ago, when the House debated H.R. 1872, the DOD fiscal year 1986 authorization bill, many hours were devoted to making reforms in the procurement system of the Defense Department. Through all of those debates ran one common thread—buying the most defense for the least expenditure of the taxpayer's dollar. That central theme was supported by every speaker in the well, even if he or she opposed the particular scheme being discussed at the time. Every speaker also supported the ideal of bringing more competition into the Defense Department procurement system, and we passed a number of amendments aimed at doing just that.

One point that was not debated, however, was the language that directly brings competition into the U.S. Air Force's procurement of fighter aircraft. I suspect this is because your committee had already included it in their reported bill, and no Member

took issue with it on the floor. I refer to section 103(C), which states:

In the procurement of tactical fighter aircraft for fiscal year 1986, the Secretary of the Air Force shall establish an ongoing annual competition for procurement of aircraft to meet the requirements of the Air Force above the minimum number of F-16 and F-20 aircraft that the Secretary determines necessary to procure for meeting the requirements of the active and reserve components. Such competition shall be among all suitable aircraft, including the F-16 and F-20.

This issue, which I understand passed the House Armed Services Committee on a vote of 29 to 15, was stimulated by the Northrop Corp.'s unsolicited proposal to the Air Force to provide the F-20 on a firm fixed price basis in competition with the General Dynamics F-16. Since the committee reported out their bill, General Dynamics has already responded by submitting their own unsolicited proposal to the Air Force for a lower cost F-16.

Mr. Speaker, I am greatly concerned by the fact that the Senate's DOD authorization bill for fiscal year 1986 does not address this F-16/F-20 competition. I am aware that Northrop's proposal was not made until after the Senate Armed Services Committee reported out their bill. However, the subject was not raised by any Senator during the debate of this bill and thus the Senate does not have a recorded position on the issue.

Mr. Speaker, I have heard all the arguments for maintaining the status quo, that is, sole procurement of F-16's from General Dynamics, including their claim that price will go up if they build fewer aircraft. I believe history and experience tell us that will not necessarily be the case in a competitive situation. I would only point out that the House language provides the Air Force Secretary authority to hold the competition, an authority the Secretary has stated he would like to have. Therefore, Mr. Chairman, I believe it would be useful for the House to have your assurance that you intend to support the desires of the House concerning competition within DOD programs, and that you will personally involve yourself in this issue in conference and do everything possible to ensure that the House's position on this issue prevails.

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

Mr. McCOLLUM. I will be glad to yield to the gentleman from Wisconsin.

Mr. ASPIN. I would like to assure the gentleman that I agree completely with his statement. I would tell the gentleman that I did vote for the amendment that he refers to in the committee and the committee amendment which did pass in the committee.

□ 1020

Personally I think it is the right thing to be doing and I am going to be very much supportive of the House position in the conference.

Mr. ANDERSON. I thank the chairman very much.

Mr. Speaker, I thank the gentleman [Mr. McCOLLUM] very much for yielding.

Mr. McCOLLUM. The gentleman is quite welcome.

Reclaiming my time, Mr. Speaker, the issue we are debating at this point is on the question of the McCollum amendment and instructing conferees on peacetime espionage and the death penalty.

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

Mr. McCOLLUM. I yield to the gentleman from California [Mr. LUNGREN] for purposes of debate.

Mr. LUNGREN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I think it is important to focus on the nature of the gentleman's amendment and the vote we are going to have on it. In essence what this is going to be is the first vote the House of Representatives has had up or down on the question of the death penalty since at least 1977.

Some may wonder why we do it in this manner. The problem is we attempted at least on two prior occasions, just in the last 2 weeks, just to get this vote.

Unfortunately we were not allowed the opportunity to have those votes. It would not be our intention to do this under any other circumstances. The fact of the matter further is that we are denied the opportunity to have a vote on the death penalty because the death penalty is within the jurisdiction, primarily, of the Committee on the Judiciary. And the Committee on the Judiciary is so ideologically established that it has no chance of breathing any life, much less getting the legislation to the floor for a serious vote.

We hope that Members here will understand that this is a vote up or down on the death penalty, the first vote they have had since 1977 to register their feelings one way or another.

It is also our hope that in this way we can gauge the mood of the House of Representatives on the question of the death penalty, so that when we go, in the future, to the Committee on the Judiciary, we will have an accurate reflection that is current of the attitude of the collective judgment of the body here in the House of Representatives. It is important that we have this in terms of its substance. That is that the death penalty ought to be applied to those who engage in espionage even in peacetime. But this is limited just to those who are in uniform. It does not go to the question of whether we ought to have the death penalty with respect to murdering the President.

As I have said many times on this floor, it is incongruous that under the Federal statutes at the present time a Mr. John A. Hinckley, had he murdered someone in the course of skyjacking an airplane for purposes of getting to Washington, DC, to attempt to assassinate the President, and had been successful in assassinating the President, he could have the death penalty imposed upon him for the skyjacking incident but not for murdering the President of the United States. It is absolutely incongruous, I say. It makes a mockery of justice on the Federal level. There are many of us who think that this House being the deliberative body for the Nation ought to have the opportunity to debate fullsquare right here on the floor the question of whether or not we ought to have the death penalty for those who murder the President or Vice President of the United States, the question of whether we ought to have the death penalty for those who are involved in treason, the question of whether we ought to have the death penalty for those who are involved in certain heinous crimes, the question of whether we ought to have the death penalty for those who murder other inmates while they are in a Federal correctional institution, the question of whether we ought to have the death penalty for those who murder prison guards, because in those last two cases there is a very serious question.

If someone is serving a life term in a Federal institution, what sanction is there that that person respects to stop him or her from murdering a fellow inmate, or stop him or her from murdering a prison guard when they already have a life imprisonment hanging over their head? Should we give them another life imprisonment, and another life imprisonment?

Last year, just last year we had a terrible situation in a maximum security prison on the Federal level in Marion, IL. In that particular instance we had two murders within a very, very short period of time, one that seemed to be in response to the first one. There was actual mayhem there.

Frankly, when you are dealing with people who are hardened criminals who have committed murder before, there is no sanction that means anything to them unless it is the death penalty.

The problem is that Members of Congress have differing views on that issue but they are denied the opportunity to debate those issues here on the floor with an opportunity to vote on those issues here on the floor because we can never get the issue through the Judiciary Committee, we can never get it here on the floor. It you cannot get it through the committee you have one other route and it is called a dis-

charge petition; 218 Members have to sign the discharge petition which by tradition and rule we keep secret. It is a violation of the rules to take that discharge petition from the table there [indicating] and show it to the press or show it to anybody else. It is a violation of the rule to let the American people know, who are so concerned about the death penalty, that they would put their name on a discharge petition to discharge the relevant committee of jurisdiction, the Judiciary Committee, from further consideration and bring it here to the floor.

What happens if you use a discharge petition? The argument is that is not the way to deal with serious legislation. You do not have the amendment process. So we are caught betwixt and between. We are caught because of the committee not allowing it ever to get out on the one hand and if we use the other available route we are then criticized for bringing it to the floor because it is too serious a matter to handle it in that way.

So here we have an opportunity on a death penalty which deals with espionage to vote. It has already been accepted. There does not seem to be a disagreement on the leadership on the two committees—on the committee with respect to this but we need to have a vote so the American people will know where their elected Representatives stand on the question of the death penalty.

We have tried twice in the last 2 weeks, twice previously, to have this vote. We were denied the opportunity to have those votes by what some would consider very questionable rulings by the Chair. Here we have an open-and-shut case and unless 100 or 218 bodies strangely materialize in a few short minutes when we object to the vote on the grounds that a quorum is not present, we expect we will have a vote, every Member will have the opportunity to register his or her feeling and the position of the people that he or she represents on the floor of the House of Representatives on the question of the death penalty, the first time since 1977. I hope all Members will understand that they ought not to hide behind the procedural question of saying, "I do not like to instruct conferees."

We have here the chairman of the subcommittee telling us that he does not mind being instructed and in fact will vote for it. So no one can hide behind the argument that this is a procedural matter and I do not want to set the precedent for instructing conferees.

The conferees wish to be instructed. Let us instruct them and let us take this as our first and only up-or-down vote on the question of a death penalty, constitutionally required, with the proper procedure as established by the enunciations of the Supreme Court with respect to espionage. Let us have a vote on it up or down. Let us have a clear, clear record of where the American people stand on this as reflected by the views of their elected Representatives in the House.

Mr. Speaker, I not only thank the gentleman for yielding to me but I congratulate him, Mr. McCOLLUM, for fashioning this particular amendment to this bill and making sure, and insisting that we would have a vote on this very, very important subject.

Mr. McCOLLUM. I reclaim my time and I really want to thank the gentleman. I think he does deserve a round of applause for that. But the fact of the matter is we both serve, my colleague and I, on the Committee on the Judiciary. We do need the opportunity to have the votes on the death penalty, as he says.

I have had the privilege of being the ranking minority member on the Subcommittee on Crime and I feel very strongly about getting votes on reinstating the death penalty for a number of Federal crimes.

I am about to yield now to my good friend, the gentleman from Pennsylvania [Mr. GEKAS], who is the ranking minority member on the Subcommittee on Criminal Justice, who has that burden of carrying the issue of restoring the death penalty on the Criminal Justice Subcommittee, and I am very honored to yield to the gentleman from Pennsylvania [Mr. GEKAS], at this time.

Mr. GEKAS. I thank the gentleman for yielding.

Mr. Speaker, I view this particular phenomenon at this moment as a breakthrough. It is a breakthrough toward the day when we will eventually be voting and accepting the death penalty as a deterrent tool in the fight against all sorts of crimes, not just the ones that pertain to military justice. There is a large body of opinion in this country of ours that favors the imposition of the death penalty as a deterrent.

No one need have repeated for him or her the statistics that are overwhelmingly in favor of the death penalty in every poll taken to the American public in the last generation.

The only statistical change that has occurred over the last 5 years in the public opinion poll as to whether or not the death penalty is a proper tool of law enforcement is that it has increased in public favor as a proper tool.

In the stage of development in our country now where there is a get-tougher mentality, and properly so, it is important that we take this first step to incorporate the death penalty at least in the military justice system and then, step by step, with the cooperation of the chairman of the Criminal Justice Subcommittee, begin to have proceedings to implement the death penalty across the board.

□ 1030

I have written to the gentleman concerning that subject, and hope that he will convene the Criminal Justice Committee specifically for the purpose of reinstating the death penalty across the board. That is why this vote is so important; it will register the House's approval of embedding the death penalty in the remedial section of our criminal justice system and lead us inexorably to the point where we will have it as a tool across the board.

Mr. CONYERS. Will the gentleman yield?

Mr. McCOLLUM. I yield to the gentleman.

Mr. CONYERS. I thank the gentleman for yielding to me.

I am very interested in this subject, and I appreciate both members of my subcommittee being here today. I want to assure the gentleman that I will move expeditiously on this matter.

Did I hear the gentleman from Pennsylvania say that the death penalty is a deterrent to crime?

Mr. GEKAS. Absolutely.

Mr. CONYERS. That is what I heard the gentleman say.

Mr. GEKAS. Oh, yes. If the gentleman wants to debate that, I am willing to.

Mr. CONYERS. I just wanted to make sure. We will hold hearings on the subject; we will not try to resolve it here.

Mr. GEKAS. On that question, will the gentleman yield further?

Mr. McCOLLUM. I will be glad to yield to the gentleman from Pennsylvania.

Mr. GEKAS. On the question of hearings, Mr. Chairman, it disturbs me a little bit, because the statistics that I have just related to you, plus the fact that in sessions past we have had countless hearings, according to the record. I was not here; the gentleman was here; and that the subject has been exhausted ad infinitum. Is it really necessary to have hearings on whether or not first, the people of the United States want the death penalty; two, on the constitutionality of the provisions that we would be presenting?

Those are moot by now, and I would ask the gentleman to consider strongly waiving the necessity for hearings for the purpose of expediting what now the House is approving finally in at least one section of its duties, on military justice, the death penalty.

I would ask the gentleman to seriously consider not even having hearings, but moving to the point of markup on the bill.

Mr. McCOLLUM. I yield to the gentleman from Michigan for a response.

Mr. CONYERS. This is exciting. The gentleman wants hearings or the gentleman does not want hearings?

Mr. GEKAS. I want markup.

Mr. CONYERS. Oh, you want markup.

Mr. GEKAS. Yes.

Mr. CONYERS. This morning?

Mr. GEKAS. This afternoon.

Mr. CONYERS. The subcommittee is meeting.

Mr. McCOLLUM. If I may reclaim the time here now, I would be glad to yield to the gentleman.

Mr. CONYERS. If I may point out, the subcommittee is meeting now, sir. The Subcommittee on Criminal Justice is meeting now. If we all repair to the subcommittee, we might be able to report a bill out before the conferees can even do their work.

Mr. LUNGREN. Will the gentleman yield?

Mr. McCOLLUM. Reclaiming my time, I will yield to the gentleman from California.

Mr. LUNGREN. Mr. Speaker, I am happy to hear this, because I have been here 7 years; the last vote we had on this was 1977; I think we have had sufficient time for hearings in the subcommittee and the full committee; votes on the floor, votes here on the House floor.

If the gentleman is telling me that he was waiting, he was waiting for this moment to find time to have hearings, well, I will yell hallelujah. The point is, I have been here 7 years and have never had a chance to vote on it.

The people of my State constantly say, "Why haven't you done something about it?" I have to tell them, "Because we can't get it out of the committee."

The gentleman has the right to his view; I have the right to my view. All I am saying is, treat us fairly; give us a chance to have it on the floor, and we will determine it. We will determine it.

Mr. CONYERS. Will the gentleman yield?

Mr. McCOLLUM. I yield to the gentleman.

Mr. CONYERS. I was going to respond to the letter, but I came on the floor in person. This is faster than the U.S. mail, fellows.

Mr. GEKAS. Good. It is about time.

Mr. CONYERS. I am sorry it took so long.

Mr. McCOLLUM. Reclaiming my time to make a couple of comments.

Mr. GEKAS. Would the gentleman yield just a moment on that point.

Mr. McCOLLUM. All right, certainly. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. The chairman says that, and he duly acknowledged before, that he had received my letter requesting expeditious action on the death penalty.

Mr. CONYERS. That is correct.

Mr. GEKAS. I hope now, as we walk together to the Criminal Justice Subcommittee hearing on another matter, that we resolve the answer to my letter and to proceed on this matter.

Mr. McCOLLUM. Reclaiming my time, I want to make one point. The distinguished gentleman from Michigan; I had the privilege of serving on his subcommittee and once before the gentleman from Pennsylvania I served as ranking minority member on the Criminal Justice Subcommittee, and then for 2 more years as a member, and I understand that he does conduct hearings and he is very considerate, and I appreciate that.

In the 4 years I served on the subcommittee, while we did have hearings on the death penalty as a party of the omnibus crime discussion, we never did, for various reasons, get to move on legislation or if we did, it was very late and it never went anywhere.

I would hope that the gentleman for Michigan could assure us that the hearings would not be dragged out too long, and that actual legislation, specifically on the death penalty and specifically on the issues discussed here today, could be marked up early enough; preferably this year, so we could vote on it in this Congress.

Mr. CONYERS. Would the gentleman yield to me?

Mr. McCOLLUM. I yield to the gentleman.

Mr. CONYERS. This is the most exciting and expeditious activity I have ever engaged in. I may report this bill out before you can get back to the subcommittee.

Mr. GEKAS. Do not do it without me.

Mr. LUNGREN. Will the gentleman yield?

Mr. McCOLLUM. I yield to the gentleman from California.

Mr. LUNGREN. I am sorry the gentleman brought up the Post Office. I mean, we blame the Post Office for a lot. I have not received mail so late that it took from 1977 until 1985 to get on my desk; maybe the gentleman has found those sorts of things, but the fact of the matter is it is an extremely important issue.

The Senate has passed the death penalty in previous Congresses. Last time, the Senate took the death penalty part out of the total package from the President and passed it by a 2-to-1 margin or 3-to-1 margin, and sent it over here, and it sat and it sat it sat.

So I hope the gentleman does not believe we are too sensitive about the fact that, from 1977 to 1985 we never even got one vote. You know the dispatch with which the Committee on the Judiciary can move. The gentleman has heard the Speaker say before: "I am the one who has the power of scheduling here."

The gentleman remembers what we did with the ERA: We had the ERA on the floor before the committee report came out. As a matter of fact, as the gentleman knows, we have never had the committee report printed on the ERA to this moment?

We left on a Friday, assured that it would not come up for 10 days, and we learned the next Monday when we got back it was going to be put on the suspension calendar—for noncontroversial items.

Now, if the ERA, an amendment to the Constitution, in noncontroversial, why do not—I do not want to suggest what the Chairman might do, but he might ask that we put the death penalty on the suspension calendar and see if we can really move it, since it is certainly not any more controversial than the ERA.

Mr. CONYERS. Will the gentleman yield?

Mr. McCOLLUM. I yield to the gentleman.

Mr. CONYERS. I am the chairman of the Subcommittee on Criminal Justice, I am not the Speaker of the House, but I would be delighted to take this up with him immediately.

Mr. McCOLLUM. We are delighted to hear that.

For purposes of debate only, I yield to the gentleman from Wisconsin.

Mr. ASPIN. I appreciate the gentleman from Florida [Mr. McCOLLUM] for yielding, and I appreciate the members of the subcommittee of the Judiciary Committee allowing the Committee of the Whole to particiate in their debate this morning, but I would like to get back to the defense bill, which of course is the issue before us.

Let me just make correction on two points. One is the issue about the vote that the gentleman wanted last—well, in the week before we had our recess on the issue. I do not believe that there was a conspiracy to deny the gentleman a vote.

It was the chairman of the committee that was holding the bill, and I think I would have known it. The gentleman did try to get a vote twice. There were two different people in the chair; there was no conspiracy on our part to deny the gentleman a vote. It was late at night. The gentleman had clearly won the issue on a voice, and I think we were trying to move the process along very quickly.

For that reason, as I say, I have got no objection to the gentleman having his vote, and let us do it. If the gentleman thinks a recorded vote is important, let us do it.

The second point, and that is I do not read too much into the issue here as being the wave of the future on other votes in the matter of the death penalty. I think that the gentleman's amendment here is clearly going to win, and I am going to vote for it, but I do not know whether I would vote for the death penalty in other cases.

So again, I think that we will have to see how it turns out, but I would

just like to at least make those two points before we do have this vote.

Mr. McCOLLUM. I thank the gentleman.

Reclaiming my time, I want to state that there was an understanding on my part; I know the gentleman from Wisconsin was not party to any quote: "Conspiracy to deny a vote" here on the floor on this issue 2 weeks ago, and I understand that, and I respect him for that.

There were some Members who felt that the gavels fell a little too quickly up there, and I think we did have some serious misunderstandings, disagreements, problems with the count, especially on the second one which the other gentleman from Pennsylvania requested a vote on later.

But I for no moment have any question of the motives or impugn the integrity of the gentleman from Wisconsin; he was a perfect gentleman throughout all of this, and I appreciate that fact, and I appreciate his support for this particular amendment on peacetime espionage and the death penalty.

□ 1040

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. For the chairman's edification, I wish he would not foreclose his position on the death penalty so quickly. We are talking about the possibility of cases of the assassination of the President of the United States, God forbid, other instances of espionage and treason that would not come under the cover of the Military Justice Code. Please, I ask the chairman, to consider carefully obviating himself from the debate that is yet to come on whether or not the death penalty should be imposed for those kinds of serious crimes.

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

Mr. McCOLLUM. I yield to the gentleman from California.

Mr. LUNGREN. I appreciate the remarks of the gentleman from Wisconsin, and I do not attribute any conspiracy to him or to anybody else. I will state emphatically, however, I was on the floor when we made the second attempt on a separate vote on the gentleman's amendment, and I will tell him that I believe absolutely there were more than 44 people standing. I know one Member did a quick count on our side and counted 50, at least 50; our staff counted 60 back there.

I understand what the gentleman is saying. But I will not take lightly what occurred to us on our side. When our side feels that we cannot get a proper vote, it goes to the very fundamental questions of this House, because, frankly, there is a certain amount of comity that is necessary in this House.

POINT OF ORDER

Mr. WEISS. Mr. Speaker, I wish to make a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. WEISS. Mr. Speaker, I think that this last statement of the gentleman impugns the motives of the Members of this body. I do not want to ask for the words to be taken down, but I think that maybe the gentleman would want to withdraw whatever insinuation along those lines that he has made.

Mr. McCOLLUM. I yield to the gentleman from California [Mr. LUNGREN].

Mr. LUNGREN. I will not——

The SPEAKER pro tempore. Will the gentleman suspend?

Does the gentleman from New York [Mr. WEISS] state a point of order?

Mr. WEISS. Mr. Speaker, I raise a point of order that motives of a Member of this body have been impugned by the suggestion that there was a deliberate miscount of votes by the Chair.

The SPEAKER pro tempore. The Chair will make a general response to the point of order. Under the precedents of the House, it is not in order in debate to speak disrespectfully of the Chair, to charge dishonesty or disregard of the rules. May 31, 1934, Speaker pro tempore Burns; February 7, 1935, Speaker pro tempore O'Connor; Hind's Volume V, 5192, 5188; Cannon's Volume VIII, 2531.

The Chair believes that any Member assigned to perform the duties of the Chair does so in a nonpartisan and forthright way, and the Chair will not permit to go unchallenged any improper references to the performance or motives of the Chair.

Mr. WEISS. I thank the Speaker.

The SPEAKER pro tempore. The Chair is making this as a general admonition.

The point of order is withdrawn.

The Chair recognizes the gentleman from California.

Mr. LUNGREN. I respect the gentleman's statement, because I would not withdraw those words even if a point of order were raised against me. I tried to state a fact as to what occurred, which I believe, and I said I believed there were, and I cited the number of people that were standing. I will be glad to stand on that at any point in time. I do not think the rules of the House prevent me from saying what I believe actually occurred or stating the truth.

Be that as it may, I still——

POINT OF ORDER

Mr. WEISS. Mr. Speaker, I wish to state a point of order.

The SPEAKER pro tempore. The gentleman from New York [Mr. WEISS] will state his point of order.

Mr. WEISS. Mr. Speaker, my point of order is that once again the distinguished gentleman from California has, in fact, impugned the motives and behavior of a Member of this body, particularly the Member sitting in the chair at the time that that vote was taken.

Mr. LUNGREN. Mr. Speaker, if I might be heard on the point of order——

The SPEAKER pro tempore. The Chair will state that he has read a general statement. The Chair would hope that the gentleman from California would adhere to the principles as contained within that general admonition to the House.

Mr. LUNGREN. Mr. Speaker, if the Speaker would look at the words that I said, he would see that I spoke very carefully about what I said I observed occurred, what I thought occurred, from my perception. And I do not appreciate the fact that on our side of the aisle we are told that we are to accept everything that happens in this House and if we bring to the attention of our other Members what we believe occurred that somehow rules will be interpreted such that we are not even allowed to utter what we thought occurred.

I did not cast aspersions on anybody's motivations. I stated what I thought occurred. I stated facts as I saw them. I said that I believe there were more than 44 people standing. I stated that a Member on our side counted at least 50. I stated that several members of our staff counted 60 Members. That is what I stated.

The SPEAKER pro tempore. The Chair cannot comment on something that occurred previously. The Chair has the ability to regulate the debate as it occurs today. The gentleman from New York [Mr. WEISS] should consider the comment of the gentleman from California [Mr. LUNGREN] at the present time.

Mr. WEISS. If the Speaker will allow, I have no problem with what the gentleman believes. I have a problem that he states as a matter of fact that there were x number of people standing when the Speaker, the Member who was in the chair, ruled otherwise and counted otherwise. That is not belief. That is in fact questioning the honesty of the vote count. That is what I am objecting to.

The SPEAKER pro tempore. It is the opinion of the Chair that while the gentleman from California [Mr. LUNGREN] may not in debate charge the Chair with disregard of the rules, he has only stated his personal belief as to something that may have occurred factually.

Mr. LUNGREN. I thank the Chair.

Mr. McCOLLUM. I yield to the gentleman from California [Mr. LUNGREN].

Mr. LUNGREN. I might just say what may happen, what may be re-

quired to occur here on our side of the aisle, is that we may be required to hold numbers up, all the way from 1 to 44, so that there will be no question as to how many people are here. And if we want to have this run like a little league baseball game at the "A" level or a kindergarten, I guess we can do that. All I am saying is that Members on both sides of the aisle ought to understand that there is a modicum of respect, a modicum of mutual comity that is necessary to have this House operate. And if that is gone, the ability to operate in this House is gone. And to suggest that if in fact Members feel that they have been taken advantage of that they have no right to even take the floor and express that belief because they will then be called to task and have their words taken down, frankly, that is unacceptable on this side of the aisle. And if the gentleman listened to my words, he would see that I was very careful to say what I believe I saw occur and what others saw occur. If there is a question of perception, that question of perception can lie. This is not a courtroom in which we can be examined and cross-examined. Frankly, I wish it were, because I would love to bring forth the evidence.

Mr. McCOLLUM. Mr. Chairman, if I may reclaim my time, I think there is a very important point that is being made, and I certainly will yield, but I would like to yield first to the gentleman from Wisconsin [Mr. ASPIN] and, hopefully, we can go on to a vote.

Mr. ASPIN. I thank the gentleman for yielding. I appreciate the concern of the gentleman from California. We all know that on these count issues there is a modicum of discretion involved and the discretion concerns the amount of time that you allow between the question of a vote and how much you wait before you count the House. If you stood there for 5 minutes waiting, you could probably get a vote on every time. If you waited for 2 seconds, you probably would not get a vote on any. It is a judgment call, and the gentleman from California is, I think, within his rights to question whether there was some fast gavels on those votes. The point is that we are now going to have a vote on it, let us have a vote, let us not waste the time of the House, let us go ahead with the vote if we can.

Mr. McCOLLUM. Reclaiming my time, I yield strictly for the purposes of debate to the gentleman from New York [Mr. WEISS].

Mr. WEISS. I thank my friend for yielding.

Mr. Speaker, again, I fully share the sentiments expressed by my friend, the gentleman from California [Mr. LUNGREN], as to the comity that is required in this body and the respect with which we ought to hold one another. And what I have suggested really follows right in path of that.

The gentleman from Wisconsin is quite right. Perceptions may vary. To turn that perception into an absolute statement of act I think is what is inappropriate, and that is what I was taking my objections to.

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

Mr. McCOLLUM. I yield to the gentleman from California.

Mr. LUNGREN. I understand what the gentleman is saying, but I want it to be fully understood we will not trivialize the incident nor will we trivialize the significance of what it represents.

What I am suggesting is that Members on this side of the aisle are putting people on notice that we will expect that we are treated the same. That is all we are asking. All we are asking for is respect Member to Member, district to district. And, unfortunately, a number of us feel, this body on this side of the aisle feels, that we have not been accorded that in each and every instance.

Mr. WEISS. I am sorry the gentleman feels that way.

Mr. McCOLLUM. Reclaiming my time, I want to restate the proposition that is before us before I move the previous question.

The proposition is, notwithstanding the importance of the debate that has gone on here today—and I think it has been very important—a motion to instruct the conferees on the defense authorization bill to support and to uphold the McCollum amendment which sets forth in the bill a new peacetime espionage crime under the Uniform Code of Military Justice and imposes the possibility of a constitutionally valid death penalty upon conviction for that crime.

I think it is an important issue, as has been discussed here earlier, both from the standpoint of the merits and the need for the military crime that does not now exist for peacetime spying and from the standpoint of a demonstration of support for the reinstatement of the death penalty generally, and I think the vote needs to be taken in that context on the motion to instruct.

Mr. RUDD. Mr. Speaker, I urge the passage of the motion to instruct the House conferees to stand firm on the House position in favor of restoring the death penalty for military personnel convicted of espionage.

The death penalty for espionage, a crime which puts the lives of our military and indeed every single American in jeopardy, is one of the most despicable that can be committed. The death penalty is the only just and fitting punishment for this crime.

I hope this motion will pass. But I also hope that the appropriate committees will then take up legislation at an early date to reinstate the death penalty for civilians convicted of espionage. Early this year, I introduced legislation, H.R. 704, to establish constitutional guidelines for the imposition of the death penalty in such cases. That measure has gained the support of 53 of my colleagues.

The Walker case is a prime example of why we need a death penalty for espionage. But the fact is that we have also had more people charged with the crime in the last year and a half than over any similar 18-month period in our Nation's history. The current maximum penalties are obviously not sufficient to deter the crime.

I urge the passage of this motion and early action on my legislation to reinstate the death penalty for civilians convicted of espionage.

Mr. McCOLLUM. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Florida [Mr. MCCOLLUM].

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 320, nays 101, answered "present" 3, not voting 9, as follows:

[Roll No. 219]

YEAS—320

Akaka	Bryant	DeWine
Alexander	Burton (IN)	Dickinson
Anderson	Bustamante	Dicks
Andrews	Byron	Dingell
Anthony	Callahan	DioGuardi
Applegate	Campbell	Donnelly
Archer	Carney	Dornan (CA)
Armey	Carper	Dowdy
Aspin	Carr	Dreier
Badham	Chandler	Duncan
Barnard	Chappell	Durbin
Bartlett	Chappie	Dwyer
Barton	Cheney	Dyson
Bateman	Clinger	Eckart (OH)
Bellenson	Cobey	Eckert (NY)
Bennett	Coble	Edwards (OK)
Bentley	Coelho	Emerson
Bereuter	Coleman (MO)	English
Bevill	Coleman (TX)	Erdreich
Biaggi	Combest	Evans (IA)
Bilirakis	Conte	Fascell
Bliley	Cooper	Fawell
Boehlert	Coughlin	Fiedler
Boland	Courter	Fields
Boner (TN)	Craig	Fish
Borski	Crane	Flippo
Bosco	Daniel	Florio
Boucher	Dannemeyer	Foglietta
Breaux	Darden	Foley
Brooks	Daub	Fowler
Broomfield	Davis	Franklin
Brown (CO)	de la Garza	Frenzel
Broyhill	DeLay	Frost
Bruce	Derrick	Fuqua

Gallo	Manton	Russo
Gaydos	Marlenee	Saxton
Gekas	Martin (IL)	Schaefer
Gephardt	Martin (NY)	Scheuer
Gibbons	Martinez	Schneider
Gilman	Matsui	Schroeder
Gingrich	Mavroules	Schuette
Glickman	Mazzoli	Schulze
Gradison	McCain	Seiberling
Gray (IL)	McCandless	Sensenbrenner
Green	McCollum	Shaw
Gregg	McCurdy	Shelby
Grotberg	McDade	Shumway
Guarini	McEwen	Shuster
Gunderson	McGrath	Siljander
Hall (OH)	McHugh	Sisisky
Hammerschmidt	McKernan	Skeen
Hansen	McMillan	Skelton
Hartnett	Meyers	Slattery
Hatcher	Mica	Slaughter
Heftel	Michel	Smith (NE)
Hendon	Mikulski	Smith (NH)
Hiler	Miller (OH)	Smith, Denny
Hillis	Moakley	Smith, Robert
Holt	Molinari	Snowe
Hopkins	Monson	Snyder
Horton	Montgomery	Solomon
Howard	Moore	Spence
Hubbard	Moorhead	Spratt
Huckaby	Morrison (WA)	St Germain
Hughes	Murphy	Stallings
Hunter	Murtha	Stangeland
Hutto	Myers	Stenholm
Hyde	Neal	Strang
Ireland	Nelson	Stratton
Jeffords	Nichols	Stump
Jenkins	Nielson	Sundquist
Johnson	Nowak	Sweeney
Jones (NC)	O'Brien	Swift
Jones (OK)	Oakar	Swindall
Jones (TN)	Olin	Tallon
Kanjorski	Ortiz	Tauzin
Kaptur	Oxley	Taylor
Kasich	Packard	Thomas (CA)
Kemp	Panetta	Thomas (GA)
Kennelly	Parris	Torres
Kindness	Pashayan	Torricelli
Kolbe	Pease	Traficant
Kolter	Pepper	Valentine
Kramer	Petri	Vander Jagt
LaFalce	Pickle	Volkmer
Lagomarsino	Porter	Vucanovich
Lantos	Price	Walker
Latta	Pursell	Watkins
Leath (TX)	Quillen	Weber
Lehman (CA)	Rahall	Whitehurst
Lent	Ray	Whitley
Lewis (CA)	Regula	Whittaker
Lewis (FL)	Reid	Whitten
Lightfoot	Richardson	Wilson
Lipinski	Ridge	Wirth
Livingston	Rinaldo	Wise
Lloyd	Ritter	Wolf
Loeffler	Roberts	Wortley
Long	Robinson	Wright
Lott	Roe	Wyden
Lowery (CA)	Roemer	Wylie
Lujan	Rogers	Yatron
Lundine	Rose	Young (AK)
Lungren	Roth	Young (FL)
Mack	Rowland (CT)	Young (MO)
MacKay	Rowland (GA)	Zschau
Madigan	Rudd	

NAYS—101

Ackerman	Dellums	Hayes
Addabbo	Dixon	Henry
Atkins	Dorgan (ND)	Hertel
AuCoin	Downey	Hoyer
Barnes	Dymally	Jacobs
Bates	Early	Kastenmeier
Bedell	Edgar	Kildee
Berman	Edwards (CA)	Kleczka
Bonior (MI)	Evans (IL)	Kostmayer
Bonker	Fazio	Leach (IA)
Boxer	Feighan	Lehman (FL)
Brown (CA)	Frank	Leland
Burton (CA)	Garcia	Levin (MI)
Clay	Gejdenson	Levine (CA)
Coats	Gonzalez	Lowry (WA)
Collins	Goodling	Luken
Conyers	Gordon	Markey
Coyne	Gray (PA)	McCloskey
Crockett	Hamilton	McKinney
Daschle	Hawkins	Miller (CA)
Miller (WA)	Rostenkowski	Studds
Mineta	Roukema	Tauke
Mitchell	Roybal	Towns
Mollohan	Sabo	Udall
Morrison (CT)	Savage	Vento
Mrazek	Schumer	Visclosky
Natcher	Sharp	Waxman
Oberstar	Sikorski	Weaver
Obey	Smith (IA)	Weiss
Owens	Smith (NJ)	Wheat
Penny	Solarz	Williams
Perkins	Staggers	Wolpe
Rangel	Stark	Yates
Rodino	Stokes	

ANSWERED "PRESENT"—3

Ford (TN)	Synar	Walgren

NOT VOTING—9

Annunzio	Ford (MI)	Moody
Boggs	Hall, Ralph	Smith (FL)
Boulter	Hefner	Traxler

PERSONAL EXPLANATION

Mr. SMITH of Florida. Mr. Speaker, I was unavoidably absent for the motion on Senate 1160.

Had I been present, I would have voted "aye."

□ 1110

The Clerk announced the following pair:

On this vote:

Mr. Smith of Florida for, with Mr. Moody against.

Mrs. ROUKEMA and Mr. GONZALEZ changed their votes from "yea" to "nay."

Mr. FRANKLIN and Mr. FOGLIETTA changed their votes from "nay" to "yea."

Mr. SYNAR changed his vote from "nay" to "present."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER. The Chair appoints the following conferees on S. 1160:

From the Committee on Armed Services on all provisions: Messrs. ASPIN, PRICE, and DICKINSON.

From the Committee on Armed Services on all provisions except sections 711, 713, 933, and 949 of the Senate bill and modifications committed to conference: Messrs. BENNETT, STRATTON, NICHOLS, DANIEL, MONTGOMERY, and DELLUMS, Mrs. SCHROEDER, Mrs. BYRON, Messrs. MAVROULES, HUTTO, WHITEHURST, and SPENCE, Mrs. HOLT, and Messrs. HILLIS, BADHAM, STUMP, and COURTER.

As additional conferees:

From the Permanent Select Committee on Intelligence, solely when differences regarding intelligence-related activities are under consideration: Messrs. HAMILTON, STOKES, and CHENEY.

From the Committee on Education and Labor, solely for the consideration of sections 711, 713, 910, 919, 933, 949, 2136, and 2137 of the Senate bill and section 1190 of the House amendment and modifications committed to conference: Messrs. HAWKINS, FORD of Michigan, KILDEE, MURPHY, CLAY, WILLIAMS, JEFFORDS, GOODLING, PETRI, and BARTLETT.

MOTION TO CLOSE CONFERENCE MEETINGS OFFERED BY MR. ASPIN

Mr. ASPIN. Mr. Speaker, I offer a motion.

The clerk read as follows:

Mr. ASPIN moves that pursuant to rule XXVIII 6(a) of the House Rules, the conference committee meetings between the House and the Senate on S. 1160, the fiscal year 1986 Department of Defense authorization bill, be closed to the public at such times as classified national security information is under consideration, *Provided however,* That any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER. The chairman of the committee has offered a motion that the conference be closed. Under clause 6(a), rule XXVIII, a rollcall vote is required on this motion.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 10, as follows:

[Roll No. 220]

YEAS—421

Ackerman	Chandler	Evans (IL)
Addabbo	Chappell	Fascell
Akaka	Cheney	Fawell
Alexander	Clay	Fazio
Anderson	Clinger	Feighan
Andrews	Coats	Fiedler
Annunzio	Coble	Fields
Anthony	Coelho	Fish
Applegate	Coleman (MO)	Flippo
Archer	Coleman (TX)	Florio
Armey	Collins	Foglietta
Aspin	Combest	Foley
Atkins	Conte	Ford (TN)
AuCoin	Conyers	Fowler
Badham	Cooper	Frank
Barnard	Coughlin	Franklin
Barnes	Courter	Frenzel
Bartlett	Coyne	Frost
Barton	Craig	Fuqua
Bateman	Crane	Gallo
Bates	Crockett	Garcia
Bedell	Daniel	Gaydos
Beilenson	Dannemeyer	Gejdenson
Bennett	Darden	Gekas
Bentley	Daschle	Gephardt
Bereuter	Daub	Gibbons
Berman	Davis	Gilman
Bevill	de la Garza	Gingrich
Biaggi	DeLay	Glickman
Bilirakis	Dellums	Goodling
Billey	Derrick	Gradison
Boehlert	DeWine	Gray (IL)
Boggs	Dickinson	Gray (PA)
Boland	Dicks	Green
Boner (TN)	Dingell	Gregg
Bonior (MI)	DioGuardi	Grotberg
Bonker	Dixon	Guarini
Borski	Donnelly	Gunderson
Bosco	Dorgan (ND)	Hall (OH)
Boucher	Dornan (CA)	Hamilton
Boxer	Dowdy	Hammerschmidt
Breaux	Downey	Hansen
Brooks	Dreier	Hartnett
Broomfield	Duncan	Hatcher
Brown (CA)	Durbin	Hawkins
Brown (CO)	Dwyer	Hayes
Broyhill	Dymally	Heftel
Bruce	Dyson	Hendon
Bryant	Early	Henry
Burton (CA)	Eckart (OH)	Hertel
Burton (IN)	Eckert (NY)	Hiler
Bustamante	Edgar	Hillis
Byron	Edwards (CA)	Holt
Callahan	Edwards (OK)	Hopkins
Campbell	Emerson	Horton
Carney	English	Howard
Carper	Erdreich	Hoyer
Carr	Evans (IA)	Hubbard

Huckaby	Moakley	Siljander
Hughes	Molinari	Sisisky
Hunter	Mollohan	Skeen
Hutto	Monson	Skelton
Hyde	Montgomery	Slattery
Ireland	Moore	Slaughter
Jacobs	Moorhead	Smith (FL)
Jeffords	Morrison (CT)	Smith (IA)
Jenkins	Morrison (WA)	Smith (NE)
Johnson	Mrazek	Smith (NH)
Jones (NC)	Murphy	Smith (NJ)
Jones (OK)	Murtha	Smith, Denny
Jones (TN)	Myers	Smith, Robert
Kanjorski	Natcher	Snowe
Kaptur	Neal	Snyder
Kasich	Nelson	Solarz
Kastenmeier	Nichols	Solomon
Kennelly	Nielson	Spence
Kildee	Nowak	Spratt
Kindness	O'Brien	St Germain
Kleczka	Oakar	Staggers
Kolbe	Oberstar	Stallings
Kolter	Obey	Stangeland
Kostmayer	Olin	Stark
Kramer	Ortiz	Stenholm
LaFalce	Owens	Stokes
Lagomarsino	Oxley	Strang
Lantos	Packard	Stratton
Latta	Panetta	Studds
Leach (IA)	Parris	Stump
Leath (TX)	Pashayan	Sundquist
Lehman (CA)	Pease	Sweeney
Lehman (FL)	Penny	Swift
Leland	Pepper	Swindall
Lent	Perkins	Synar
Levin (MI)	Petri	Tallon
Levine (CA)	Pickle	Tauke
Lewis (CA)	Porter	Tauzin
Lewis (FL)	Price	Taylor
Lightfoot	Pursell	Thomas (CA)
Lipinski	Quillen	Thomas (GA)
Livingston	Rahall	Torres
Lloyd	Rangel	Torricelli
Loeffler	Ray	Towns
Long	Regula	Traficant
Lott	Reid	Traxler
Lowery (CA)	Richardson	Udall
Lujan	Ridge	Valentine
Luken	Rinaldo	Vander Jagt
Lundine	Ritter	Vento
Lungren	Roberts	Visclosky
Mack	Robinson	Volkmer
MacKay	Rodino	Vucanovich
Madigan	Roe	Walgren
Manton	Roemer	Walker
Marlenee	Rogers	Watkins
Martin (IL)	Rose	Waxman
Martin (NY)	Rostenkowski	Weaver
Martinez	Roth	Weber
Matsui	Roukema	Weiss
Mavroules	Rowland (CT)	Wheat
Mazzoli	Rowland (GA)	Whitehurst
McCain	Roybal	Whitley
McCandless	Rudd	Whittaker
McCloskey	Russo	Whitten
McCollum	Sabo	Williams
McCurdy	Savage	Wilson
McDade	Saxton	Wirth
McEwen	Schaefer	Wise
McGrath	Scheuer	Wolf
McHugh	Schneider	Wolpe
McKernan	Schroeder	Wortley
McKinney	Schuette	Wright
McMillan	Schulze	Wyden
Meyers	Schumer	Wylie
Mica	Seiberling	Yates
Michel	Sensenbrenner	Yatron
Mikulski	Sharp	Young (AK)
Miller (CA)	Shaw	Young (FL)
Miller (OH)	Shelby	Young (MO)
Miller (WA)	Shumway	Zschau
Mineta	Shuster	
Mitchell	Sikorski	

NAYS—2

Gonzalez	Lowry (WA)

NOT VOTING—10

Boulter	Gordon	Markey
Chappie	Hall, Ralph	Moody
Cobey	Hefner	
Ford (MI)	Kemp	

□ 1130

So the motion to close conference meetings was agreed to.

The result of the vote was announced as above recorded.

ALLOWING FURTHER TIME FOR DEBATE ON REMAINING AMENDMENTS TO H.R. 1555, INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1985

Mr. FASCELL. Mr. Speaker, I ask unanimous consent, with my Republican colleague, that on the consideration of H.R. 1555, when the debate time fixed by the rule has concluded, on those amendments pending, which would have no debate time normally, we have 2 minutes per side on the remaining amendments.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1985

The SPEAKER. Pursuant to House Resolution 140 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the Union for the further consideration of the bill, H.R. 1555.

□ 1133

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1555), to amend the Foreign Assistance Act of 1961, the Arms Export Control Act, and the Agricultural Trade Development and Assistance Act of 1954, to authorize development and security assistance programs for fiscal year 1986, and for other purposes, with Mr. AuCoin in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, July 10, 1985, title VIII was open to amendment at any point.

There is 1 hour remaining for debate on the bill and the committee substitute under the 5-minute rule.

Are there further amendments to title VIII?

MODIFICATION OFFERED BY MRS. ROUKEMA TO AMENDMENT OFFERED BY MR. MINETA TO TITLE IV, OTHER FOREIGN ASSISTANCE PROGRAMS AND INTERNATIONAL AIRPORT SECURITY

Mrs. ROUKEMA. Mr. Chairman, I ask unanimous consent to present a modification to section 406 relating to the hijacking of the TWA flight 847.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Mrs. ROUKEMA asks unanimous consent that section 460 of H.R. 1555 (relating to the hijacking of TWA flight 847 and other acts of terrorism), which is contained in the amendment by Mr. Mineta of California adopted on July 10, 1985, be amended in paragraph (1) by striking out "Uli Derickson, among others," and inserting in lieu thereof "purser Uli Derickson, pilot John Testrake, co-pilot Philip Maresca, flight engineer Benjamin Zimmerman, and the rest of the crew of Trans World Airlines flight 847".

Mrs. ROUKEMA [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 gentlewoman from New Jersey?

There was no objection.

The CHAIRMAN. Is there objection to the other unanimous consent request of the gentlewoman from New Jersey?

There was no objection.

The text of the amendment, as modified, is as follows:

Amendment offered by Mr. MINETA, as modified: Page 47, strike out lines 19 and 20 and insert in lieu thereof the following:

TITLE IV—OTHER FOREIGN ASSISTANCE PROGRAMS AND INTERNATIONAL AIRPORT SECURITY

Subtitle 1—Other Foreign Assistance Programs

Page 56, after line 7, add the following new subtitle:

Subtitle 2—International Airport Security

SEC. 451. SECURITY STANDARDS FOR FOREIGN AIR TRANSPORTATION.

(a) SECURITY AT FOREIGN AIRPORTS.—Section 1115 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1515) is amended to read as follows:

"SECURITY STANDARDS IN FOREIGN AIR TRANSPORTATION

"ASSESSMENT OF SECURITY MEASURES

"SEC. 1115. (a)(1) The Secretary of Transportation shall conduct at such intervals as the Secretary shall deem necessary an assessment of the effectiveness of the security measures maintained at those foreign airports being served by air carriers, those foreign airports from which foreign air carriers serve the United States, those foreign airports which are not under the de facto control of the government and pose a high risk of introducing danger to international air travel, and at such other foreign airports as the Secretary may deem appropriate.

"(2) Each such assessment shall be made by the Secretary of Transportation in consultation with the appropriate aeronautic authorities of the foreign government concerned and each air carrier serving the foreign airport at which the Secretary is conducting such assessment.

"(3) The assessment shall determine the extent to which an airport effectively maintains and administers security measures. In making an assessment of any airport under this subsection, the Secretary shall use a standard which will result in an analysis of the security measures at such airport based upon, at a minimum, the standards and recommendations contained in Annex 17 to the Convention on International Civil Aviation,

as such standards and recommendations are in effect on the date of such assessment.

"CONSULTATION WITH THE SECRETARY OF STATE

"(b) In carrying out subsection (a), the Secretary of Transportation snall consult the Secretary of State with respect to the terrorist threat which exists in each country. The Secretary of Transportation shall also consult with the Secretary of State in order to determine which foreign airports are not under the de facto control of the government of the country in which they are located and pose a high risk of introducing danger to international air travel.

"REPORT OF ASSESSMENTS

"(c) Each report to the Congress required by section 315 of this Act shall contain—

"(1) a summary of the assessments conducted pursuant to subsection (a) of this section; and

"(2) a description of the extent to which identified security deficiencies have been eliminated.

"NOTIFICATION TO FOREIGN COUNTRY OF DETERMINATION

"(d) Whenever, after an assessment in accordance with subsection (a) of this section, the Secretary of Transportation determines that an airport does not maintain and administer effective security measures, the Secretary shall notify the appropriate authorities of such foreign government of such determination, and recommend the steps necessary to bring the security measures in use at that airport up to the standard used by the Secretary in making such assessment.

"SANCTIONS

"(e)(1) Paragraph (2) of this subsection shall become effective 120 days after the notification required in subsection (d) of this section of the determination by the Secretary of Transportation, if the Secretary of Transportation finds that the foreign government has failed to bring the security measures at the identified airport up to the standard used by the Secretary in making an assessment of such airport under subsection (a) of this section, except that paragraph (2) shall become effective immediately upon the Secretary's determination if—

"(A) the Secretary of State determines that the country in which such airport is located is a high terrorist threat country, and

"(B) the Secretary of Transportation determines that a condition exists that threatens the safety or security of passengers, aircraft, or crew traveling to or from such airport.

"(2) Subject to paragraph (1), if the Secretary of Transportation determines pursuant to this section that an airport does not maintain and administer effective security measures—

"(A) the Secretary of Transportation shall publish in the Federal Register, and shall cause to be posted and prominently displayed at all United States airports regularly being served by scheduled air carrier operations, the identification of such airport;

"(B) each air carrier and foreign air carrier providing service between the United States and such airport shall provide notice of such determination by the Secretary to any passenger purchasing a ticket for transportation between the United States and such airport, with such notice to be made by written material included on or with such ticket;

"(C) the Secretary of Transportation, after consultation with the appropriate aeronautical authorities of the foreign government concerned and each air carrier serving such airport, may, notwithstanding section 1102 of this Act and with the approval of the Secretary of State, withhold, revoke, or impose conditions on the operating authority of any air carrier or foreign air carrier to engage in foreign air transportation utilizing such airport; and

"(D) the President may prohibit air carriers and foreign air carriers from providing service between the United States and any other foreign airport which is directly or indirectly served by aircraft flying to or from the airport with respect to which the determination is made under this section.

"(3) The Secretary of Transportation shall promptly report to the Congress any action taken under this subsection, setting forth information concerning the attempts made to secure the cooperation of the foreign government in meeting the standard used by the Secretary in making the assessment of such airport under subsection (a) of this section.

"AUTHORITY FOR IMMEDIATE SUSPENSION OF AIR SERVICE

"(f) Notwithstanding sections 1102 and 1114 of this Act, whenever the Secretary of Transportation determines that—

"(1) a condition exists that threatens the safety or security of passengers, aircraft, or crew traveling to or from a foreign airport, and

"(2) the public interest requires an immediate suspension of services between the United States and the identified airport,

the Secretary of Transportation shall, without notice or hearing and with the approval of the Secretary of State, suspend the right of any air carrier or foreign air carrier to engage in foreign air transportation to or from that foreign airport and the right of any person to operate aircraft in foreign air commerce to or from that foreign airport.

"CONDITIONS OF AUTHORITY

"(g) The provisions of this section shall be deemed to be a condition to any authority granted under title IV or title VI of this Act to any air carrier or any foreign air carrier, issued under authority vested in the Secretary of Transportation.".

(b) CONFORMING AMENDMENTS.—

(1) INFORMATION IN SEMIANNUAL REPORTS.—Section 315(a) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1356(a)) is amended by adding at the end thereof the following new sentence: "Each semiannual report submitted by the Administrator pursuant to the preceding sentence shall include the information described in section 1115(c) of this Act.".

(2) CIVIL PENALTIES.—Section 901(a)(1) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1471(a)(1)) is amended by inserting "or 1115(e)(2)(B)" after "1114".

(3) TABLE OF CONTENTS.—That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the center heading

"TITLE XI—MISCELLANEOUS"

is amended by striking out

"Sec. 1115. Security standards in foreign air transportation.".

and inserting in lieu thereof

"Sec. 1115. Security standards in foreign air transportation.

"(a) Assessment of security measures.

"(b) Consultation with the Secretary of State.

"(c) Report of assessments.

"(d) Notification to foreign country of determination.

"(e) Sanctions.

"(f) Authority for immediate suspension of air service.

"(g) Conditions of authority.".

(c) CLOSING OF BEIRUT INTERNATIONAL AIRPORT.—It is the sense of the Congress that the President is urged and encouraged to take all appropriate steps to carry forward his announced policy of seeking the effective closing of the international airport in Beirut, Lebanon, at least until such time as the Government of Lebanon has instituted measures and procedures designed to prevent the use of that airport by aircraft hijackers and other terrorists in attacking civilian airlines or their passengers, hijacking their aircraft, or taking or holding their passengers hostage.

SEC. 452. TRAVEL ADVISORY AND SUSPENSION OF FOREIGN ASSISTANCE.

(a) TRAVEL ADVISORY.—When section 1115(e)(2) of the Federal Aviation Act of 1958 becomes effective with respect to an airport because of a determination by the Secretary of Transportation that such airport does not maintain and administer effective security measures, the Secretary of State shall issue a travel advisory with respect to that airport. Any travel advisory issued under this subsection shall be published in the Federal Register. The Secretary of State shall take the necessary steps to widely publicize that travel advisory.

(b) SUSPENSION OF FOREIGN ASSISTANCE.—The President shall suspend all assistance under the Foreign Assistance Act of 1961 or the Arms Export Control Act to any country in which is located an airport with respect to which section 1115(e)(2) of the Federal Aviation Act of 1958 becomes effective. The President may waive the requirements of this subsection if the President determines and reports to the Congress that there is a national security or humanitarian emergency which requires such waiver.

(c) LIFTING OF SANCTIONS.—The sanctions required to be imposed with respect to a country pursuant to this section and section 1115(e)(2) (A) and (B) of the Federal Aviation Act of 1958 may be lifted only if the Secretary of Transportation, in consultation with the Secretary of State, has determined that effective security measures are maintained and administered at the airport in that country with respect to which the Secretary had made the determination described in section 1115 of the Federal Aviation Act of 1985.

SEC. 453. NOTIFICATION TO CONGRESS OF LIFTING OF SANCTIONS.

The Congress shall be notified if any sanction imposed pursuant to section 452 of this Act or section 1115(e) of the Federal Aviation Act of 1958 is lifted.

SEC. 454. SKY MARSHAL PROGRAMS.

(a) UNITED STATES AIRMARSHALS.—

(1) STUDY OF NEED FOR EXPANSION OF PROGRAM.—The Secretary of Transportation, in coordination with the Secretary of State, shall study the need for an expanded airmarshal program on international flights of United States air carriers. The Secretary of Transportation shall report the results of this study to the Congress within 6 months after the date of enactment of this Act.

(2) AUTHORITY TO CARRY FIREARMS AND MAKE ARRESTS.—The Secretary of Transportation, with the approval of the Attorney General and the Secretary of State, may authorize persons, in connection with the performance of their air transportation security duties, to carry firearms and to make ar-

rests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States, if they have reasonable grounds to believe that the person to be arrested has committed or is committing a felony.

(b) INTERNATIONAL SKY MARSHAL PROGRAM.—The Secretary of State, in cooperation with the Secretary of Transportation, shall study the feasibility of establishing an international sky marshal program. The Secretary of State shall report the results of this study to the Congress within 6 months after the date of enactment of this Act.

SEC. 455. MEETING OF INTERNATIONAL CIVIL AVIATION ORGANIZATION; INTERNATIONAL MORATORIUM ON USE OF CERTAIN AIRPORTS.

The Secretary of State and the Secretary of Transportation, jointly, shall—

(1) call for an immediate convening of a meeting of the International Civil Aviation Organization to—

(A) discuss the current status of international airport compliance with existing international security standards; and

(B) upgrade the security standards for international airports; and

(a) call on the member countries of the International Civil Aviation Organization to enforce that Organization's existing standards and impose a moratorium on the use of any international airport which is not in compliance with such standards.

SEC. 456. MULTILATERAL AND BILATERAL AGREEMENTS WITH RESPECT TO AIRCRAFT SABOTAGE, AIRCRAFT HIJACKING, AND AIRPORT SECURITY.

The Secretary of State shall seek formal multilateral and bilateral agreement on strengthening enforcement measures and standards for compliance with respect to aircraft sabotage, aircraft hijacking, and airport security.

SEC. 457. ANTI-TERRORISM ASSISTANCE PROGRAM.

In addition to amounts otherwise authorized to be appropriated for such purpose, there are authorized to be appropriated to carry out chapter 8 of part II of the Foreign Assistance Act of 1961 (relating to the anti-terrorism assistance program) $5,000,000 for fiscal year 1986 and $5,000,000 for fiscal year 1987.

SEC. 458. RESEARCH ON AIRPORT SECURITY TECHNIQUES FOR DETECTING EXPLOSIVES.

In order to improve security at international aiports, there are authorized to be appropriated to the Secretary of Transportation from the Airport and Airway Trust Fund (in addition to amounts otherwise available for such purpose) $5,000,000, without fiscal year limitation, to be used for research on and the development of airport security devices or techniques for detecting explosives.

SEC. 459. INTERNATIONAL ANTI-TERRORISM COMMITTEE.

The Congress calls upon the President to seek the establishment of an international committee, to be known as the International Anti-Terrorism Committee, consisting of representatives of the member countries of the North Atlantic Treaty Organization, Japan, and such other countries as may be invited and may choose to participate. The purpose of the Committee should be to focus the attention and secure the cooperation of the governments and the public of the participating countries, and of the governments and the public of other countries, on the problems and responses to international terrorism, by serving as a forum at both the political and law enforcement levels.

SEC. 460. HIJACKING OF TWA FLIGHT 847 AND OTHER ACTS OF TERRORISM.

The Congress joins with all Americans in celebrating the release of the hostages taken from Trans World Airlines flight 847. It is the sense of the Congress that—

(1) purser Uli Derickson, pilot John Testrake, copilot Philip Maresca, flight engineer Benjamin Zimmermann, and the rest of the crew of Trans World Airlines flight 847 displayed extraordinary valor and heroism during the hostages' ordeal and therefore should be commended;

(2) the hijackers who murdered United States Navy Petty Officer Stethem should be immediately brought to justice;

(3) all diplomatic means should continue to be employed to obtain the release of the 7 United States citizens previously kidnapped and still held in Lebanon;

(4) acts of international terrorism should be universally condemned; and

(5) the Secretary of State should be supported in his efforts to gain international cooperation to prevent future acts of terrorism.

SEC. 461. INTERNATIONAL TERRORISM CONTROL TREATY.

It is the sense of the Congress that the President should establish a process by which democratic and open societies of the world, which are those most plagued by terrorism, negotiate a viable treaty to effectively prevent and repond to terrorist attacks. Such a treaty should incorporate an operative definition of terrorism, and should establish effective close intelligence-sharing, joint counterterrorist training, and uniform laws on asylum, extradition, and swift punishment for perpetrators of terrorism. Parties to such a treaty should include, but not be limited to, those democratic nations who are most victimized by terrorism.

SEC. 462. EFFECTIVE DATE.

This subtitle shall take effect on the date of enactment of this Act.

Mrs. ROUKEMA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this modification is a technical amendment to the Fascell-Mineta compromise on international airport security which passed the House yesterday during consideration of H.R. 1555.

Mr. Chairman, my original amendment, which was incorporated into the Fascell-Mineta compromise, inadvertently omitted our deep appreciation and commendation for the pilots of hijacked TWA flight 847, pilot John Testrake, copilot Philip Maresca, and flight engineer Benjamin Zimmermann, as well as the rest of the TWA 847 crew.

We all recognize the herosim of these brave dedicated professionals, especially John Testrake, who was "literally under the gun" during the siege of TWA flight 847.

Captain Testrake's intelligence, composure, and courage during the tension of the ongoing hijacking crisis, when his life and the lives of his passengers and crew were at risk, should be specifically commended by the U.S. Congress.

We owe each and every member of the crew the gratitude of the American people.

Mr. GILMAN. Mr. Chairman, will the gentlewoman yield?

Mrs. ROUKEMA. I yield to my colleague, the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I rise in support of the unanimous-consent request to include in her amendment a commendation for the entire flight crew of TWA flight 847, including Capt. John Testrate, copilot Philip Maresca, flight engineer Benjamin Zimmermann, and purser Uli Derickson, all of whom displayed exemplary courage and devotion to duty.

I commend the gentlelady from New Jersey [Mrs. ROUKEMA] for this unanimous-consent request enabling the Congress to commend the entire TWA 847 crew, as well as for her original amendment, which initially brought this matter to the attention of our committee.

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman for his comments.

I yield back the balance of my time.

MODIFICATION OFFERED BY MR. KOLBE TO THE KOLBE AMENDMENT RELATING TO RELEASE OF AMERICAN CITIZENS TAKEN HOSTAGE IN LEBANON

Mr. KOLBE. Mr. Chairman. I ask unanimous consent that section 204(d)(2) of H.R. 1555 (relating to the release of American citizens taken hostage in Lebanon), which was contained in the amendment I offered and which was adopted on July 9, 1985, be modified to read as follows:

(2) RELEASE OF AMERICAN HOSTAGES.—None of these funds may be used for assistance for Lebanon unless all United States citizens hostage in that country have been released, except that this condition does not apply with respect to humanitarian assistance provided for institutional support or for emergency purposes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

Mr. FASCELL. Mr. Chairman, reserving the right to object, I would ask the gentleman from Arizona if this is to correct the inadvertent error in the language which was left out of his original amendment.

Mr. KOLBE. Mr. Chairman, will the gentleman yield?

Mr. FASCELL, I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, the gentleman is correct. The revised language was not printed in the CONGRESSIONAL RECORD. They printed the original language. This corrects that error.

Mr. FASCELL. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the amendment, as modified, is as follows:

Amendment offered by Mr. KOLBE, as modified: Page 35, after line 2, insert the following new paragraph (2):

(2) RELEASE OF AMERICAN HOSTAGES.—None of these funds may be used for assistance for Lebanon unless all United States citizens taken hostage in that country have been released, except that this condition does not apply with respect to humanitarian assistance provided for institutional support or for emergency purposes.

Page 35, line 3, strike out "(2)" and insert in lieu thereof "(3)"; and line 5, after "because" insert "the condition specified in paragraph (2) is not met or because".

Mr. HYDE. Mr. Chairman, I move to strike the last word for the purpose of engaging the chairman of the Foreign Affairs Committee in a colloquy.

Mr. Chairman, I note that certain concerns have been expressed to me regarding the scope of section 1104 of H.R. 1555. That provision requires the President to certify that Pakistan does not possess a nuclear device before assistance can be provided to that country. I understand that the committee intends for this provision to act as a signal to Pakistan that development of a nuclear device will lead to the termination of all military or economic assistance provided under the Foreign Assistance Act or the Arms Export Control Act. The concern that has been raised is that this provision could also inadvertently prevent aid to the Afghan people, which is provided for in this bill, since such aid would have to be distributed through Pakistan. It is my understanding that the committee did not intend for this provision to prevent aid to the Afghan people.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Florida.

Mr. FASCELL. I am glad that my colleague has brought this subject up. The committee certainly did not intend that this provision restrict aid for the benefit of the Afghan people. Further, I note for example that provision of $15 million in section 1111 of this bill for humanitarian aid to the Afghan people is provided "Nothwithstanding any other provision of law."

It is clear that section 1104 of the bill does not restrict assistance under laws which provide for the expenditure of funds "Notwithstanding any other provision of law."

Mr. HYDE. I thank my colleague for that clarification.

AMENDMENT OFFERED BY MR. MILLER OF WASHINGTON

Mr. MILLER of Washington. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Washington. Page 121, after line 3, insert the following new section 803 and redesignate subsequent sections accordingly:

SEC. 803. PROMOTING DEMOCRACY AND AN END TO THE APARTHEID POLICIES IN SOUTH AFRICA.

(a) PURPOSE.—It is the purpose of this section to encourage funding for programs that would promote democracy and seek to end the apartheid policies in South Africa, and that would be in addition to the programs funded in accordance with section 802(b) and (c).

(b) USIA GRANTS TO THE NATIONAL ENDOWMENT FOR DEMOCRACY.—It is the sense of the Congress that the Director of the United States Information Agency should make a grant of up to $500,000 for each of the fiscal years 1986 and 1987 to the National Endowment for Democracy (in addition to grants otherwise made by the Director to the Endowment) for use by the Endowment in providing financing for programs that are designed to promote democracy and that seek to end the apartheid policies in South Africa.

(c) PROGRAMS DESIGNED TO END THE APARTHEID POLICIES.—The programs funded pursuant to this section shall be programs of support for actions of non-white led community organizations in South Africa to terminate apartheid policies such as those listed in Section 802(c).

(d) ELIGIBLE ORGANIZATIONS IN SOUTH AFRICA.—Any program funded in accordance with this section, which is to be carried out within South Africa, should be a program which in both its character and organizational sponsorship in South Africa clearly reflects the aspirations of the indigenous majority of South Africans for the establishment of democratic institutions and for an end to the apartheid system of separate development, and should not be a program which is financed or controlled by the Government of South Africa.

Mr. MILLER of Washington (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MILLER of Washington. Mr. Chairman, I am proposing to provide up to $500,000 for help to South African groups seeking to end apartheid and promote democracy.

I propose this amendment because the question is no longer if the hated apartheid system will be dismantled. The question is when, and even more important, how will the inevitable power sharing occur in South Africa. Will the change come peacefully, resulting in a free society based upon the principles of democracy and free enterprise? Or instead, will change come violently, dominated by Soviet-sponsored radical elements and resulting in yet another totalitarian regime.

I believe a democratic government, which protects the rights of all is possible in postapartheid South Africa. Thousands of South Africans of every color work now toward this goal. These individuals who seek nonviolent democratic change deserve the support of the majority of their fellow South Africans and they deserve the support of free people around the world.

I believe that our South African policy along with the sanctions set out in the Antiapartheid Act, must have a positive thrust—a thrust which links the United States with democratic groups in South Africa seeking the end of apartheid. Toward this end, the amendment I propose today states that it is the sense of Congress that the U.S. Information Agency should make a grant of up to $500,000 for each of the fiscal years 1986 and 1987 to the National Endowment for Democracy. The endowment shall use this grant for community based programs that promote democracy and that seek a peaceful end to apartheid in South Africa. Any program funded by the endowment must reflect the aspirations of the majority of South Africans and should not be financed or controlled by the Government of South Africa.

This proposal of very modest support for antiapartheid democratic groups in South Africa shows our support for democratic ideals. I believe it will hasten the day when a South Africa, whole and at peace can assume its place in the family of democratic nations.

□ 1140

Mr. WOLPE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to indicate my acceptance of the amendment that has been offered by the distinguished gentleman in the well, Mr. MILLER of Washington.

Mr. Chairman, I want to express my appreciation to the gentleman from Washington for working with me and with members of my staff to address some of the apprehensions that I have expressed to him about the substance of the amendment. I do have some apprehensions, though I think that the modifications that have been made and the form in which the amendment is now being offered address some of those concerns.

What are these reservations? Well, a number of Members, wanting to see the United States making a constructive contribution to the process of change in South Africa, are advocating a variety of aid programs ranging from proposals that would involve OPIC, scholarships, human rights funding, and other such efforts.

The problem is that it is very difficult in the context of the apartheid system to always maintain effective control over how those moneys get spent, to whom they are directed and so on.

There are a number of political organizations in South Africa which do not have a need for political training or education. They have their agenda and they certainly are mobilizing their population effectively in opposition to apartheid.

They have some resources, whether it is the African National Congress or whether it is the United Democratic

Front. I think we need to think through very clearly the criteria under which we decide how money is spent, to whom it flows, and the purposes for which it is being spent. I think there are times that the effort of the United States to provide what we believe would be constructive assistance can appear to be very paternalistic, unintentionally, from the standpoint of those who are the recipients of such assistance.

Sometimes the offer of assistance can appear to be an effort to interfere in the internal process itself, the process of change, the process of opposition.

So we have been concerned to try to establish some criteria which have been done now in the sense of Congress' amendment that the gentleman from Washington [Mr. MILLER] has offered.

But I simply want to kind of highlight for the membership that I think we need to proceed very cautiously as we embark upon this particular approach. I thank the gentleman for his assistance.

Mr. Chairman, as I indicated earlier, I intend to support the gentleman's amendment.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. WOLPE. I would be pleased to yield to the gentleman from Illinois.

Mr. HYDE. I salute the gentleman in the well, Mr. MILLER of Washington, for a very thoughtful, constructive amendment on a very difficult problem, and I am very pleased to support it.

Mr. SILJANDER. Mr. Chairman, will the gentleman yield to me?

Mr. WOLPE. I would be pleased to yield to the gentleman from Michigan [Mr. SILJANDER].

Mr. SILJANDER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I just want to tell the gentleman in the well, Mr. MILLER, that this is something that this gentleman certainly supports and was part of a package that we attempted on the floor during the apartheid debate. This is one element that is very important, that contributes directly to the assistance of blacks in South Africa and the promotion of democracy. We should stand firm and proud that we are willing to engage in these types of endeavors.

Mr. Chairman, I thank the gentleman for his leadership in this area.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield?

Mr. WOLPE. I would be pleased to yield to the gentleman from Washington.

Mr. MILLER of Washington. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I wanted to express my appreciation for the work of the gentleman from Michigan [Mr. WOLPE], and also that of the chairman of the full Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL] and the staff as well as the ranking Republican member on that subcommittee and the gentleman from Illinois [Mr. HYDE], who just spoke.

I think that it is very important that with all the concerns we have, that we have a positive thrust to our policy in South Africa and that we work constructively to establish links and to promote constructively both democracy and the end of apartheid.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. MILLER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SILJANDER

Mr. SILJANDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SILJANDER: Page 125, after line 15, insert the following new section:

SEC. 810. PROHIBITION ON ECONOMIC ASSISTANCE FOR MOZAMBIQUE.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act may be used for assistance for Mozambique under chapter 1 of part I (relating to development assistance) or chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961, including assistance provided through regional programs for projects or activities in Mozambique.

(b) TERMINATION OF PROHIBITION.—The prohibition contained in subsection (a) shall cease to be effective if the President certifies to the Congress, not later than September 30, 1986, that the number of foreign military advisers and troops in Mozambique does not exceed 55.

Mr. SILJANDER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SILJANDER. Mr. Chairman, this amendment is very simple and straightforward. We talked the other day regarding military aid to the Marxist regime in Mozambique. The arguments went along the line that Machel and his government are being weaned away from the Soviets and they are coming our way.

While I discount that notion I think the evidence is abundantly clear that that weaning away from the East toward the West is not in fact happening. I still will offer an amendment that would essentially ban economic aid, nonfood economic aid, unless the foreign military advisers in Mozambique are limited to 55, the same number, Mr. Chairman, that we have a self-imposed limit on U.S. advisers in El Salvador.

Mr. Chairman, I visited Mozambique not too many months ago. I went to the market in Mozambique. I saw in the faces of those people fear and frustration. I saw the empty shelves and the formerly abundant markets, formerly overflowing with products.

The Soviets control the Mozambican economy with an iron fist.

□ 1150

For us to contribute $15 million in nonfood economic support funds to subsidize a Soviet-based economy is ludicrous. There is absolutely no logical reason why this country ought to be supporting with nonfood aid a Soviet-dominated economy.

Mozambique called the East Germans, the Soviets and Bulgarians, to assist them in running their economy. The East Germans took over the trucking, and the Soviets took over just about everything else.

The Bulgarians came in with fertilizer far too potent for their soil and burned their soil so badly crops can no longer grow.

Now I am saying that if it is true that they want to wean away from the Soviet-domination to let that be demonstrated clearly and finally and firmly; and if that demonstration is clear enough, namely, their numbers of foreign advisers is reduced to 55, then let the economic support funds flow to Mozambique, because that would be a clear indicator to this gentleman that Mozambique is serious about weaning away from the West.

David Lamb, the noted African expert, wrote in Reader's Digest that, "If hospitalized, the average Mozambiquan is not adequately fed unless his family brings him food."

On that concern, Mr. Chairman, this gentleman would not attempt to reduce the $10 million, title I, Public Law 480 Food Program for Mozambique.

We do send food aid to another Marxist country in Africa, Ethiopia. And we should have concern for all of those starving in Africa.

All I am saying is, pouring tax dollars down a Soviet-constructed rathole and subsidizing their mismanagement of government economy is not a wise move, indeed. Mozambique should have to make a decision against tyranny and domination versus freedom and democracy.

Providing these funds will send the wrong message. It will send the message that we are willing to help pay and help subsidize the Soviet's experiment in repression and economic slavery.

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

The CHAIRMAN. Does the gentleman yield back the balance of his time?

Mr. SILJANDER. I reserve the balance of my time.

The CHAIRMAN. The gentleman may not reserve his time, but he may yield it back, or he may use it.

Mr. SILJANDER. How much time do I have?

The CHAIRMAN. The gentleman has 1 minute remaining.

Mr. HYDE. Will the gentleman yield to me?

Mr. SILJANDER. I yield to the gentleman.

Mr. HYDE. I thank my friend for yielding. It amazes me that we have a couple of pages of qualifications for El Salvador to meet for them to receive any money under this bill. They have to pursue a dialog with the armed opposition forces; they have to control their military; they have to have progress in ending death squads; they have to have progress establishing an effective judicial system. All sorts of purity tests that must be met by El Salvador in our hemisphere, but Mozambique does not have to meet any tests at all to get $15 million.

Why the double standard?

Mr. CONYERS. Will the gentleman yield?

Mr. SILJANDER. I will yield to the gentleman.

Mr. CONYERS. I thank my friend for yielding. I went to Mozambique, also, and they were begging for American investors to come in, businesses are already there.

Mr. FASCELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am opposed to this amendment. The affected funds were requested by the administration, but I really rose to say this: We are running short of time, and we have not tried to cut off anybody; we have reached agreements where it is sensible to reach agreements on this bill, and we have proceeded very well so far. However, we only have a short time left and I just think that in all fairness that I would have to object to any extensions of time beyond the normal amount a Member would be entitled to.

I would hope that we would use good judgment on the use of the remaining time. This issue has been debated, redebated, and will be debated again, if I understand what the gentleman from Michigan [Mr. SILJANDER] intends to do later on in the bill. He will have had at least three opportunities to debate this issue in other amendments, and I hope, therefore, that we could finish this amendment, and vote one way or the other so that we can give everybody a chance to offer their amendments and discuss them.

Mr. WOLPE. Mr. Chairman, I rise in opposition to the amendment.

[Mr. WOLPE addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

The CHAIRMAN. The time of the gentleman from Michigan [Mr. WOLPE] has expired.

Mr. BERMAN. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. WOLPE] be allowed to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. FASCELL. I object, Mr. Chairman. I suggest the gentleman take his own time.

The CHAIRMAN. Objection is heard.

Mr. BERMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I continue to quote:

* * * The United States is receiving even-handed treatment in the Mozambican press, and our assistance efforts are highlighted favorably.

Mozambique has joined the IMF and World Bank, signed an agreement with the U.S. Overseas Private Investment Corporation and published a business code designed to attract Western investment. Collective farms are being turned over to private farmers and some industries, formerly state-run, are being sold to private entrepreneurs.

These are not the words of some mushy headed liberal Congressman who has not been involved in the issue. These are the words of the tough-minded former Secretary of Defense and Republican Representative from Wisconsin, Melvin Laird.

The fact is that this amendment is an ill-considered setback to an American policy formulated by this administration which is working.

I urge that the Members of this body join with the administration and with the chairman of the Africa Subcommittee and defeat this amendment overwhelmingly.

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

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I find it strange that some of my colleagues on the other side of the aisle say that we really ought to give Mozambique a break. It is a Communist government that has been repressing its people severely. There are 200,000 to 300,000 people in that country that are in reeducation camps right now. Why should we give a Communist government that is that repressive a break? I do not understand the logic of that.

My colleague from Michigan I think has an excellent amendment here.

Mr. SILJANDER. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Michigan.

Mr. SILJANDER. I thank the gentleman for yielding so that I might make a quick point. My colleague from Michigan said, "Let's give the Mozambicans a break." Let's give the Cubans, the Russians, East Germans, Zimbabweans, Tanzanians, North Koreans a break. Let's give those same entities who run their economies a break. Is that the type of break we are willing to give?

And the other point dealing with South Africa and the racist system regarding Mozambique, the truth is—as I said this 2 days ago—I met with Mr. Botha, the Foreign Minister, in South Africa several months ago in South Africa. He told us he would support the United States assisting the Mozambican Government militarily and economically. Why this dichotomy? It is very clear. They signed an accord with the Mozambican Government. The Mozambicans stopped giving haven to the ANC and South Africa ceases assisting RENAMO. It is an agreement that is to the advantage of the Mozambicans and the South African Government.

So by voting against this amendment, you are supporting a policy of the racist South African Government, not opposing that Government.

I thank the gentleman for yielding.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from New York.

Mr. SOLOMON. I have already spoken on this subject when it was debated before, and I will not take up the time of the House, but it is very, very interesting to see my good friend, the gentleman from Michigan [Mr. WOLPE], and my good friend, the gentleman from New York [Mr. SOLARZ], and a lot of Members on that side of the aisle standing up here and defending the Reagan administration foreign policy. It shows that for the last 5 years we have finally turned things around and things are working.

But let me qualify that. I just do not want to give the idea that the Reagan administration is right on this one. They are only right 99 percent of the time. They are wrong on this issue, and we should support the gentleman's amendment.

Mr. BURTON of Indiana. I thank the gentleman for his comments.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Michigan.

Mr. WOLPE. I would just like to make the point that, first of all, no one can be absolutely wrong 100 percent of the time, and I take great delight in being able to identify with an accomplishment of the administration that really has been significant.

The point that I was making earlier, I do not think the Reagan administration really wants to take it easy or give a break to the Soviets or to the Cubans or to all the other Eastern Europeans that were mentioned by my distinguished colleague from Michi-

gan. I think that they understand that the Mozambican Government is trying desperately to move away from dependence upon those people and that their policy has been working.

Mr. BURTON of Indiana. If I may reclaim my time, I would like to make a point on that issue, and that is that if they are anxious to move away from the Soviet sphere of influence and the Communist bloc, then why do they not tell them to get the heck out of there and really show us that they want the Communist influence out of their country, and then I will support legislation and sponsor it to go in there and really help them. But until they make a conscious effort, an obvious effort to the rest of the world to get the Communists out of there, why should the free world go in and support them.

Mr. SILJANDER. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to my colleague, the gentleman from Michigan.

Mr. SILJANDER. I agree with that point. If the Mozambican Government of Machel is willing to wean away from the East, our amendment allows them to demonstrate that by reducing their foreign military advisers to 55, the same self imposed limit that we have in El Salvador. If they comply then economic support funds may flow. Secondly, I want to reemphasize this does not affect food aid for the starving and hungry. So it is very clear that if they are weaning away from the East and toward us, then in fact economic support funds under this amendment could be released.

I thank the gentleman for yielding.

Mr. BURTON of Indiana. I would just like to conclude by mentioning some other information that was brought to my attention when this debate began on the other amendment that the gentleman from Michigan sponsored, and that is that it was reported in a local Washington newspaper that as many as 12,000 children have been sent by this Government to work as slave labor in mines and factories in East Germany. When you just read one article like that from a reputable newspaper, it leads you to believe that you ought to look very, very closely at that Government before you start doing business with them. I do not think we ought to do business with Communists that are mistreating their people until we are sure that they are going to change their ways and start heading in the direction of freedom.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. SILJANDER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SILJANDER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 221]

ANSWERED "PRESENT"—418

Ackerman	Combest	Gingrich
Addabbo	Conte	Glickman
Akaka	Conyers	Gonzalez
Alexander	Cooper	Goodling
Anderson	Coughlin	Gordon
Andrews	Courter	Gradison
Annunzio	Coyne	Gray (IL)
Anthony	Craig	Gray (PA)
Applegate	Crane	Green
Armey	Crockett	Gregg
Aspin	Daniel	Grotberg
Atkins	Dannemeyer	Guarini
AuCoin	Darden	Gunderson
Badham	Daschle	Hall (OH)
Barnard	Daub	Hamilton
Barnes	Davis	Hammerschmidt
Bartlett	de la Garza	Hansen
Barton	DeLay	Hartnett
Bateman	Dellums	Hatcher
Bates	DeWine	Hawkins
Bedell	Dickinson	Hayes
Bellenson	Dicks	Heftel
Bennett	DioGuardi	Hendon
Bentley	Dixon	Henry
Bereuter	Donnelly	Hertel
Berman	Dorgan (ND)	Hiler
Bevill	Dornan (CA)	Hillis
Biaggi	Dowdy	Holt
Bilirakis	Downey	Hopkins
Bliley	Dreier	Horton
Boehlert	Duncan	Howard
Boggs	Durbin	Hoyer
Boland	Dwyer	Hubbard
Boner (TN)	Dymally	Huckaby
Bonior (MI)	Early	Hughes
Bonker	Eckart (OH)	Hunter
Borski	Eckert (NY)	Hutto
Bosco	Edgar	Hyde
Boucher	Edwards (CA)	Ireland
Boulter	Edwards (OK)	Jacobs
Boxer	Emerson	Jeffords
Breaux	English	Jenkins
Brooks	Erdreich	Johnson
Broomfield	Evans (IA)	Jones (NC)
Brown (CA)	Evans (IL)	Jones (OK)
Brown (CO)	Fascell	Jones (TN)
Broyhill	Fawell	Kanjorski
Bruce	Fazio	Kaptur
Bryant	Feighan	Kasich
Burton (CA)	Fiedler	Kemp
Burton (IN)	Fields	Kennelly
Bustamante	Fish	Kildee
Byron	Flippo	Kindness
Callahan	Florio	Kleczka
Campbell	Foglietta	Kolbe
Carney	Foley	Kolter
Carper	Ford (MI)	Kostmayer
Carr	Ford (TN)	Kramer
Chandler	Fowler	LaFalce
Chappell	Frank	Lagomarsino
Cheney	Franklin	Lantos
Clay	Frenzel	Latta
Clinger	Fuqua	Leach (IA)
Coats	Gallo	Leath (TX)
Cobey	Gaydos	Lehman (CA)
Coble	Gejdenson	Lehman (FL)
Coelho	Gekas	Leland
Coleman (MO)	Gephardt	Lent
Coleman (TX)	Gibbons	Levin (MI)
Collins	Gilman	Levine (CA)
Lewis (CA)	Oberstar	Smith (NJ)
Lewis (FL)	Obey	Smith, Denny
Lightfoot	Olin	Smith, Robert
Lipinski	Ortiz	Snowe
Livingston	Oxley	Snyder
Lloyd	Packard	Solomon
Loeffler	Panetta	Spence
Long	Parris	Spratt
Lott	Pashayan	St Germain
Lowery (CA)	Pease	Staggers
Lowry (WA)	Penny	Stallings
Lujan	Pepper	Stangeland
Luken	Perkins	Stark
Lundine	Petri	Stenholm
Lungren	Pickle	Stokes
Mack	Porter	Strang
MacKay	Price	Stratton
Madigan	Pursell	Studds
Manton	Quillen	Stump
Markey	Rahall	Sundquist
Marlenee	Rangel	Sweeney
Martin (IL)	Ray	Swift
Martin (NY)	Regula	Swindall
Martinez	Reid	Synar
Matsui	Richardson	Tallon
Mavroules	Ridge	Tauke
Mazzoli	Rinaldo	Tauzin
McCain	Ritter	Taylor
McCandless	Roberts	Thomas (CA)
McCloskey	Robinson	Thomas (GA)
McCollum	Rodino	Torres
McCurdy	Roe	Torricelli
McDade	Roemer	Towns
McEwen	Rogers	Traficant
McGrath	Rose	Traxler
McHugh	Rostenkowski	Udall
McKernan	Roth	Valentine
McKinney	Roukema	Vander Jagt
McMillan	Rowland (CT)	Vento
Meyers	Rowland (GA)	Visclosky
Mica	Roybal	Volkmer
Michel	Rudd	Vucanovich
Mikulski	Russo	Walgren
Miller (CA)	Sabo	Walker
Miller (OH)	Savage	Watkins
Miller (WA)	Saxton	Waxman
Mineta	Schaefer	Weaver
Mitchell	Schneider	Weber
Moakley	Schroeder	Weiss
Molinari	Schuette	Wheat
Mollohan	Schulze	Whitehurst
Monson	Schumer	Whitley
Montgomery	Seiberling	Whittaker
Moody	Sensenbrenner	Williams
Moore	Sharp	Wirth
Moorhead	Shaw	Wise
Morrison (CT)	Shelby	Wolf
Morrison (WA)	Shumway	Wolpe
Mrazek	Shuster	Wortley
Murphy	Sikorski	Wright
Murtha	Siljander	Wyden
Myers	Sisisky	Wylie
Natcher	Skeen	Yates
Neal	Skelton	Yatron
Nelson	Slattery	Young (AK)
Nichols	Slaughter	Young (FL)
Nielson	Smith (FL)	Young (MO)
Nowak	Smith (IA)	Zschau
O'Brien	Smith (NE)	
Oakar	Smith (NH)	

□ 1220

The CHAIRMAN. Four hundred eighteen Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Michigan [Mr. SILJANDER] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair will remind the Members that this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 247, noes 177, answered "present" 1, not voting 8, as follows:

[Roll No. 222]

AYES—247

Anderson	Grotberg	Petri
Andrews	Hammerschmidt	Pickle
Anthony	Hansen	Porter
Applegate	Hartnett	Pursell
Archer	Hendon	Quillen
Armey	Henry	Rahall
AuCoin	Hiler	Ray
Badham	Hillis	Regula
Barnard	Holt	Ridge
Bartlett	Hopkins	Rinaldo
Barton	Horton	Ritter
Bateman	Hubbard	Roberts
Bates	Huckaby	Robinson
Bennett	Hughes	Roe
Bentley	Hunter	Roemer
Bereuter	Hutto	Rogers
Bevill	Hyde	Rose
Biaggi	Ireland	Roth
Bilirakis	Jacobs	Rowland (CT)
Blliley	Jenkins	Rowland (GA)
Boehlert	Jones (TN)	Rudd
Boner (TN)	Kanjorski	Russo
Boulter	Kasich	Saxton
Breaux	Kemp	Schaefer
Brooks	Kindness	Schuette
Broomfield	Kolbe	Schulze
Brown (CO)	Kolter	Sensenbrenner
Broyhill	Kramer	Sharp
Burton (IN)	Lagomarsino	Shaw
Byron	Latta	Shelby
Callahan	Leath (TX)	Shumway
Campbell	Lent	Shuster
Carney	Lewis (CA)	Siljander
Carr	Lewis (FL)	Sisisky
Chappell	Lightfoot	Skeen
Cheney	Lipinski	Skelton
Clinger	Livingston	Slaughter
Coats	Lloyd	Smith (NE)
Cobey	Loeffler	Smith (NH)
Coble	Lott	Smith (NJ)
Coleman (MO)	Lowery (CA)	Smith, Denny
Combest	Lujan	Smith, Robert
Courter	Luken	Snowe
Craig	Lungren	Snyder
Crane	Mack	Solomon
Daniel	Madigan	Spence
Dannemeyer	Marlenee	Staggers
Darden	Martin (IL)	Stallings
Daub	Martin (NY)	Stangeland
Davis	Mazzoli	Stenholm
DeLay	McCain	Strang
DeWine	McCandless	Stratton
Dickinson	McCollum	Stump
Dingell	McDade	Sundquist
DioGuardi	McEwen	Sweeney
Dornan (CA)	McGrath	Swindall
Dowdy	McMillan	Tallon
Dreier	Meyers	Tauke
Duncan	Mica	Tauzin
Eckart (OH)	Michel	Taylor
Eckert (NY)	Miller (OH)	Thomas (CA)
Edwards (OK)	Miller (WA)	Thomas (GA)
Emerson	Molinari	Valentine
English	Mollohan	Vander Jagt
Erdreich	Monson	Volkmer
Fawell	Montgomery	Vucanovich
Fiedler	Moore	Walker
Fields	Moorhead	Watkins
Flippo	Murphy	Weber
Florio	Murtha	Whitehurst
Franklin	Myers	Whitley
Frenzel	Natcher	Whittaker
Fuqua	Neal	Wilson
Gallo	Nelson	Wise
Gaydos	Nichols	Wolf
Gekas	Nielson	Wortley
Gilman	O'Brien	Wyden
Gingrich	Ortiz	Wylie
Goodling	Oxley	Yatron
Gordon	Packard	Young (AK)
Gradison	Parris	Young (FL)
Gray (IL)	Pashayan	
Gregg	Perkins	

NOES—177

Ackerman	Bedell	Borski
Addabbo	Beilenson	Bosco
Akaka	Berman	Boucher
Annunzio	Boggs	Boxer
Aspin	Boland	Brown (CA)
Atkins	Bonior (MI)	Bruce
Barnes	Bonker	Bryant
Burton (CA)	Hatcher	Olin
Bustamante	Hawkins	Owens
Carper	Hayes	Panetta
Chandler	Heftel	Pease
Clay	Hertel	Penny
Coelho	Howard	Pepper
Coleman (TX)	Hoyer	Price
Collins	Jeffords	Rangel
Conte	Johnson	Reid
Conyers	Jones (NC)	Richardson
Cooper	Jones (OK)	Rodino
Coughlin	Kaptur	Rostenkowski
Coyne	Kastenmeier	Roukema
Crockett	Kennelly	Roybal
Daschle	Kildee	Sabo
de la Garza	Kleczka	Savage
Dellums	Kostmayer	Scheuer
Dicks	LaFalce	Schneider
Dixon	Lantos	Schroeder
Donnelly	Leach (IA)	Schumer
Dorgan (ND)	Lehman (CA)	Seiberling
Downey	Lehman (FL)	Sikorski
Durbin	Leland	Slattery
Dwyer	Levin (MI)	Smith (FL)
Dymally	Levine (CA)	Smith (IA)
Early	Long	Solarz
Edgar	Lowry (WA)	Spratt
Edwards (CA)	Lundine	St Germain
Evans (IA)	MacKay	Stark
Evans (IL)	Manton	Stokes
Fascell	Markey	Studds
Fazio	Martinez	Swift
Feighan	Matsui	Synar
Fish	Mavroules	Torres
Foglietta	McCloskey	Torricelli
Foley	McCurdy	Towns
Ford (MI)	McHugh	Traficant
Ford (TN)	McKernan	Traxler
Fowler	McKinney	Udall
Frank	Mikulski	Vento
Frost	Miller (CA)	Visclosky
Garcia	Mineta	Walgren
Gejdenson	Mitchell	Waxman
Gephardt	Moakley	Weaver
Gibbons	Moody	Weiss
Glickman	Morrison (CT)	Wheat
Gray (PA)	Morrison (WA)	Williams
Green	Mrazek	Wirth
Guarini	Nowak	Wolpe
Gunderson	Oakar	Yates
Hall (OH)	Oberstar	Young (MO)
Hamilton	Obey	Zschau

ANSWERED "PRESENT"—1

Gonzalez

NOT VOTING—8

Alexander	Dyson	Whitten
Chappie	Hall, Ralph	Wright
Derrick	Hefner	

□ 1230

Mr. STRATTON changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. For what purpose does the gentleman from Florida [Mr. FASCELL], the chairman of the committee, rise?

Mr. FASCELL. Mr. Chairman, I move to strike the last word to inquire how much time we have left?

The CHAIRMAN. The Chair will state that there are 32 minutes remaining under the limitation.

Mr. FASCELL. I guess I am grateful for that, Mr. Chairman. I detect an increasing restlessness among Members if time does not run out pretty soon.

The CHAIRMAN. The gentleman from Florida [Mr. FASCELL] yields back his time.

AMENDMENT OFFERED BY MR. ROTH

Mr. ROTH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROTH: Page 125, after line 15, insert the following new section:

SEC. 810 OPPOSITION TO GENOCIDE POLICIES OF THE COMMUNIST REGIME IN ETHIOPIA.

(a) FINDINGS.—The Congress finds that—

(1) a policy and practice of genocide exists in Ethiopia, which rules by terror through a secret police apparatus, the armed forces, and death squads;

(2) the dictatorship of chairman Mengistu systematically denies domestically produced and donated food to the people of Ethiopia, while hoarding and using it for payment to the armed forces and secret police as well as allowing Ethiopian officers to sell pilfered food aid for profit;

(3) the Ethiopian regime has seized internationally donated relief supplies of its own military purposes;

(4) the Ethiopian regime consistently claims that food shortages and mass starvation results solely from ungenerous foreign donors and drought conditions;

(5) the Ethiopian regime has regularly withheld donated food and other humanitarian shipments from needy people based on their place of residency and political opinions;

(6) The Ethiopian regime has systematically destroyed donated food supplies distributed by nongovernmental and multilateral organizations, killing, in the process, hundreds of Ethiopian victims;

(7) in furtherance of its policy of genocide, the Ethiopian regime has destroyed internationally recognized refugee and feeding camps (for example, brutally forcing some 60,000 Ethiopians to evacuate the Ibnet refugee camp, leaving at least 20 dead);

(8) the Ethiopian regime recently spent $200 million to celebrate the nation's 10th anniversary of Ethiopia's Communist Revolution while 8 million of its people face imminent starvation;

(9) the Ethiopian regime systematically tortures and brutalizes its citizens, including two Ethiopian escorts of a United States congressional delegation which traveled to Ethiopia in February of 1985;

(10) the Ethiopian regime is spending millions for military equipment purchases from the Soviet Union and is engaged in the indiscriminate napalm bombing of villages believed to harbor resistance forces;

(11) Chairman Mengistu has amassed the largest standing army in Africa, consuming half the national budget for military purposes;

(12) the Ethiopian regime denies basic freedoms of religion, assembly, free speech, free press, and elections;

(13) two million Ethiopians have been driven into exile;

(14) the policy and practice of genocide is repugnant to the moral and ethical values of the United States;

(15) the United Nations has called for an immediate ceasefire in Ethiopia;

(16) the Ethiopian regime's violation of basic civil and political rights (outlined in the State Department's Country Reports on Human Rights Practices for 1984) are among the worst in the world and run counter to United States policies to promote basic human rights and democratic freedoms throughout the world;

(17) it is the policy of the United States to respect democratic pluralism and observance of full political and human rights in Ethiopia; and

(18) it is the policy of the United States to promote peaceful change and an end to the genocide in Ethiopia.

(b) CESSATION OF GENOCIDE AND CIVIL WAR.—The Congress—

(1) supports the Ethiopian people in their efforts to end the cruel policy of genocide conducted by the Government of Ethiopia;

(2) calls upon the Government of Ethiopia to agree to an immediate ceasefire and to begin a process of negotiation with the opposition, leading to the establishment of a government of national reconciliation.

(c) PROHIBITION ON IMPORTS AND EXPORTS.—

(1) DETERMINATION OF HUMAN RIGHTS.—If the President determines that the Ethiopian regime has ceased to conduct a deliberate policy of starvation of its people and has granted fundamental human rights to its citizens, the President may submit that determination, and the basis for that determination, to the Congress.

(2) JOINT RESOLUTION APPROVING DETERMINATION.—The prohibition described in paragraph (3) shall remain in effect until the Congress enacts a joint resolution approving a determination of the President submitted to the Congress under paragraph (1).

(3) PROHIBITION.—Until the conditions specified in paragraphs (1) and (2) are met—

(A) goods and services of Ethiopian origin may not be imported into the United States; and

(B) except for emergency relief assistance, goods and services of United States origin may not be exported (directly or indirectly) to Ethiopia.

(d) PROHIBITION ON ECONOMIC ASSISTANCE.—The President shall suspend all forms of economic assistance to the Government of Ethiopia. This section shall not be construed to prevent the furnishing of international disaster assistance under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) or economic assistance which will directly benefit needy people in accordance with section 116 (22 U.S.C. 2151n) of that Act).

(e) SECURITY ASSISTANCE.—The United States should continue to deny any and all direct and indirect security assistance to the Government of Ethiopia.

(f) REPORT.—Every six months, beginning six months after the date of the enactment of this Act, the President shall submit a report to the Congress on the progress by the Ethiopian regime to end its policy of genocide and abide by internationally recognized human rights.

Mr. ROTH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. ROTH. I am happy to yield to the chairman of the committee.

Mr. FASCELL. Mr. Chairman, I just wanted to restate again for the benefit of my colleagues who are now present that because of the shortness of time, I am constrained to object to any requests for extensions of time. We only have a little time left.

Mr. ROTH. Mr. Chairman, in response to that, I would just say as a member of the committee that this is the first time I have gotten to speak on this legislation. This is a very important amendment, and I think we should have a chance to express ourselves.

Mr. WOLPE. Mr. Chairman, I wish to reserve a point of order on the amendment. We have not had an opportunity yet to see the amendment.

The CHAIRMAN. The Chair will have to state to the gentleman from Michigan that his reservation comes too late. The debate has already begun on the amendment.

Mr. ROTH. Mr. Chairman, this is an important amendment if we consider that 7 to 8 million men, women, and children are dying of starvation. This amendment does have a few teeth in it—not many, but it does have a few. I introduce this amendment today because I think you and I are concerned about stopping the genocide that is taking place in Ethiopia.

Over 2 million people have been expelled from Ethiopia. Over 1.3 million have been relocated for political reasons in the southern part of the country. The Ethiopian regime is destroying refugee camps. For example, in Ibnet, some 60,000 people were driven out of that refugee camp, and many of the huts were burned while people were still in the huts. Over 30,000 people are still missing. As one nurse put it:

> Even the daily preparation of bread for the people is a wrenching experience. They suck your fingers to show you how hungry they are.

The United States, since December, has given over 400,000 tons of food to Ethiopia, over 2 million tons since the relief efforts began. Yet, while Ethiopia is a client state of the Soviet Union, the Soviet Union has only given 3,500 tons of rice. The European countries have given 1.3 million metric tons of food.

The Soviet Union has given the Ethiopians trucks, and in each truck they have three drivers. And how are the drivers paid for their per diem? For every ton of food that we unload at the docks in Ethiopia, it costs the U.S. Government $12.60 in fees extracted by the Ethiopian Government. That's $12.60 for every ton! What happens with this money? It's turned over to the Soviet Union to pay for Soviet truck drivers—three men to each truck.

The hearts of all Americans go out to the hungry throughout the world. This is most especially the case with the people of Ethiopia. Ethiopia used to be able to feed itself and export food to its neighbors. But that was before Col. Haile Mengistu Mariam came to power more than 10 years ago.

In that decade, the Ethiopian strongman has built the largest armed force in Africa. Thousands of opponents have been relegated to fighting the regime in a relentless civil war. One of Colonel Mengistu's first steps on seizing power was to institute a rigid centralization of agriculture at every level. The Government determines who farms and who doesn't. It determines who can get seed, fertilizer, and farm tools. It sets the price for all farm products. It steers locally produced foodstuffs to friends of the dictator—most especially his huge army and people living in the cities. At the same time the regime denies food, whether from Ethiopean or outside sources, to political dissidents fighting against it.

The Ethiopian Government blames hunger on a drought in the north. This won't stand the test of examination. The drought has mainly brought to light the policies of Colonel Mengistu's regime. Clearly, the Ethiopian Government has shown little or no willingness to use Western-donated food and emergency supplies to relieve the hunger of all of its people.

There are many aspects of this problem. Kurt Jansson, Deputy Secretary General of the United Nations, recently called for a pause in the donation of emergency supplies from the West. He noted that the Ethiopian regime has been allowing hundreds of thousands of tons of grains and other supplies to pile up at the docks while diverting trucks to smashing dissidents or moving Ethiopians out of conflict areas so as to prevent them from joining opponents of the dictatorship.

M. Peter McPherson, Administrator of our own Agency for International Development, has confirmed Mr. Jansson's dismal discovery. According to him, the Ethiopian regime is not serious about moving food and other supplies from the ports or out of the garrison towns inland which are used to feed only certified friends of Colonel Mengistu.

A growing concern on Capitol Hill is that the United States is allowing itself to be manipulated by the Ethiopian Government. In the past few years, policymakers have been well aware of the intentional policy of Colonel Mengistu to quell internal dissent through enforced hunger. We have responded by trying to seduce him through additional trade, aid, and other benefits. He has responded by buying planes for the Government airline and even selling donated food on the open market.

I think that this Congress has a responsibility to stop the genocide that is taking place. Where are the outcries for human rights? Where are the guardians of human rights? There are countless people in Ethiopia starving today. It takes place every day. Even the United Nations. Kurt Jansson, Deputy Secretary General of the United Nations, recently criticized severely the Ethiopian regime for not cooperating in distributing the donat-

ed food. We bring the food to Ethiopia, but it is rotting on the docks because the trucks that are supposed to distribute the food are relocating people for political reasons.

We thank the media for bringing this tremendous tragedy, this terrible tragedy, to the attention of the rest of the world, but we want the media to followup to show what is taking place with the food that we have donated.

Our hearts must go out to these people. The only thing the Government over there thinks about and works for is its military establishment. They have the largest army in the sub-Sahara, and yet they have no enemies from the outside. If democracy is good enough for European countries, if human rights is something we are concerned about in Central America, why are we not concerned about democracy and human rights in Africa?

□ 1240

I think it is time for this Congress to speak out. My amendment would do the following: Until the Government of Ethiopia stops its deliberate policy of genocide, we would not allow goods and services to go to Ethiopia except for emergency relief. We want to do everything we can to aid and feed the starving people in Ethiopia. Disaster assistance would continue, but we would not buy or sell products to the Government.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. ROTH. I will be happy to yield to my friend, the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I want the gentleman from Wisconsin to know that I feel his deep concern about feeding the starving in Africa and the gentleman's genuine outrage about the Ethiopian Government and the complications that ensue from them.

I would warn the gentleman, though, to proceed with caution, extreme caution, because the Ethiopian Government is very difficult to deal with.

Mr. SILJANDER. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment.

I yield to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, I thank my friend from Michigan [Mr. SILJANDER] for yielding.

Mr. Chairman, in summation, I just want to say that I hope that the Members of this House give this amendment some serious consideration.

There are not 1, 2, or 3 people starving, there are 7 to 8 million people, little kids, starving in Ethiopia, and the principal reason is because the Government is standing in the way.

Last year when we had within a 15-minute drive from the capital a sea of starving people, the Government spent $200 million for a ceremony to recognize their 10-year-old Marxist government. They imported not 40 bottles, not 400 bottles, not 1,000 or 4,000 bottles, but 480,000 bottles of Scotch, when a stone's throw from the capital millions were starving. And this Congress says nothing about human rights or democracy. If human rights and democracy are good enough for Europe and Central America, why is it not good enough for the blacks in Africa?

Mr. SILJANDER. Mr. Chairman, I thank the gentleman for his eloquent remarks.

Mr. Chairman, as the ranking member of the Africa Subcommittee, I would consider millions of taxpayers——

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind the visitors in the gallery that no demonstrations under the rule are allowed.

The Chair recognizes the gentleman from Michigan [Mr. SILJANDER].

Mr. SILJANDER. That I along with millions of taxpayers in this country who have a heart and compassion for those who are starving in Ethiopia, are more than willing to send our tax dollars to help those in such desperate conditions; but I must say, Mr. Chairman, that I do not feel that concern overlaps in terms of the Government, the Marxist government of Ethiopia, who has systematically engaged in genocide of those people they consider political enemies of their regime.

Now, some argue to the numbers. Is it tens of thousands or is it hundreds?

Mr. Chairman, if it is even one human being that is starved by the Government of Ethiopia, our hearts ought to go out to them. And this is a small step in the right direction that the American taxpayers' voice can be heard in this Congress so that we will not stand for a regime systematically starving its own people, men, women and children for political purposes.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. SILJANDER. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman from Michigan for yielding, because I think it goes even further than the taxpayers. I would be willing to bet that most if not every Member of this body has probably donated of their own moneys to try to help the situation in Ethiopia.

I would also guess that there are literally millions of Americans who have donated of their own resources to try to help the starving in Ethiopia.

I think what we have found is the Government of Ethiopia is standing in the way of getting the help to help people who are truly starving.

It seems to me what this amendment addresses is that part of the problem, that the American people have reached out in great compassion in huge numbers to try to solve that situation there, and it is not just in their role as taxpayers, it is in their role as compassionate people that we have reached out to that situation. And yet the Government of Ethiopia stands in the way of delivering that kind of help.

Mr. Chairman, if this amendment can in any way bring the message to the Government of Ethiopia that we intend to see the aid that we are providing gets to the people who are starving, then I think that every Member of the House should be in support of what the gentleman from Wisconsin [Mr. ROTH] is trying to do.

Mr. ROTH. Mr. Chairman, I thank the gentleman from Pennsylvania for his comments.

Mr. Chairman, I think there are two other important points that need to be made. One, this does not deal with humanitarian food aid, obviously; two, if the President certifies that the genocidal policies perpetrated by that government stop, then we can maintain our trade relationships. These are two very logical and reasonable escape clauses, but yet it sends, as the gentleman from Pennsylvania [Mr. WALKER] clearly articulated, a message to the Mengistu government that we will no longer tolerate starvation of men, women, and children for their own personal ambitions.

Mr. DORNAN of California. Mr. Chairman, I move to strike the requisite number of words. I rise in support of the Roth amendment.

Mr. Chairman, our distinguished colleague from Michigan has said that we must go very carefully here, because the Government in Ethiopia is very difficult to deal with. I agree with that sentiment. We must proceed carefully in debate, and as we present this amendment to the Government in Ethiopia we do not want children to die as a result of our strong position against the Ethiopian Government.

I went to Ethiopia last month, alone, with my administrative assistant, who was so moved by some of the television documentaries that he paid his own way to accompany me. I was inspired to go, frankly, not only by those same documentaries, but also by the excellent "20/20" broadcast of our distinguished colleague, the gentleman from New York [Mr. GARY ACKERMAN] and his Valentines Day trip to Ethiopia with a group of students from New York City.

I was moved exceedingly when the gentleman from New York [Mr. ACKERMAN] began to sing with the children and chant back and forth. I said, "Here is a place where people are dying in the same numbers as in the

concentration camps of Nazi Germany, and here is a chance through the miracle of jet travel to be there in a day or a little more. I can see for myself what is happening with our aid program, and what is happening with the Marxist, government of Colonel Mengestu, and how it takes care of its people."

Now, I went out to two of the camps. One of our Members, the gentleman from Virginia [Mr. FRANK WOLF] had been in one of the major camps, Ansakio, and witnessed what is happening. I went out to Ibnat and to another camp not far from the city. I have never seen more beautiful children in my life, more filled with love. Five or six will hold your hand at one time. They rub their heads up against you. They look up at you with their large eyes begging for some sort of help.

I talked to some of the young American and Canadian nurses there. There was one child with its whole upper lip gone, from the nose across its face. I asked the young Canadian nurse there if this was a birth deformity and before she could utter a sentence, her throat closed and she began to cry. When she regained her composure she told us that the little child had come in with an infection in the corner of its mouth, the infection turned to gangrene and before they could help it, it spread, and the child's whole upper lip fell off. Now that little child can only be helped, somehow, some way, by plastic surgery.

In stark, almost obscene contrast, and this was something I was not prepared for, was the Hilton Hotel in Addis Abba. That hotel has the largest swimming pool I have ever seen at a hotel along with open barbecues and a pizzeria. You can see the pilots from most of the free world nations there. All of us who stayed there were eating well in this hotel. A 20-minute plane flight away, or 1½ hours by car—I understand that the gentleman from New York [Mr. ACKERMAN] traveled 6 or 7 hours by car to get to one of the camps—is this utter starvation. Just a stone's throw from a typical Hilton Hotel with its abundance of food, people are struggling against the effects of prolonged starvation.

The most difficult thing to accept was when our AID representative told us that this country of ours is putting in more aid than anybody else, $325 million. Then he said, "How do you convey to our Congress that Ethiopia can only absorb $200 million?"

At all three major Ethiopian ports, some of which were built quickly in the last 6 months, there is food rotting, because of a sudden quick rainstorm, at one of the ports, rains that they had not had in 10 years.

To be just, there is one thing that we cannot blame on the Government of Ethiopia. I call it God's will, or as some would say, the act of Mother Nature, that Ethiopia has had 4 horrible drought years in a row. The Government cannot be blamed for that drought, or the fact that there is no infrastructure of roads. But they can be blamed, severely blamed, and I am weighing my words so that they will listen carefully, if they stand in the way of generous nations, irrespective of ideology, who are trying to get food to those little kids, and to those mothers who are so pitiful and so desperate for help.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. DORNAN of California. I yield to the gentleman from Michigan.

□ 1250

Mr. CONYERS. I thank the gentleman for his very descriptive and passionate feelings about this matter.

Now the problem that we have with the Ethiopian Government, and the gentleman is aware of this I know, is that there is also among this mix of wealth and poverty and abundance and starvation, there is also an internal struggle going on. And I think we have to weigh that in. And there has been intransigence in some of the deliveries of food supplies, negligence, delays, and it has cost lives.

The State Department has worked diligently to control those and to get us on track, but I do not think that this amendment will work.

The CHAIRMAN. The time of the gentleman from California [Mr. DORNAN] has expired.

Mr. DORNAN of California. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. FASCELL. Mr. Chairman, I am constrained to object.

The CHAIRMAN. Objection is heard.

Mr. HYDE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. I thank my friend.

I just wanted to add one more thought about what can be learned from watching a Marxist government as it stands in the way of feeding its own people.

The Mercado, the marketplace in Addis Abbaba, has more goods to offer than the market in Leningrad or Moscow. Things can get into Ethiopia quite easily when the Marxist government averts its eyes and permits the free enterprise black market to operate.

I have coined an axiom that I am going to remember for the rest of my life, which I submit to you. When a gang of people takes over a government at the point of a gun and executes 1,000 people of their opposition to cement their control, how do they establish their legitimacy in the eyes of the world? And here is the axiom: these thugs merely call themselves Marxists. They do not have to have read Engels or Marx or Lenin; they just put up big posters in the town square. They know they will never have to have an election again. They will get a certain amount of respect, even from some Members in this body, not to mention Western Europe, by declaring themselves Marxists. No elections, but rule by gun; they pick up their Mercedez-Benzes and start driving around. They eat well, and do not let starvation stand in the way of their $200 million celebration of the 10th anniversary of Marxism in their country.

It is ironic that the Italian language was once forced on the Ethiopians, but when Colonel Mengistu's henchmen put up their propaganda signs around the cities, the signs are in English. Presumably the Ethiopians are grateful to the English for having liberated them from the facism of Mussolini. But English, the language of freedom, is the language that they have to use to show the world that they are legitimate Marxists, and as such do not have to have elections and can rule by the gun.

We must feed those beautiful Ethiopian children, but this government must get out of the way.

I did meet decent people in that government who are not hard core ideologues, they understand America provides most of the food and air power to deliver it. They know that many Americans, particularly from our Christian groups, are there in the camps giving their time, while other people live in luxury in Addis Abbaba.

I thank the gentleman.

Mr. HYDE. I thank the gentleman from California.

I just simply want to comment that it is incredible that we find it so difficult to condemn Ethiopia for its practices of genocide. And anyone who denies that that is going on really has a problem of attention span, I would say. We have seen the films and the movies. They have wrenched our souls, and then we hear that that Government, from unimpeachable sources, is using food as a weapon, starving people, and burning their refugee camps.

Now if we cannot bring ourselves to condemn that here today then this body really has no reason for existence, or we have lost our soul.

Now we condemn the obscenity of apartheid and rightly so. Why can we not equally condemn the obscenity of starvation as a state sponsored policy? It is incredible.

I asked the gentleman who is the chairman of the subcommittee for his response to this, and he said, and I

quote him: "We sent a letter to Colonel Mengistu."

Well, that is great, and I know how letters are favored around here. We send them to Commandante Ortega and we send them to Colonel Mengistu.

But I submit that letters are not enough. I submit we have to do something concrete.

This is mild. This is a mild response in the face of the systematic starvation of people who are just as important in Eritrea and Tigre as they are in Soweto.

So I suggest that this amendment be adopted quickly and expeditiously and we can leave this Chamber saying we have done something to help the starving people of Ethiopia.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to my friend from Detroit, Mr. CONYERS.

Mr. CONYERS. I thank the gentleman for yielding. I support his view of condemnation and speaking out on this. There have been difficulties.

But what does this amendment do beyond condemnation?

Mr. HYDE. The amendment requires Presidential findings. The gentleman has read the amendment and it speaks for itself.

Mr. CONYERS. No; the amendment was printed in the RECORD and I did not hear it.

Mr. HYDE. It focuses public attention, and we have spent a lot of attention picketing the Embassy of South Africa, and rightly so, but now let us focus attention, or let us show the world that we are capable of two thoughts simultaneously and focus some attention on this obscenity of state-sponsored starvation in Etheopia which is going on as we speak. That is the least that this resolution does.

Mr. WOLPE. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, let me say first of all that there is no issue that has commanded greater attention of the Subcommittee on Africa and the Foreign Affairs Committee over the past couple of years than the subject of starvation in Ethiopia and more broadly, of course, the famine throughout the breadth of Africa. In fact, it was a delegation that I led to Ethiopia back over 2 years ago, 3 years ago now, that was the first congressional delegation to draw attention to the enormity of the starvation that was occurring at a time when the governments of this world and the international community were oblivious to what was happening.

The Ethiopian Government in fact had actually come to the international community somewhat earlier pleading for international assistance. The Catholic Relief Service had come to the American Government pleading for American Government support.

But up until the point of our arrival in Ethiopia, and I was accompanied by my distinguished ranking member at that time from New York, Mr. SOLOMON, there was very little attention being paid to what was happening in Ethiopia.

Let me say secondly our committee not only by letter but on a continuing basis through direct conversation with Ethiopian Government officials, with American Government officials, the international relief agencies has been doing everything within our power to make clear to the Ethiopian Government our absolute abhorrence of what at times has seemed like gross insensitivity to people starving within their own country.

Previous speakers have spoken to such incidents as the kind of time and attention that was given to the Communist celebration when shipments of food were held up at the port, compounding the starvation and the misery of the people. We have addressed those issues and we have put and helped to orchestrate all sorts of measures, and entreaties, initiatives with respect to the problem of starvation in Ethiopia.

The bottom line of all of our initiatives has been to try to keep people alive. And the reason that I believe that the amendment, as it has been constructed, though certainly well intended, may actually complicate the effort of keeping people alive, is because for better or for worse, no matter how much we abhor the policies of this Government politically, no matter how much we abhor the resistance to facilitating free passage at different points into areas that have been the most hard hit by starvation, the fact of the matter is that is the Government that we have got, and the other members of the international community must deal with if we are going to try to see to it that that assistance gets to the people of Ethiopia.

The tragedy is that a lot of innocent people are being used as political pawns, but are parties to this conflict. It is time to make certain as we approach this issue that unintentionally we are not actually adding to the deaths that are occurring in Ethiopia.

Now because of the concern I and the gentleman from California [Mr. LOWERY] were involved in discussions of an amendment that the gentleman from California [Mr. LOWERY] originally intended to introduce that would have expressed in the strongest possible terms our condemnation of the approach that has been taken by the Government to the problem of starvation at a number of different points.

The administration, I might say, Mr. McPherson and others have been working with the Ethiopian Government, and through diplomacy we have received some concessions by that Government that is now permitting the operation of relief agencies in areas where they previously were hindered from operating. That has been some movement and some progress in the ability to get food into the areas of greatest starvation.

People are still dying at an enormous rate. Recently I had the opportunity to talk with one relief official that said there has been great improvement in Ethiopia. And I asked him what he meant and he said, "Well, now, instead of 125 people dying every day we only have in one particular relief camp," and he only knew about one camp, "we only have somewhere about 25 people dying."

□ 1300

I could not believe what he was saying, that that was progress. The fact of the matter is there are already in the neighborhood of half a million people that have died, there are over 2 million people on the verge of starvation within Ethiopia itself; 6 million people we are told are at potential risk of starvation.

So what we need to be attentive to at this point is keeping people alive.

The concern that I have with respect to the amendment as it has been propounded is it does not only make our condemnation of Ethiopian action clear, but it also goes so far as to impose an economic embargo vis-a-vis the United States and Ethiopia. It is going to complicate seriously our ability to work with that Government that has got to be worked with in order to see to it that people receive relief supplies and assistance.

Mr. SOLOMON. Mr. Chairman, I move to strike the last word.

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise to support this amendment.

Mr. SOLOMON. My colleagues, let me just say this to the distinguished chairman of the Subcommittee on Africa, Mr. WOLPE. I served as his ranking Republican Member for a number of years and we did travel to Ethiopia 2 years ago.

I give the gentleman a great deal of credit for initially calling attention to what was happening in Ethiopia and southern Africa. But let me say this, there is no question in anyone's mind that there is a forced genocide going on today. I have, in Saratoga Springs, NY, two little twins, 1½ years old, whom we just brought to the United States. They were adopted. We managed to get them out of the northern provinces.

If they had not been brought out about 4 months ago, they would be dead today. They are the cutest little children you have ever seen in your life, two little twins.

The stories that came with them of the forced genocide that was taking place were just so heart-breaking.

Mr. Chairman, here is an article from Life magazine of the May 1985 issue. Just look at these people, look at them. The article starts off by saying "that they showed no mercy."

Mr. Chairman, let me read you a statement from a nurse, from a private voluntary organization which is serving those people. She says, "It is easy to see that the government doesn't care," says 30-year-old Marcedes Hernandez. "We have tents, we can put everybody inside these tents at night but they have forbidden us from doing. Lt. Col. Mengistu Haile-Mariam, his 10-year-old military regime is intentionally supporting the relief efforts and withholding the aid from those who most desperately need it. It is cruelty. They pick the young for resettlement and they leave the others to die."

Ladies and gentlemen, I have seen this House act on amendments on this floor and say "Let's send it over to the other House, the Senate, and we will argue it out there." Here is your chance to focus with the world's press on what is happening with forced genocide that is killing more people than previously when the Soviets starved so many Ukraines so many years ago.

Let us send the message, let us adopt this amendment and I guarantee you it is going to help save some of those people. It will send a message to Colonel Mengistu that we are not going to stand by and see this kind of genocide happening in the 20th century.

● Mr. LOWERY of California. Mr. Chairman, first, I want to thank the chairman, the distinguished gentleman from Florida, and the distinguished ranking minority member, the gentleman from Michigan, for working with me to bring this amendment to consideration before the full House.

While I commend this body for its statesmanship and compassion in considering aid for the estimated 20 to 30 million people in danger of starvation in Africa, there has been little or no mention of Ethiopia's failing in its responsibility to sufficiently ameliorate famine conditions in its own countryside. As a matter of fact, Congress has yet to make any statement at all about this systematic denial of food and relief by the Ethiopian Government to certain areas of civil contention. To this end, I applaud the efforts of my colleague from Michigan to incorporate my resolution in his substitute bringing to the attention of the Dergue and the American people that we will not tolerate such blatant abuses.

We must all recognize that the Ethiopian Government has not only been irresponsible in failing to aid starvation victims effectively, but it has also actually hindered relief efforts. Instead of diverting important resources toward the reclamation and rehabilitation of its agrarian lands, it has chosen instead to equip its five hundred thousand-person military organization. Under the dictatorship of Marxist Chairman Mengistu, the Ethiopian Government has systematically withheld donated food and other humanitarian shipments from needy people based on their place of residence and political opinions. Moreover, the Dergue, with considerable assistance from the Soviet Union, has built the second largest standing army in Africa, consuming one half of its national budget for military purposes. A strong statement by this body will send a clear message to the Government of Ethiopia that it is on notice for its irresponsible behavior and reckless military build-up.

Mr. Chairman, in considering any form of foreign emergency assistance, we must address preventive as well as immediate needs. The present famine conditions in Africa are not, as many believe, a completely natural disaster, but are largely attributable to a foolish and unsound agricultural policy. The African drought was the mechanism through which famine was triggered, but the resulting human disaster was an act of man, not God—an act stemming from sheer human mismanagement of environmental resources and agricultural policies by Colonel Mengistu and the Dergue. Haphazard use of land and an inefficient Marxist system have all contributed heavily to the massive starvation in Ethiopia.

In addition, the Soviet Union, although in a firm alliance with Ethiopia, has responded to aid needs with little more than symbolic gestures, sending last year approximately 10,000 metric tons of rice and several tons of salt, even though Ethiopia is an exporter of salt. For fiscal year 1984, Soviet aid totaled only $7 million. They supposedly supplied logistical support, including the use of some trucks. However, the trucks were used mainly for the resettlement of indigenous population in areas of civil contention. Most importantly, the Soviet Union has provided absolutely no preventive funding, environmentally or agriculturally, choosing instead to target the Ethiopian military for assistance.

In conclusion, Mr. Chairman, while I strongly support the efforts of this legislative body to alleviate the suffering taking place in Ethiopia and other parts of Africa, I believe our foreign assistance must be tempered with the responsibility and commitment of our beneficiary toward self sufficiency and a full recovery from famine—irrespective of political or regional differences. Changes must be made in the Dergue's ineffectual Marxist system and their unacceptable military priorities. We must make concerted efforts to combine emergency relief with preventive measures to ensure that more disasters of this nature do not occur. This amendment will give a stern warning to Colonel Mengistu and the Dergue that if they do not straighten out their economic and militaristic policies, we will take even stronger action.

I urge all my colleagues to support this important and necessary effort.●

AMENDMENT OFFERED BY MR. SOLARZ AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. ROTH

Mr. SOLARZ. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLARZ as a substitute for the amendment offered by Mr. ROTH:

Page 125, after line 15, insert the following new section:

SEC. 810. FAILURE OF THE ETHIOPIAN GOVERNMENT TO RESPONSIBLY AMELIORATE FAMINE CONDITIONS.

(a) FINDINGS.—The Congress finds that—

(1) many thousands of Ethiopian people have suffered and died, and an additional ten million people are in danger of death, through starvation caused by prolonged drought;

(2) it has been suggested that the United States Government has been negligent in its efforts to ameliorate the tragic conditions present in Ethiopia;

(3) the Government of the United States has a continuing commitment to the emergency fund under title II of the Agricultural Trade Development and Assistance Act of 1954 (the Food For Peace Act);

(4) United States emergency food assistance for Africa in fiscal year 1985 is more than twice the amount provided in fiscal year 1984, and is the largest amount contributed by any single donor;

(5) the Ethiopian Government, as a client state of the Soviet Union, has considered the equipage and modernization of its five hundred thousand-person military organization more vital than alleviating the suffering of its people caused by drought;

(6) the Ethiopian Government has considered the funding of its military organization more vital than promoting a viable national agrarian policy;

(7) there is evidence that the Government of Ethiopia has used the drought-caused famine to induce cooperation from certain dedicated Ethiopians who seek to bring about fundamental changes in their country;

(8) the United States Government is concerned about the seizure by the Ethiopian Government of an Australian aid ship in an attempt to cut off food to its citizens in the northern regions, an area most severely stricken by famine; and

(9) the Ethiopian Government deems the appearance and status of its socialist system more worthy of attention than its citizens and agricultural policies in need.

(b) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) the Government of Ethiopia should be condemned for failing in its responsibility to sufficiently ameliorate the severe drought and famine conditions throughout its agrarian countryside;

(2) the Government of Ethiopia should allocate more of its resources toward the development of a more balanced and effective agrarian system;

(3) human rights monitoring groups can be a positive force for human rights in Ethiopia and should be allowed to function and should be supported;

(4) the Government of Ethiopia should initiate a genuine policy of national reconciliation;

(5) the continued improvement of Ethiopia's treatment of the Ethiopian people and respect for human rights would better relations between the United States and Ethiopia;

(6) the President or his representatives should convey to Ethiopian officials the concerns of the Congress expressed in this section at every opportunity; and

(7) the President or his representatives should also convey these concerns of the Congress to the governments of United Staters allies and urge the cooperation of those governments in efforts to ensure a more responsible Ethiopian Government.

(c) PROHIBITION ON IMPORTS AND EXPORTS.

(1) DETERMINATION OF HUMAN RIGHTS.—The President shall determine within 30 days after the enactment of this Act whether the Ethiopian regime is conducting a deliberate policy of starvation of its people and has not granted fundamental human rights to its citizens. The President shall submit that determination, and the basis for that determination, to the Congress.

(2) JOINT RESOLUTION APPROVING DETERMINATION.—The prohibition described in paragraph (3) shall take effect if the Congress enacts a joint resolution approving the determination of the President submitted to the Congress under paragraph (1).

Prohibition.—If the conditions specified in paragraphs (1) and (2) are met—

(A) goods and services of Ethiopian origin may not be imported into the United States; and

(B) except for emergency relief assistance, goods and services of United States origin may not be exported (directly or indirectly) to Ethiopia.

(d) PROHIBITION ON ECONOMIC ASSISTANCE.—The President shall suspend all forms of economic assistance to the Government of Ethiopia. This section shall not be construed to prevent the furnishing of international disaster assistance under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) or economic assistance which will directly benefit needy people in accordance with section 116 (22 U.S.C. 2151n) of that Act).

□ 1310

The CHAIRMAN. The gentleman from New York [Mr. SOLARZ] is recognized for 4 minutes.

Mr. SOLARZ. Mr. Chairman, I think my friends on the other side of the aisle, in a very constructive fashion, have focused attention on the seriousness of the situation in Ethiopia. All of us, on both sides, are concened about the problem of starvation in that country.

To the extent that the problem of hunger is being exacerbated by a deliberate policy on the part of the Government which has the consequence of forcing additional Ethiopians to starve, that is even more deplorable and all of us, I think, would share the concerns that have been expressed.

What this substitute attempts to do, however, is to somewhat alter the formula contained in the amendment that was originally offered, which provides for the termination of all American trade with Ethiopia.

Under the amendment that was put before the House, upon enactment of this legislation, all trade is suspended unless the President reports to the Congress that the Government of Ethiopia is no longer engaged in a deliberate policy of starvation and the violation of the human rights of its people.

If the President makes the determination that they are no longer doing that, and the Congress approves it with a joint resolution, the prohibition on trade is eliminated.

Under the substitute, we provide that within 30 days of the enactment of the legislation, the President must submit a determination to the Congress as to whether the Government of Ethiopia is engaged in an effort to deliberately starve their people and is engaged in a fundamental violation of the human rights of the Ethiopian people.

If the President makes that determination, and if it is approved by a joint resolution of the Congress, then all trade is prohibited. In essence, the difference between the two approaches is this: Under the original amendment, the trade between our two countries is automatically prohibited unless the President finds that they are no longer engaged in the objectionable behavior.

Under our amendment, once the bill is enacted, trade continues, but within 30 days the President is obligated to make a finding as to whether the Ethiopian Government is engaged in these objectionable practices.

Now the fact of the matter is that by the time this bill passes, either the Government of Ethiopia will be engaged in efforts to starve its own people or it won't be. If it is, the President will undoubtedly, under our substitute, submit the determination and trade will be cut off. If they are not engaged in a deliberate effort at starvation, then even under the original amendment, the President would submit that determination to the Congress.

Why then is the substitute preferable to the original amendment? It is preferable because it is simply a more diplomatic way of going about it. The determination will be made one way or the other.

The gentlemen on the other side of the aisle, if they can accept this amendment, will have won a fundamental point: They will have established as U.S. policy that if, following the enactment of this legislation, the Government of Ethiopia is engaged in deliberate efforts to starve its own people, all trade between our two countries will be cut off. But let us not require a cutoff in trade even if it is entirely possible that by the time this is enacted, the Government of Ethiopia will no longer be engaged in that kind of activity.

So I think we have come a long way toward a reasonable compromise on this. I would hope our friends on the other side of the aisle could accept the substitute. The President will be obligated to make a determination within 30 days. He is not going to fake it. If they are deliberately engaged in efforts to starve their own people, he will submit the determination, as he is obligated to by law to the Congress, and it will be approved.

The CHAIRMAN. All time has expired under the time limitation.

Under the unanimous-consent request, the Chair recognizes the gentleman from Wisconsin for 2 minutes.

Mr. ROTH. I thank the Chair.

I think the original amendment was desirable, but I also realize that we need 217 votes, 215, 212—it all depends on how many Members are present—to have the amendment adopted.

I feel so strongly, as do the Members on this side of the aisle, that this genocide in Ethiopia must stop, that I will be willing to accept this watered down version of the amendment, if it is going to get the chairman and others to accept the amendment.

Also, although this amendment now shifts the certification burden to the President, I think the President has wide shoulders. I think to save the starving in Ethiopia, the President will be able to go along with it, too.

So I ask that we accept this amendment.

Mr. FASCELL. Will the gentleman yield?

Mr. ROTH. I yield to the gentleman.

Mr. FASCELL. I just want to say that we are very happy to accept the amendment, and I commend the gentleman for his willingness to cooperate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLARZ] as a substitute for the amendment offered by the gentleman from Wisconsin [Mr. ROTH].

The amendment offered as a substitute for the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. ROTH], as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN. Are there further amendments to title VIII?

MODIFICATION OFFERED BY MR. MILLER OF WASHINGTON TO THE AMENDMENT OFFERED BY MR. MILLER OF WASHINGTON, AS AMENDED, RELATING TO INTERNATIONAL CIVIL AVIATION BOYCOTTS

Mr. MILLER of Washington. Mr. Chairman, I ask unanimous consent that section 409 of H.R. 1555 (relating to international civil aviation boycotts), which is contained in the amendment which I offered and which was adopted on July 10, 1985, be amended to read as follows:

SEC. 409. INTERNATIONAL CIVIL AVIATION BOYCOTT OF COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

It is the sense of the Congress that the President—

(1) should call for an international civil aviation boycott with respect to those countries which the President determines—

(A) grant sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

(B) otherwise support international terrorism; and

(2) should take steps, both bilateral and multilateral, to achieve a total international civil aviation boycott with respect to those countries.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

The CHAIRMAN. The amendment is modified.

The text of the amendment, as modified, as amended, is as follows:

Amendment offered by Mr. Miller of Washington, as modified, as amended: Page 55, after line 17, insert the following new sections 408 and 409 and redesignate existing sections 408 and 409 as sections 410 and 411, respectively:

SEC. 408. COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

(a) PROHIBITION.—Section 620A of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 620A. PROHIBITION ON ASSISTANCE TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

"(a) PROHIBITION.—The United States shall not provide any assistance under this Act, the Agricultural Trade Development and Assistance Act of 1954, the Peace Corps Act, or the Arms Export Control Act, to any country which the President determines—

"(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

"(2) otherwise supports international terrorism.

"(b) PRESIDENTIAL WAIVER.—The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the waiver (including the justification for the waiver) in accordance with the procedures applicable to reprograming notifications pursuant to section 634A of this Act.

"(c) INTERNATIONAL COOPERATION.—If sanctions are imposed on a country pursuant to subsection (a) because of its support for international terrorism, the President should call upon other countries to impose similar sanctions on that country.".

(b) CONFORMING AMENDMENT.—Section 3(f) of the Arms Export Control Act is amended by striking out ", credits, and guaranties" and ", credits, or guarantics" each place they appear.

SEC. 409. INTERNATIONAL CIVIL AVIATION BOYCOTT OF COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

It is the sense of the Congress that the President—

(1) should call for an international civil aviation boycott with respect to those countries which the President determines—

(A) grant sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

(B) otherwise support international terrorism; and

(2) should take steps, both bilateral and multilateral, to achieve a total international civil aviation boycott with respect to those countries.

● Mr. GROTBERG. Mr. Chairman, yesterday I strongly supported the amendment introduced by the gentleman from Washington [Mr. MILLER]. I have a very personal interest in the issue of international terrorism which this country and the rest of the world witnessed with the hijacking of the TWA flight 847. When the American flight was brutally hijacked, 35 residents of my Illinois district and the surrounding area were aboard. Many of these people were returning from a church trip to the Holy Land.

We have never been able to assure U.S. citizens that domestic and international travel, residence in foreign countries, or service in the military overseas was always safe. However, barbarous acts of terrorism which have been committed against innocent people aboard the TWA flight, in American embassies, and military installations have only served to roughly push this Congress into acting in some legislative manner. The Miller amendment would send a very strong message to countries entertaining any thoughts of harboring terrorists. The United States would not under any circumstances give foreign aid to countries who engage in terrorism or shelter terrorists.

In addition, as I understand the gentleman's amendment, the second section would urge the President to work with other countries in adopting an international civil aviation boycott of Iran and Libya. It's unfortunate that steps must be taken to develop an antiterrorism policy; however, U.S. posture in crisis situations is extremely important. The TWA incident served to test our resolve, and we must move to shut off any airport which has been a safe harbor for terrorists. I've introduced a bill which would give the Secretary of Transportation the authority to restrict air travel to the United States from foreign airports considered to have security problems. Periodic assessments of the effectiveness of security measures at foreign airports coupled with a posting of all foreign security-deficient airports at all U.S. airports would be required. A similar bill has been introduced by my Illinois colleague in the other body, Mr. DIXON.

The President has recently discussed two things that I have talked about since the first stages of the hostage crisis: One, increase sky marshals on foreign flights, and two, move to bring these terrorists to justice for their acts of savagery, even if it takes one or two generations. I support the approach of hunting these international criminals to their graves.

Mr. Chairman, I was encouraged by the passage of the Miller amendment. I don't think this country should have to helplessly watch any more Americans suffer at the hands of maniacs.●

AMENDMENT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONYERS: Page 125, after line 15, insert the following new section:

SEC. 810. PROHIBITION ON ASSISTANCE TO COUNTRIES PROVIDING NUCLEAR ASSISTANCE TO SOUTH AFRICA.

(a) PROHIBITION.—United States foreign assistance may not be provided to any country having a nuclear relationship with South Africa.

(b) DEFINITIONS.—As used in this section—

(1) the term "nuclear relationship" means any relationship between countries which is subject to the Treaty on the Non-Proliferation of Nuclear Weapons (without regard to whether the countries in question are parties to that Treaty); and

(2) the term "United States foreign assistance" means any assistance under the Foreign Assistance Act of 1961, the Arms Export Control Act (including cash sales under that Act), the Agricultural Trade Development and Assistance Act of 1954, the African Development Foundation Act, section 401 of the Foreign Assistance Act of 1969 (relating to the Inter-American Development Foundation), or the Peace Corps Act.

Mr. CONYERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. CONYERS] is recognized for 2 minutes.

Mr. CONYERS. Mr. Chairman, this is a very simple prohibition that provides that no foreign assistance, military or economic, may be provided to any country having a nuclear relationship with South Africa.

By "nuclear relationship" we define, by definition in section (b), means any relationship between countries which is subject to the treaty on the nonproliferation of nuclear weapons.

Now, Senator Symington, in 1977, offered an amendment on the foreign aid bill which prohibits U.S. foreign aid for recipients who violate the nuclear nonproliferation treaty. All this amendment does, and it names no countries and it indicts no nations, is that we say that, any nation from this point on, dealing with nuclear relationship—by that, having anything to do with developing nuclear capability with South Africa could be prohibited from receiving assistance from the United States.

I think this is an important adjunct to the amendment similar to this that I offered on the Anti-Apartheid Act which prohibits any nuclear collaboration with South Africa.

It is simple, straight ahead amendment, and I hope it will be accepted.

I yield to the chairman of the Subcommittee on Africa [Mr. WOLPE].

Mr. WOLPE. I thank the gentleman for yielding, and first of all I want to commend the gentleman for the leadership he has taken, not only today but in other forms, at addressing the issue of the nuclear development that is occurring in South Africa, and which we in the United States, ourselves, participated.

I have some concerns about the amendment as it has been drafted, if I understand it correctly it could result in the cutoff of cash sales, military equipment to some U.S. allies and NATO, for example, France, for example, if they have a nuclear relationship.

□ 1320

I think, though, this is an issue that needs to be explored. I would suggest that this matter be further explored in committee hearings. I have, as you know, legislation pending and would intend to pursue that in the committee process.

Mr. SILJANDER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield to the chairman, the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. I thank my colleague, the gentleman from Michigan, for yielding, to allow me to complete my statement, which is that this is a subject that should be explored. It is important that the gentleman has raised it at this point. We will have an opportunity in our committee hearings that are to be taking place on the Nuclear Control Act this year to explore the ramifications of the gentleman's suggestion in greater depth.

Mr. SILJANDER. I thank the chairman for his comments. As the ranking minority member of the subcommittee, I would also agree that this should be looked at, it should be explored. I would encourage the gentleman to withdraw his amendment.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. SILJANDER. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, on the generous and unsolicited advice of the ranking minority leader of the subcommittee and the chairman of the subcommittee, I ask unanimous consent to withdraw this amendment and pursue the suggestions that have been made.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there further amendments to this title?

AMENDMENT OFFERED BY MR. SILJANDER

Mr. SILJANDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SILJANDER: Page 125, after line 15, insert the following new section:

SEC. 810. ASSISTANCE FOR SOUTH AFRICAN PROJECTS.

(a) ELIGIBILITY OF CERTAIN PROJECTS IN SOUTH AFRICA.—Section 237(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2197(a)) is amended—

(1) by striking out "(a) Insurance" and inserting in lieu thereof "(a)(1) Except as provided in paragraph (2), insurance"; and

(2) by adding at the end thereof the following:

"(2) Insurance, reinsurance, and guaranties of loans may be issued to cover an investment made in connection with a project in South Africa, notwithstanding the absence of an agreement with the Government of South Africa, except that—

"(A) the issuance of any such insurance, reinsurance, or guaranty may only be made to joint ventures between business enterprises controlled or owned by South African blacks or other nonwhite South Africans and business enterprises controlled or owned by United States nationals; and

"(B) with respect to such a joint venture, the national or nationals of the United States hold a minority interest or agree to relinquish its majority interest during the course of the joint venture.".

(b) NATIONAL OF THE UNITED STATES DEFINED.—Section 238 of the Foreign Assistance Act of 1961 (22 U.S.C. 2198) is amended—

(1) in subsection (c) by striking out "and" at the end thereof;

(2) in subsection (d) by striking out the period at the end thereof and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following:

"(e) the term "national of the United States" means—

"(1) a natural person who is a citizen of the United States or who owes permanent allegiance to the United States; or

"(2) a corporation, partnership, or other enterprise if—

"(A) natural persons who are nationals of the United States own or control, directly or indirectly, more than 50 percent of the outstanding voting securities;

"(B) natural persons who are nationals of the United States own or control, directly or indirectly, 25 percent or more of the voting securities, and natural persons of another nationality do not own or control an equal or larger percentage;

"(C) any natural person who is a national of the United States operates the corporation, partnership, or enterprise pursuant to the provisions of an exclusive management contract;

"(D) a majority of the members of the board of directors are also members of the comparable governing body of a corporation or legal entity organized under the laws of the United States, any State or territory thereof, or the District of Columbia; or

"(E) natural persons who are nationals of the United States have authority to appoint the chief operating officer.".

Mr. SILJANDER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. SILJANDER] is recognized for 2 minutes in support of his amendment.

Mr. SILJANDER. Mr. Chairman, in the 2 minutes I have, an amendment that would allow OPIC to operate with black joint ventures in South Africa. Black businesses in South Africa are emerging as a powerful political force for change in that country. I recognize that this Congress has passed a sanctions bill over this Member's objection. This amendment is not in conflict with the sanctions bill against the Government. After all, was not that bill a sanction against the white racist government of South Africa? And that being the case, this amendment has nothing to do with the Government of South Africa. What it has to do with is assisting U.S. business coordinating with blacks in South Africa and blacks only. This is a source for change in the country, by encouraging blacks with opportunities for upward mobility and opportunities in business. This amendment would help provide business expertise to blacks in South Africa and it would send the right signal that we are concerned about development of leadership capabilities both in economic and private sectors.

So, Mr. Chairman, I urge adoption of this amendment.

Mr. WOLPE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this issue is one that was really debated at length in the course of the debate over the antiapartheid legislation. This House made a policy decision at that point that it made sense to begin to impose some serious pressures on the Government of South Africa, and that the alternative version that was offered by my distinguished colleague from Michigan that would countenance and expand an economic relationship with South Africa would be counterproductive because it would signal the South African Government the same ambiguity

and would actually increase the repression and increase the violence.

Moreover, the formulation of this amendment would totally violate precedent with respect to the operation of OPIC. That is a subject that the distinguished chairman of the Economic Policy Trade Subcommittee is very conversant with. I will yield the remainder of my time to him to explain his concerns in that regard.

Mr. BONKER. I thank the gentleman for yielding.

Mr. Chairman, I would only point out that the Foreign Affairs Subcommittee on International Economic Policy is presently conducting hearings on OPIC, and that is the proper place to offer this amendment.

I would also point out that section 231 of the statute mandates that all OPIC projects be to less developed countries with per capita incomes of less than $680. In South Africa, the per capita income is over $2,000. And also that the projects must be compatible with other development assistance programs. Presently, we have no development assistance programs in South Africa. There is no agreement in place, which is also required by the law.

So however you measure, this OPIC program does not qualify in any form for application in South Africa.

In view of the foregoing reasons, I would strongly urge that we oppose the amendment offered by the gentleman from Michigan.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. SILJANDER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SILJANDER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 88, noes 337, not voting 8, as follows:

[Roll No. 223]

AYES—88

Archer	Emerson	Miller (WA)
Armey	Fawell	Monson
Badham	Fields	Moore
Bartlett	Goodling	Nielson
Barton	Grotberg	O'Brien
Bateman	Gunderson	Parris
Bentley	Hansen	Petri
Bereuter	Hillis	Ritter
Bilirakis	Holt	Roberts
Boulter	Hunter	Rogers
Burton (IN)	Hyde	Rowland (CT)
Chandler	Ireland	Rudd
Cheney	Johnson	Saxton
Cobey	Kasich	Schaefer
Coble	Kemp	Sensenbrenner
Combest	Kramer	Shaw
Courter	Lewis (FL)	Shumway
Craig	Livingston	Shuster
Crane	Loeffler	Siljander
Daniel	Lungren	Smith (NE)
Dannemeyer	Mack	Smith (NH)
DeLay	Marlenee	Smith, Denny
DeWine	McCollum	Smith, Robert
Dornan (CA)	McEwen	Snyder
Dreier	McMillan	Strang
Eckert (NY)	Michel	Stump
Sundquist	Vucanovich	Young (FL)
Sweeney	Wolf	Zschau
Swindall	Wortley	
Taylor	Young (AK)	

NOES—337

Ackerman	Evans (IL)	Lowery (CA)
Addabbo	Fascell	Lowry (WA)
Akaka	Fazio	Lujan
Alexander	Feighan	Luken
Anderson	Fiedler	Lundine
Andrews	Fish	MacKay
Annunzio	Flippo	Madigan
Anthony	Florio	Manton
Applegate	Foglietta	Markey
Aspin	Foley	Martin (IL)
Atkins	Ford (MI)	Martin (NY)
AuCoin	Ford (TN)	Martinez
Barnard	Fowler	Matsui
Barnes	Frank	Mavroules
Bates	Franklin	Mazzoli
Bedell	Frenzel	McCain
Beilenson	Frost	McCandless
Bennett	Fuqua	McCloskey
Berman	Gallo	McCurdy
Bevill	Garcia	McDade
Biaggi	Gaydos	McGrath
Bliley	Gejdenson	McHugh
Boehlert	Gekas	McKernan
Boggs	Gephardt	McKinney
Boland	Gibbons	Meyers
Boner (TN)	Gilman	Mica
Bonker	Gingrich	Mikulski
Borski	Glickman	Miller (CA)
Bosco	Gonzalez	Miller (OH)
Boucher	Gordon	Mineta
Boxer	Gradison	Mitchell
Breaux	Gray (IL)	Moakley
Brooks	Gray (PA)	Molinari
Broomfield	Green	Mollohan
Brown (CA)	Gregg	Montgomery
Brown (CO)	Guarini	Moody
Broyhill	Hall (OH)	Moorhead
Bruce	Hamilton	Morrison (CT)
Bryant	Hammerschmidt	Morrison (WA)
Burton (CA)	Hartnett	Mrazek
Bustamante	Hawkins	Murphy
Byron	Hayes	Murtha
Callahan	Heftel	Myers
Campbell	Hendon	Natcher
Carney	Henry	Neal
Carper	Hertel	Nelson
Carr	Hiler	Nowak
Chappell	Hopkins	Oakar
Clay	Horton	Oberstar
Clinger	Howard	Obey
Coats	Hoyer	Olin
Coelho	Hubbard	Ortiz
Coleman (MO)	Huckaby	Owens
Coleman (TX)	Hughes	Oxley
Conte	Hutto	Packard
Conyers	Jacobs	Panetta
Cooper	Jeffords	Pashayan
Coughlin	Jenkins	Pease
Coyne	Jones (NC)	Penny
Crockett	Jones (OK)	Pepper
Darden	Jones (TN)	Perkins
Daschle	Kanjorski	Pickle
Daub	Kaptur	Price
Davis	Kastenmeier	Pursell
de la Garza	Kennelly	Quillen
Dellums	Kildee	Rahall
Derrick	Kindness	Rangel
Dickinson	Kleczka	Ray
Dicks	Kolbe	Regula
Dingell	Kolter	Reid
DioGuardi	Kostmayer	Richardson
Dixon	LaFalce	Ridge
Donnelly	Lagomarsino	Rinaldo
Dorgan (ND)	Lantos	Robinson
Dowdy	Latta	Rodino
Downey	Leach (IA)	Roe
Duncan	Leath (TX)	Roemer
Durbin	Lehman (CA)	Rose
Dwyer	Lehman (FL)	Rostenkowski
Dymally	Leland	Roth
Dyson	Lent	Roukema
Early	Levin (MI)	Rowland (GA)
Eckart (OH)	Levine (CA)	Roybal
Edgar	Lewis (CA)	Russo
Edwards (CA)	Lightfoot	Sabo
Edwards (OK)	Lipinski	Savage
English	Lloyd	Scheuer
Erdreich	Long	Schneider
Evans (IA)	Lott	Schroeder
Schuette	Stark	Walker
Schulze	Stenholm	Watkins
Schumer	Stokes	Waxman
Seiberling	Stratton	Weaver
Sharp	Studds	Weber
Shelby	Swift	Weiss
Sikorski	Synar	Wheat
Sisisky	Tallon	Whitehurst
Skeen	Tauke	Whitley
Skelton	Tauzin	Whittaker
Slattery	Thomas (CA)	Whitten
Slaughter	Thomas (GA)	Williams
Smith (FL)	Torres	Wilson
Smith (IA)	Torricelli	Wirth
Smith (NJ)	Towns	Wise
Snowe	Traficant	Wolpe
Solarz	Traxler	Wright
Solomon	Udall	Wyden
Spence	Valentine	Wylie
Spratt	Vander Jagt	Yates
St Germain	Vento	Yatron
Staggers	Visclosky	Young (MO)
Stallings	Volkmer	
Stangeland	Walgren	

NOT VOTING—8

Bonior (MI)	Hall, Ralph	Nichols
Chappie	Hatcher	Porter
Collins	Hefner	

□ 1340

Messrs. STENHOLM, SKELTON, and McCANDLESS changed their votes from "aye" to "no."

Mr. BARTLETT changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LOWRY of Washington. Mr. Chairman, yesterday when the vote was taken on the Fascell amendment to the Smith amendment, I was detained at the White House on the budget conference and missed the vote.

Had I been present, I would have voted for the Fascell amendment.

WITHDRAWAL OF AMENDMENT

Mr. FORD of Tennessee. Mr. Chairman, I would like to withdraw an amendment that I had to title XI or XII of the bill before the Committee today calling for a 10-percent reduction across the board in the $13.1 billion foreign aid assistance bill. The amendment is at the Clerk's desk. It would not be in order until title XI or XII, but I would like to withdraw the amendment at this time.

The CHAIRMAN. Are there further amendments to title VIII? If not, the Clerk will designate title IX.

The text of title IX is as follows:

TITLE IX—FOOD AND AGRICULTURAL ASSISTANCE

SEC. 901. INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT.

Section 103(g) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(g)(1) In order to carry out the purposes of this section, the President may continue United States participation in and make contributions to the International Fund for Agricultural Development.

"(2) There are authorized to be appropriated such sums as may be necessary to meet the United States pledge for the second replenishment for the International Fund for Agricultural Development.

"(3) Amounts appropriated under this subsection are authorized to remain available until expended.".

SEC. 902. PUBLIC LAW 480 TITLE II MINIMUMS.

(a) MINIMUM AND SUBMINIMUM DISTRIBUTION REQUIREMENTS.—Section 201(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by striking out paragraphs (1) through (3) and inserting in lieu thereof the following:

"(1) for fiscal year 1987 shall be 1,800,000 metric tons, of which not less than 1,300,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program;

"(2) for fiscal year 1988 shall be 1,900,000 metric tons, of which not less than 1,400,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program; and

"(3) for fiscal year 1989 and each fiscal year thereafter shall be 2,000,000 metric tons, of which not less than 1,500,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program;".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1986.

SEC. 903. EXPRESS AUTHORITY FOR TITLE II DIRECT DISTRIBUTION, SALE, AND BARTER.

Section 202(a) of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting after the first sentence the following new sentence: "Such commodities may be furnished for direct distribution, sale, barter, or other appropriate disposition in carrying out the purposes set forth in section 201.".

SEC. 904. ROLE OF PRIVATE VOLUNTARY ORGANIZATIONS AND COOPERATIVES.

(a) NUTRITIONAL AND DEVELOPMENT OBJECTIVES.—Section 202(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new paragraph:

"(4) In the case of commodities distributed under this title by nonprofit voluntary agencies, consideration shall be given to nutritional and development objectives as established by those agencies in light of their assessment of the needs of the people assisted.".

(b) FOOD FOR DEVELOPMENT PROGRAMS.—Section 302(c)(4) of such Act is amended by inserting "and of United States nonprofit voluntary agencies and cooperatives" immediately after "agriculture".

SEC. 905. MULTIYEAR AGREEMENTS WITH PVOS.

Section 202 of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following:

"(c)(1) In agreements with nonprofit voluntary agencies for nonemergency assistance under this title, the President is encouraged, if requested by the nonprofit voluntary agency, to approve multiyear commitments to make agricultural commodities available for distribution by that agency. Such commitment shall be subject to the availability each fiscal year of the necessary appropriations and agricultural commodities.

"(2) Paragraph (1) does not apply to an agreement which the President determines should be limited to a single year because of the past performance of the nonprofit voluntary agency or because the agreement involves a new program of assistance.

"(3) In carrying out a multiyear agreement pursuant to this subsection, a nonprofit voluntary agency shall not be required to obtain annual approval from the United States Government in order to continue its assistance program pursuant to the agreement, unless exceptional and unforeseen circumstances have occurred which the President determines require such approval.".

SEC. 906. CHILD IMMUNIZATION.

(a) AMENDMENTS TO PUBLIC LAW 480.—The Agricultural Trade Development and Assistance Act of 1954 is amended—

(1) in paragraph (11) of section 109 by inserting immediately before the period at the end thereof ", including the immunization of children";

(2) in the first sentence of section 206 by striking out "or" before "(B)", and by inserting immediately before the period at the end thereof ", or (C) health programs and projects, including immunization of children"; and

(3) in the second sentence of section 301(b) by inserting "(including immunization of children)" immediately after "health services".

(b) IMMUNIZATION TARGET.—In the implementation of health programs undertaken in relation to assistance provided under the Agricultural Trade Development and Assistance Act of 1954, it shall be the target for the organizations and agencies involved to provide for the immunization by fiscal year 1987 of at least three million more children annually than receive immunizations under such programs in fiscal year 1985. Such increased immunization activities should be taken in coordination with similar efforts of other organizations and in keeping with any national plans for expanded programs of immunization. The President shall include information concerning such immunization activities in the annual reports required by section 634 of the Foreign Assistance Act of 1961, including a report on the estimated number of immunizations provided each year pursuant to this subsection.

SEC. 907. USE OF LOCAL CURRENCIES FOR EDUCATION PROGRAMS UNDER TITLE III.

Section 301(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting "education," immediately after "nutrition," in the second sentence.

SEC. 908. FARMER-TO-FARMER PROGRAM.

(a) MINIMUM FUNDING LEVEL.—Notwithstanding any other provision of law, not less than one-tenth of 1 percent of the funds available for each of the fiscal years 1986 and 1987 to carry out the Agricultural Trade Development and Assistance Act of 1954 shall be used to carry out paragraphs (1) and (2) of section 406(a) of that Act. Any such funds used to carry out paragraph (2) of such section 406(a) shall not constitute more than one-fourth of the funds used pursuant to this subsection, shall be used for activities in direct support of the farmer-to-farmer program under paragraph (1) of such section, and shall be administered wherever possible in conjunction with programs under title XII of chapter 2 of part I of the Foreign Assistance Act of 1961.

(b) REPORT.—Not later than 120 days after the enactment of this Act, the Administrator of the Agency for International Development, in conjunction with the Secretary of Agriculture, shall submit to the Congress a report indicating the manner in which the Agency intends to implement the provisions of section 406(a) (1) and (2) of the Agricultural Trade Development and Assistance Act of 1954 with the funds made available pursuant to subsection (a) of this section.

SEC. 909. TITLE II PROGRAMMING REPORTS.

Section 408(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by striking out "title I" both places it appears and inserting in lieu thereof "titles I and II".

AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GILMAN: Page 131, after line 14, insert the following new section:

SEC. 910. FOOD FOR PROGRESS PROGRAM AND PRIVATE ENTERPRISE PROMOTION.

Title III of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new sections:

"SEC. 311. (a) The President is authorized to negotiate and carry out agreements with developing countries, that have made commitments to agricultural policy reforms, providing for the furnishing of agricultural commodities to such countries, on a loan or grant basis, to support reform and implementation of agricultural policy decision based on free market principles. Such agreements may provide for commodities to be furnished on a multiyear basis. The agreement between the United States Government and a recipient country which provide for the furnishing of commodities under this section shall be called a Food for Progress Program.

"(b) Before entering into an agreement with a developing country for the furnishing of agricultural commodities under this section, the President shall be satisfied that such country is committed to carry out, or is carrying out, policies that promote economic freedom, private production of food commodities for domestic consumption, and the creation and expansion of efficient domestic markets for the purchase and sale of such commodities. Such policies may provide for, among other things—

"(1) access, on the part of farmers in such country, to private, competitive markets for their products;

"(2) market pricing of commodities to foster adequate private sector incentives to individual farmers to produce food on a regular basis for the country's domestic needs;

"(3) establishment of market-determined foreign exchange rates;

"(4) timely availability of production inputs, such as seed, fertilizer, or pesticides, to farmers; and

"(5) access to technologies appropriate to the level of agricultural development in such country.

"SEC. 312. (a) The purpose of this section is to make United States agricultural commodities available in a manner which will generate local currency loans for economically productive activities by private enterprise, particularly in agriculture and agriculture-related fields. The President is authorized to negotiate and carry out agreements with friendly countries for the sale of agricultural commodities for foreign currencies for the uses specified in subsection (b).

"(b) Foreign currencies received from the sale of agricultural commodities under this section (and any proceeds from the use of those currencies) shall be used, under such terms and conditions as the President may determine, for the following purposes:

"(1) Loans to financial intermediaries within the recipient countries, for use for loans to private individuals, cooperatives,

corporations, or other nongovernmental entities for economically productive activities within those countries. To the maximum extent practicable, the intermediaries shall give preference to the financing of agricultural and agriculturally related activities by the loan recipients.

"(2) Payment of United States obligations (including obligations entered into pursuant to other laws of the United States).

"(c) Before entering into agreements under this section, the President shall be assured that the recipient country is pursuing policies to encourage increased agricultural production in that country

"(d) Section 105 of this Act and section 1306 of title 31, United States, shall not apply with respect to foreign currency received and used pursuant to this section.

"SEC. 313. (a) Notwithstanding any other provision of law, the Commodity Credit Corporation is authorized to use funds appropriated to carry out title I of this Act in carrying out sections 311 and 312. The Commodity Credit Corporation shall make available to the President such agricultural commodities determined to be available under section 401 as the President may request for purposes of sections 311 and 312.

"(b) Any new spending authority provided by sections 311 and 312 shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance in appropriation Acts.

"(c) Any reference to 'this title' in section 301 through 307 of this title shall not apply with respect to sections 311 and 312.".

Mr. GILMAN (during the reading). Mr. Chairman, I ask unanious consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

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Mr. GILMAN. Mr. Chairman, this amendment adds two sections to Public Law 480, the food-for-peace law, to achieve the following:

First, it authorizes the President to provide food-for-peace commodities on a loan or grant basis in order to encourage agricultural reforms by those countries based on free market principles; and

Second, it authorizes sale of food-for-peace commodities for local currencies abroad with the local currency proceeds to be used for loans in the private sector for economically productive activities, particularly for agriculture and agriculture-related private enterprise.

The Public Law 480 law already authorizes the use of local currency proceeds from the U.S. food shipments for a wide variety of purposes, and it encourages self-help by the aid-receiving countries so that they can improve their own agricultural production. One of the areas in which we can be most helpful is encouraging them to remove artificial obstacles and disincentives to farm production. We need to encourage free enterprise.

The Presidential Commission on World Hunger cites the case of one firm that not only raised the incomes of small farmers in a heavily populated region in Kenya but also reduced that country's dependence on sugar imports in the process.

Instead of organizing sugar production on the traditional plantation basis, the firm works with small-scale farmers. In addition to the 5,000 farmers, the refinery employs 2,500 local workers who are gradually replacing the foreigners hired to supervise them. The success of this venture had led to additional management contracts for similar projects.

The President's food-for-progress proposal recognizes this need. My amendment incorporates essential elements of his proposal.

Also, the Senate Agriculture Committee has adopted some provisions in its farm bill markup which deals with this matter. We should have a relevant provision in H.R. 1555 to take to conference.

When we see the chronic food deficits in many developing countries today, most tragically being demonstrated in Africa, we know we must do all we can to attack the hunger problem and help these countries to help themselves. One means is to help stimulate free market systems for their farmers and the natural productive impetus of private enterprise.

This amendment broadens our Public Law 480 authorities to allow more encouragement of free market systems and productive private enterprise activities in the countries receiving our food aid. We should take the amendment to conference.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I am pleased to yield to the gentleman from Wisconsin.

Mr. FASCELL. Mr. Chairman, may I ask, is this the gentleman's amendment on Food-for-Progress Program and private enterprise promotion?

Mr. GILMAN. This is the food-for-progress amendment under title IX.

Mr. FASCELL. On page 131?

Mr. GILMAN. Yes, on page 131.

Mr. FASCELL. Mr. Chairman, I thank the gentleman.

I want to commend the gentleman from New York [Mr. GILMAN] for his leadership in this area and say that we have examined the amendment and are happy to accept it.

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

Mr. BROOMFIELD. Mr. Chairman, if the gentleman will yield, I am also happy to accept the amendment.

Mr. GILMAN. Mr. Chairman, I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BREAUX

Mr. BREAUX. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BREAUX: On page 131, after line 14, insert the following new section:

"SEC. 910. Subsection (b) of section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431(b)) is amended by inserting ', rice,' after 'Dairy products' in the first sentence thereof and by inserting ', rice,' after 'dairy products' in the third and eighth sentences thereof.".

Mr. BREAUX (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. The gentleman from Louisiana [Mr. BREAUX] is recognized for 2 minutes in support of his amendment.

Mr. BREAUX. Mr. Chairman, I offer, today, an amendment which would allow the U.S. Government another option for donating its surplus rice commodities to feed needy and hungry people overseas through the section 416 Food Donation Program. Two similar surplus food donation programs have been authorized by Congress in recent years for use overseas, under the section 416 authority.

In 1982, Congress authorized the overseas donation of surplus dairy products. Last year, 1984, Congress approved donation of surplus wheat for foreign feeding programs.

It should be noted that our Government uses the section 416 Food Donation program for domestic feeding programs, as well as for foreign assistance. The School Lunch Program, the Child Care Food Program—for day care centers, the Elderly Feeding Program, and the temporary Emergency Food Assistance Program are some of the domestic programs which receive commodity donations from the Government under section 416 authority.

Government-owned rice stocks are at levels, today, which enable us to provide food assistance both domestically and abroad to feed those in need. Current estimates are that the Commodity Credit Corporation will have title to about 2 million metric tons of rice by July 31, 1985, the end of the 1984 rice crop year.

Government-owned stocks are reduced further, export market development is fostered, and hungry people in poor nations can receive food assistance through use of the section 416 Food Donation Program.

I urge the Members to accept the amendment.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BREAUX. I am glad to yield to the distinguished chairman of the committee.

Mr. FASCELL. Mr. Chairman, we have examined the amendment on this side, and we are prepared to accept it.

Mr. BREAUX. Mr. Chairman, I would yield to other Members for any comments or questions they might have.

Mr. BROOMFIELD. Mr. Chairman, if the gentleman will yield, on this side we also accept the amendment.

Mr. BREAUX. Mr. Chairman, I thank the committee chairman and the ranking minority member, and I ask for an aye vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. BREAUX].

The amendment was agreed to.

REQUEST FOR PERMISSION TO RETURN TO TITLE VIII FOR THE PURPOSE OF OFFERING AN AMENDMENT

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk that occurs in title VIII, and I ask unanimous consent that I may be allowed to introduce the amendment at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. FASCELL. Mr. Chairman, reserving the right to object, may I have the attention of the gentleman from New York [Mr. GILMAN]? I have reserved the right to object with respect to this amendment, and I want to be sure that the gentleman has it and that it has been approved.

Mr. GILMAN. Mr. Chairman, if the gentleman will yield, we do not have a copy. May we have a copy of it?

Mr. CONYERS. Mr. Chairman, if the gentleman will yield, it is on the Presidential study of the African National Congress.

Mr. GILMAN. Mr. Chairman, we now have a copy of the amendment.

Mr. SILJANDER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. Further reserving the right to object, Mr. Chairman, I am glad to yield to the gentleman from Michigan.

Mr. SILJANDER. Mr. Chairman, I thank the gentleman for yielding.

This side objects to the amendment.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MR. DORGAN OF NORTH DAKOTA

Mr. DORGAN of North Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DORGAN of North Dakota: Page 131, after line 14, insert the following new section:

SEC. 910. SUPPORT FOR ADEQUATE FUNDING FOR FOOD AND AGRICULTURAL ASSISTANCE PROGRAMS.

It is the sense of the Congress that the programs carried out by the International Fund for Agricultural Development and the programs carried out pursuant to the Agricultural Trade Development and Assistance Act of 1954 are valuable programs, and that those programs should receive adequate funding to carry out their purposes.

Mr. DORGAN of North Dakota (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

The CHAIRMAN. The gentleman from North Dakota [Mr. DORGAN] is recognized for 2 minutes in support of his amendment.

Mr. DORGAN of North Dakota. Mr. Chairman, I offer an amendment in support of adequate funding for the Food for Peace Program and the International Fund for Agricultural Development [IFAD].

An effective foreign policy requires the right kind of food policy. Food and agricultural aid serve as the main instruments of relief and economic growth in developing nations, but I feel that they have received inadequate attention in our recent foreign policy strategy. My amendment seeks to call attention to this weakness in our present Foreign Aid Program.

For example, in 1981 the U.S. Food-for-Peace Program made up 12 percent of our total foreign aid package. The administration request for 1986 allots only 8 percent of the foreign aid budget to the vital Food for Peace Program. This relatively skimpy request occurs in the face of Africa's worst drought of the century and the growing possibility of large food aid needs in Cambodia and Bangladesh.

Similarly, the administration has failed to break a deadlock in the replenishment negotiations on new funding for IFAD. There is no question of support for IFAD in this country, since 125 Members of Congress signed a letter to Secretary of State Shultz urging that we promptly accept a new funding formula which all 32 IFAD members agreed to—with the sole exception of the United States. While the administration resists on the principle of fair burden sharing of a few million dollars in costs, it winks at NATO members' failure to share fairly in the hundreds of billions of dollars at stake in the common defense of Western Europe.

Instead of dragging our feet on the IFAD replenishment and cutting funds for Food for Peace in real terms, we should press to renew funding for IFAD and provide a realistic budget for the Food for Peace Program.

The International Fund for Agricultural Development is a small U.N. agency which has successfully targeted aid to the poorest of the world's landless and subsistence farmers. A recent AID review showed how effectively IFAD has increased agricultural productivity. A Gambian rice project has yielded a sevenfold increase in production to cite one example. Overall, IFAD's 152 projects in 83 countries will increase grain yields by 20 million tons per year when completed.

The Office of Technology Assessment recently concluded that the key to expanding Africa's insufficient grain output lies in increasing productivity of small, subsistence-level farmers. It is precisely these farmers which IFAD aids, and the reason why I support a special IFAD program for Africa. Even more remarkable, IFAD has achieved a repayment record of as much as 99 percent—which would be the envy of any Wall Street corporate lender. IFAD has also successfully spurred production by small, individual producers as opposed to big, government enterprises. IFAD has been promoting the Reagan revolution with the indifference or opposition of the Reagan administration. We need to reverse course and keep IFAD on the job.

Likewise, the most recent report of the U.N. Food and Agriculture Organization estimates that 21 famine-affected African nations will still need 7 million tons of food aid in the coming months. A realistic assessment by the Select Committee on Hunger is that the U.S. share in meeting this need will be twice what the administration requested. According to FAO, further emergency efforts are needed to "expedite the delivery of food to the needy populations."

In a time of tight budgets, IFAD and Food for Peace make all the more sense. For half of the cost of food aid, IFAD projects can enable farmers to grow the same amount of food indefinitely. Likewise, a Congressional Research Service study has shown that there is virtually no net cost for the Food for Peace Program due to increased farm income and the long-term benefits of rising U.S. farm exports to aid partners.

The United States has a unique opportunity to advance foreign policy goals with the right kinds of foreign aid. We shouldn't lock the door on well-targeted security aid, but it has grown by 100 percent in the past 5 years, while food aid has actually declined in real terms. The Soviet Union cannot even feed its own population, yet we seem bent on trying to beat the Soviets at their own militaristic game. We should stop trying to outgun them and start working to outrun them by using food as food and food production know-how, in the struggle for partners in the Third World.

Consequently, I urge my colleagues and the conferees on the foreign assistance authorization bill to support adequate funding and program levels for the International Fund for Agricultural Development and the Food-for-Peace Program. These two worthy foreign aid tools merit the wholehearted support of the Congress and the President.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. DORGAN of North Dakota. I am glad to yield to the chairman of the committee.

Mr. FASCELL. Mr. Chairman, I just wanted to be clear for the record that it is not the U.S. Congress that is the roadblock on this because the authorization exists and the funding has been there; it has simply been the fact that in the negotiations in the multilateral forum they have not been provided the necessary funds, and it is that to which the gentleman addresses himself. Am I correct?

Mr. DORGAN of North Dakota. Mr. Chairman, if the gentleman will yield, the chairman of the committee is correct. This simply expresses the sense of the Congress of the need for that negotiation to proceed and of the importance of IFAD funding.

Mr. FASCELL. Mr. Chairman, I thank the gentleman, and we have no objection to this amendment.

Mr. BROOMFIELD. Mr. Chairman, if the gentleman will yield, we also accept the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota [Mr. DORGAN].

The amendment was agreed to.

Mr. BEREUTER. Mr. Chairman, the gentleman from Connecticut [Mr. GEJDENSON], and this Member are responsible for changes in the Food-for-Peace Program (Public Law 480) in this bill related to an increase in minimum tonnage expanded use of monetization, and increased use of multiyear contracting between AID and private voluntary organizations. This statement is a representation of our legislative intent in making the amendments incorporated in the bill reported.

The purpose of Public Law 480, the Food-for-Peace Program, is to utilize our agricultural abundance to combat hunger and to promote nutritional improvements and development in poor countries. Title II provides 1.2 million tons of food and ocean freight costs primarily to meet the needs of infants, mothers and unemployed laborers in poor countries through Private Voluntary Organizations [PVO's] operating abroad. In addition, title II contains a reserve to provide 500,000 tons of commodities per year for emergency relief. This is the minimum level of support required by law.

The share of food aid in total U.S. foreign economic aid actually declined from 33 percent in 1968–72 to 16 percent in 1983–84 (from the report of the Commission on Security and Economic Assistance).

For the past 4 years, the United States has only donated the minimum tonnage called for in law—thus, the floor has become the ceiling. Despite our enormous and unique capacity to use food to eradicate misery, we have not increased the tonnage donated to the neediest countries and poorest people. H.R. 1555 takes an important first step to rectify this imbalance. First, over a 4-year period, the minimum tonnage requirement for humanitarian feeding programs and attendant development activities will be increased by 300,000 tons. Although this gradual increase will not meet the U.S. share of the projected needs of the poorest nations, it is a statement of support which will strengthen our Food-for-Peace Program.

Second, H.R. 1555 encourages the President to approve multiyear commitments if requested by the Private Voluntary Organization, subject to commodity availability and necessary funding. Multiyear agreements will allow these PVO's to plan staffing and resource requirements more effectively, operate more efficiently, and obtain increased commitments from developing countries themselves.

Third, there are provisions on monetization which the gentleman from Connecticut was very involved with.

Public Law 480 confers upon the President the right to furnish commodities in such a manner and on such terms as he deems appropriate. This includes not only the direct distribution of commodities, but sale and barter as well. Monetization is a vital facet of the Public Law 480 program, for it provides us with the flexibility we need to allow the food we provide to have a development impact that goes beyond simple humanitarian food aid. It seems, however, that there has been unnecessary slowness on the part of the executive branch in granting approval for monetization projects and in issuing general guidelines on monetization policy.

H.R. 1555 clarifies that barter and sale, as well as direct distribution, are appropriate uses of Public Law 480 commodities. The committee also states, in its report accompanying the bill, that it favors the use of monetization authority whenever such activities prove most effective for the achievement of the goals of Public Law 480. The committee also expresses concern over the excessive delays which have occurred in this program and states that it will be exercising its oversight authority to press for faster processing of project requests and issuance of guidelines.

The CHAIRMAN. Are there further amendments to title IX? If not, the Clerk will designate title X.

The text of title X is as follows.

TITLE X—PEACE CORPS

SEC. 1001. AUTHORIZATIONS OF APPROPRIATIONS.

Section 3(b) of the Peace Corps Act is amended by amending the first sentence to read as follows: "There are authorized to be appropriated to carry out the purposes of this Act $136,100,000 for fiscal year 1986 and $136,100,000 for fiscal year 1987.".

SEC. 1002. INCREASE IN NUMBER OF PEACE CORPS VOLUNTEERS.

(a) STATEMENT OF POLICY.—Section 2 of the Peace Corps Act (22 U.S.C. 2501) is amended—

(1) by inserting "(a)" immediately after "SEC. 2."; and

(2) by adding at the end thereof the following new subsection:

"(b) The Congress declares that it is the policy of the United States and a purpose of the Peace Corps to provide, to the maximum extent possible, opportunities for service in the Peace Corps to at least 10,000 individuals by the end of the fiscal year 1989 and thereafter.".

(b) ANNUAL REPORT.—Section 11 of the Peace Corps Act (22 U.S.C. 2510) is amended by adding at the end thereof the following new sentence: "The President shall also include in the report a description of the plans developed and implemented to carry out the policy set forth in section 2(b) of this Act.".

SEC. 1003. LIMITATION ON SERVICE.

Section 7(a)(2) of the Peace Corps Act (22 U.S.C. 2506(a)(2)) is amended—

(1) in subparagraph (A) by striking out "five" and inserting in lieu thereof "seven and a half"; and

(2) in the third sentence by inserting "(other than the provisions of section 309)" after "1980".

SEC. 1004. PEACE CORPS PUBLICATIONS.

Section 15 of the Peace Corps Act is amended by adding at the end thereof the following new subsection:

"(e) Technical publications produced by the Peace Corps may be sold at cost in furtherance of the purposes of this Act. Up to $200,000 of the proceeds of such sales in each fiscal year may, to such extent as may be provided in advance in appropriation Acts, be credited to the currently applicable appropriation of the Peace Corps, notwithstanding section 3302(b) of title 31, United States Code.".

The CHAIRMAN. Are there amendments to title X?

If not, the Clerk will designate title XI.

The text of title XI is as follows:

TITLE XI—OTHER POLICY PROVISIONS RELATING TO UNITED STATES ASSISTANCE

SEC. 1101. NOTICE TO CONGRESS OF USE OF CERTAIN AUTHORITIES RELATING TO HUMAN RIGHTS CONDITIONS.

Section 502B of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(g) Whenever the provisions of subsection (e) or (f) of this section are applied, the President shall report to the Congress before making any funds available pursuant to those subsections. The report shall specify the country involved, the amount and kinds of assistance to be provided, and the justification for providing the assistance, including a description of the significant improvements which have occurred in the country's human rights record.".

SEC. 1102. PROHIBITIONS AGAINST ASSISTANCE.

Section 620(f) of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(1)" immediately after "(f)";

(2) by redesignating clauses (1), (2), and (3) as clauses (A), (B), and (C), respectively; and

(3) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, the Presi-

dent may remove a country, for such period as the President determines, from the application of this subsection, and other provisions which reference this subsection, if the President determines and reports to the Congress that such action is important to the national interest of the United States. It is the sense of the Congress that when consideration is given to authorizing assistance to a country removed from the application of this subsection, one of the factors to be weighed, among others, is whether the country in question is giving evidence of fostering the establishment of a genuinely democratic system, with respect for internationally recognized human rights.".

SEC. 1103. LAND REFORM PROGRAMS.

Section 620(g) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following sentence: "This prohibition shall not apply to monetary assistance made available for use by a government (or a political subdivision or agency of a government) to compensate nationals of that country in accordance with a land reform program, if the President determines that monetary assistance for such land reform program will further the national interests of the United States.".

SEC. 1104. NUCLEAR NON-PROLIFERATION CONDITIONS ON ASSISTANCE FOR PAKISTAN.

Section 620E of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(e) No assistance shall be furnished to Pakistan and no military equipment or technology shall be sold or transferred to Pakistan, pursuant to the authorities contained in this Act or any other Act, unless the President certifies in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance is to be furnished or military equipment or technology is to be sold or transferred, that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.".

SEC. 1105. SUSPENSION OF ASSISTANCE TO COUNTRIES VIOLATING U.S. EXPORT LAWS IN ORDER TO MANUFACTURE A NUCLEAR EXPLOSIVE DEVICE.

(a) SUSPENSION OF ASSISTANCE BECAUSE OF ILLEGAL EXPORTS.—Subsection (a)(1) of section 670 of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(A)" after "country which";

(2) by inserting immediately before the period at the end thereof ", or (B) is a non-nuclear-weapon state which, on or after the date of enactment of the International Security and Development Cooperation Act of 1985, exports illegally (or attempts to export illegally) from the United States any material, equipment, or technology which would contribute significantly to the ability of such country to manufacture a nuclear explosive device, if the President determines that the material, equipment, or technology was to be used by such country in the manufacture of a nuclear explosive device"; and

(3) by adding at the end thereof the following: "For purposes of clause (B), an export (or attempted export) by a person who is an agent of, or is otherwise acting on behalf of or in the interests of, a country shall be considered to be an export (or attempted export) by that country.".

(b) CONFORMING AMENDMENTS.—Such section 670 is amended—

(1) in the section caption by inserting "ILLEGAL EXPORTS FOR NUCLEAR EXPLOSIVE DEVICES," after "TRANSFERS,"; and

(2) by striking out "(5) As used in this subsection" and inserting in lieu thereof "(c) As used in this section".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 1106. REPORTS ON ECONOMIC CONDITIONS IN CERTAIN COUNTRIES.

(a) EXTERNAL DEBT BURDEN OF CERTAIN COUNTRIES RECEIVING UNITED STATES ASSISTANCE.—The Congress finds that the Governments of Egypt, Israel, Turkey, and Portugal each have an enormous external debt burden which may be made more difficult by virtue of financing provided for those governments under various United States assistance programs.

(b) ANNUAL REPORTS ON ECONOMIC CONDITIONS.—

(1) REQUIREMENT FOR REPORTS.—In order to assist the Congress in examining United States assistance for these countries, the President shall report to the Congress annually regarding economic conditions prevailing in Egypt, Israel, Turkey, and Portugal which may affect their respective ability to meet their international debt obligations and to stabilize their economies.

(2) SUBMISSION OF REPORTS.—The reports required by paragraph (1) shall be submitted to Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate not later than January 15 of each year.

SEC. 1107. EGYPTIAN-ISRAELI RELATIONS.

The Congress notes the recent effort of Egypt to move the peace process forward. However, the Congress continues to be concerned about the less than normal relations between Egypt and Israel. It is the sense of the Congress that all United States foreign assistance to Egypt is provided in the expectation that the Egyptian Government will continue in its efforts to bring peace to the region and that it will continue to support and fulfill the provisions of the Camp David Accords and the Egyptian-Israeli Peace Treaty, including the return of the Egyptian ambassador to Israel.

SEC. 1108. UNITED STATES POLICY TOWARD THE REPUBLIC OF KOREA.

(a) FINDINGS.—The Congress finds that—

(1) the Government of the Republic of Korea has taken several significant and encouraging steps in liberalizing the political system in that country;

(2) among the steps which have facilitated a more democratic environment are the release of hundreds of student demonstrators, the lifting of a political ban on more than 300 opposition leaders, and the holding of a vigorously contested election for the National Assembly in which the opposition made substantial gains;

(3) despite these steps, the people of the Republic of Korea, who have become increasingly better educated and prosperous as a result of Korea's extraordinarily rapid economic development, have the desire and the capability to participate more fully and effectively in the government of their own country; and

(4) while internationally recognized human rights are clearly respected much more in the Republic of Korea than in the Democratic People's Republic of Korea, continued progress toward democratization in the south is in the interests of both the Republic of Korea and the United States, inasmuch as long-term political stability cannot be assured in the absence of further progress towards democratic government.

(b) UNITED STATES POLICY.—It is the policy of the United States to provide assistance to the Republic of Korea in order to help that country defend itself against external aggression. It is the hope of the United States that the continuing close relations between our two countries, including such assistance, will encourage the establishment of a genuinely democratic system in the Republic of Korea, in which internationally recognized human rights, including freedom of the press, freedom of association, and freedom of assembly are observed.

SEC. 1109. ASSISTANCE FOR THE PHILIPPINES.

(a) UNITED STATES POLICY.—It is the sense of the Congress that the United States should use all appropriate means to ensure that the people of the Philippines and the entire East Asia region understand that United States assistance to the Philippines—

(1) is provided to support democracy, to encourage an effective effort against the communist insurgency, and to maintain and foster friendly relations between the people of the United States and the people of the Philippines; and

(2) is not intended to imply support for any particular Philippine regime.

(b) OBJECTIVES.—To that end, United States foreign assistance furnished to the Philippines each fiscal year should be used to encourage and promote objectives such as—

(1) full observance of internationally recognized human rights in accordance with sections 116 and 502B of the Foreign Assistance Act of 1961, including an end to "salvagings" and torture, as well as full respect for other fundamental human rights, including freedom of speech, freedom of the press, and freedom of assembly;

(2) the revitalization of democratic institutions in the Philippines, including—

(A) the process of free, fair, and open elections, one element of such process being the existence of a genuinely independent and respected electoral commission, and

(B) limiting the use of the President's emergency decree-making power to genuine emergencies;

(3) maintenance of an independent judiciary and legal due process;

(4) accountability and a fair judicial process in the Aquino assassination trial;

(5) progress toward implementation of structural economic reforms and a strengthening of the private sector, including the elimination of corruption and monopolies and an improvement in the social conditions of the poorest Filipinos and in the distribution of income and wealth;

(6) the increased professional capability of the Philippine armed forces in order to instill a greater respect for human rights on their part, to enhance the military effectiveness of these forces in dealing with the growing communist insurgency, and to facilitate a process of peaceful national reconciliation;

(7) efforts of Filipinos to deal with the political, economic, and social root causes of the growing communist movement and insurgency, as well as the appropriate military measures to stem the insurgency; and

(8) the maintenance of the common security objectives of the United States and the Philippines, including United States access to the facilities at Clark Field and Subic Bay.

(c) REPORTS TO THE CONGRESS.—

(1) PROGRESS TOWARDS OBJECTIVES.—The President shall report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the extent to which the Government of the Philippines has made progress in the objectives identified in subsection (b), including the extent to which those objectives have been agreed to by the Government of the Philippines and concrete steps taken to achieve those objectives.

(2) ASSISTANCE TRANSFERRED.—Each report pursuant to this subsection shall also describe the amount of assistance actually transferred by the United States to the Philippines during the preceding 6 months, the purposes for which it is to be used, the beneficiaries of the assistance, and the specific steps the United States has taken to publicize the various programs and projects for which our assistance has been utilized. Such reports shall also include the text of any memorandum or agreement between the United States Government and the Government of the Philippines regarding the use of local currencies generated from assistance furnished to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) or generated from the sale of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954.

(3) DISTRIBUTION OF ASSISTANCE THROUGH THE CATHOLIC CHURCH, PVO'S, AND COOPERATIVES.—The first report pursuant to this subsection shall include an analysis of the feasibility of distributing as much United States economic assistance to the Philippines as possible through the Catholic Church, private and voluntary organizations, and cooperatives, rather than through government agencies.

(4) TIME FOR SUBMISSION OF REPORTS.—Reports pursuant to this subsection shall be submitted semi-annually, beginning on October 1, 1985, and every six months thereafter until October 1, 1987.

SEC. 1110. POLITICAL SETTLEMENT IN SRI LANKA.

(a) FINDINGS.—The Congress finds that—

(1) the Government and people of Sri Lanka and the Government and people of the United States share a common devotion to independence, democracy, and human rights;

(2) the United States is concerned over the armed clashes between the security forces of the Government of Sri Lanka and some Sri Lankans who seek through violent means, including terrorist attacks, to divide that nation;

(3) there have been acts of terrorism committed against members of the Sri Lankan security forces, as well as against civilians, and there have been human rights abuses by members of the security forces against civilians, particularly Tamils, despite the efforts of the Government to put an end to those abuses;

(4) the differences and grievances in Sri Lanka cannot be resolved through the use of force; and

(5) the United States is a proud participant through its economic assistance programs in Sri Lanka's highly regarded development efforts and looks forward to enhanced cooperation and assistance in the context of a political settlement in Sri Lanka leading to the kind of peaceful climate in which additional aid could be effectively utilized.

(b) POLITICAL SETTLEMENT.—It is, therefore, the sense of the Congress that—

(1) all parties in Sri Lanka, from all communities in and out of government, should renew their efforts to achieve a joint political settlement which meets the legitimate concerns of all the people of Sri Lanka, while preserving the territorial integrity of Sri Lanka; and

(2) all parties outside Sri Lanka should do nothing which would impede progress toward such a settlement.

SEC. 1111. ASSISTANCE FOR AFGHANISTAN.

(a) AUTHORIZATION.—The President may make available funds authorized to be appropriated to carry out the provisions of chapter 1 of part I (relating to development assistance) and chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961 for the provision of food, medicine, or other humanitarian assistance to the Afghan people, notwithstanding any other provision of law.

(b) FUNDING TARGET.—It is the sense of the Congress that the President is strongly urged to use not less than $15,000,000 in fiscal years 1985 and 1986 for the purpose of carrying out the provisions of this section.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

AMENDMENT OFFERED BY MR. HALL OF OHIO

Mr. HALL of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL of Ohio: Page 141, line 14, before the semicolon, insert the following: ", including the release of prisoners held without charge and an end to arrests by presidential order without court warrants and bail".

Page 141, line 24, insert "and security forces (including the Philippine Constabulary and the Civilian Home Defense Forces)" after "forces".

Page 144, after line 2, add the following:

(d) CONGRESSIONAL OVERSIGHT.—The Congress, in determining future aid levels for the Philippines, will take into account not only our military bases agreement with that country, but also the extent to which the objectives identified in subsection (b) have been implemented. The Congress may defer assistance for the Philippines under both chapter 2 of part II of the Foreign Assistance Act of 1961 and the Arms Export Control Act if—

(1) significant progress is not achieved with respect to the objectives identified in subsection (b), or

(2) the Congress finds that such assistance is used to violate the internationally recognized human rights of the Filipino people.

Mr. HALL of Ohio (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HALL of Ohio. Mr. Chairman, the amendment I am offering states that Congress may defer future military aid to the Philippines if significant progress is not achieved with respect to the policy objectives outlined in the committee bill concerning the Philippines or if the Congress finds that the aid is used to violate the internationally recognized human rights of the Filipino people.

My amendment is intended to strengthen the sense of Congress language in the bill concerning assistance for the Philippines.

Subsection (b) of section 1109 of the committee bill sets forth a number of important objectives intended to be promoted in the Philippines. The intention of my amendment is to make it clear both to the Marcos government and to the democratic opposition in the Philippines that the U.S. Congress will be following the implementation of these objectives very carefully. We will be looking for action and results, not empty promises. If significant progress is not achieved, then we reserve the right to make further reductions in any military aid requested for the Philippines.

On May 31, 1983, President Reagan sent a letter to President Marcos in which he pledged the "best effort" of the administration to obtain a $900 million security assistance package for the Philippines over 5 fiscal years. The aid package was in response to the successful extension of the Military Bases Agreement between our two countries.

The President warned Marcos that the U.S. Congress would have the final say on the funds appropriated. In his letter, he reminded the Filipino leader:

As you are aware, under our constitutional system, the Congress has sole authority to appropriate funds.

No matter what the administration requests, it is up to the Congress to fix the aid levels for specific fiscal years. My amendment establishes the criteria for the military aid levels that the Congress will be applying. In addition to the bases agreement, Congress will be considering the extent to which the objectives in the committee bill have been implemented. If significant progress has not been achieved, or if the aid is used to violate human rights, Congress has the option to make additional deferrals of MAP and FMS funding. We are reasserting our right, acknowledged in President Reagan's letter to Marcos, to decide which military aid levels are appropriate for promoting good relations with the Filipino people.

Although the administration requested $100 million in military aid for the Philippines in fiscal 1986, all of which was provided in the foreign aid authorization passed by the other body, the House Foreign Affairs Committee determined that $25 million was sufficient for fiscal 1986. Quite frankly, I believe even this amount is too much. I sought to cut a similar funding level from the authorization for fiscal 1985. I have seen no evidence that civil liberties and human rights conditions have improved enough to justify another $25 million for the Marcos government.

However, given the 150-percent increase in military aid voted by the other body, it is evident that a certain amount of military aid will be ap-

proved for the Marcos government this year. In view of this reality, it is imperative that certain reforms by the Marcos government accompany this aid so that democracy and respect for human rights can be encouraged in the Philippines.

The House Foreign Affairs Committee has described eight major objectives in section 1109(b) which are to be encouraged and promoted by U.S. assistance to the Philippines. Most of these objectives concern the urgent need to revitalize democracy in the Philippines and to guarantee respect for human rights.

Unfortunately, U.S. policy has stressed short-term support for Marcos and the Philippine military, rather than long-term relations with the Filipino people. Violations of human rights and the suspension of civil and political liberties by the Marcos regime have been overlooked or downplayed in the interest of securing access to the bases in the Philippines.

As the Marcos era draws to a close, it is essential for U.S. policymakers to reassess their approach to the Philippines. It is not yet too late for the United States to lend visible, vigorous support to the cause of restoring democracy, respect for human rights, and the fulfillment of basic human needs in the Philippines.

Of course, it is up to the Filipino people to determine their own destiny and to choose their own leaders. But the United States can make a positive contribution to this process by encouraging democracy and rejecting military solutions for the problems facing the Filipino people.

There is more concern now than ever before in this country about the alarming growth of the Communist New People's Army [NPA]. Yet the rise of the NPA parallels the increase in human rights violations under Marcos and the increased suppression of democratic alternatives for the Philippines. A vigorous democracy responding to the needs of the Filipino people would be the best answer to the Communist threat. Without fundamental reforms, increased military aid to the Marcos military will be ineffective. Indeed, the strength of the NPA has continued to grow at the same time that military aid to Marcos has increased.

To assert, as the President has, that the alternative to Marcos is a Communist takeover does a great disservice to the democratic opposition that already exists in the Philippines. While most of the opposition leaders are not anti-American, they are hurt by the lack of evidence of strong U.S. support for genuine democracy in their country. They admire the values proclaimed by the United States, but they are disappointed that our actions have failed to encourage those same values in the Philippines.

The committee has set forth several objectives with respect to encouraging democracy in the Philippines. The committee cites the goals of free, fair, and open elections, and the limitation of the use of the President's emergency decreemaking power to genuine emergencies. A truly independent and respected electoral commission, along with freedom of speech, freedom of the press, and unrestricted access to the media on the part of candidates for public office are all vital elements for permitting democracy to flourish in the Philippines.

The bill further encourages the promotion of civil liberties by calling for the maintenance of an independent judiciary and legal due process. My amendment clarifies these objectives by adding the language "including the release of prisoners held without charge and an end to arrests by presidential order without court warrants and bail." This additional language is intended to address the following problem mentioned in the State Department's Country reports on Human Rights Practices for 1984:

> Arrests in national security cases are frequently made under "preventive detention actions," which authorizes arrests by presidential order without court warrant, and which allow persons to be held without bail until the President authorizes their release. The 1983 presidential decree which created the preventive detention action, however, provides for a yearly review of the case of each accused person held without bail. Despite this provision, President Marcos still retains the power to order anyone's detention for an indefinite period of time.

The Country Reports for the Philippines also notes that:

> • • • persons are sometimes held incommunicado by military intelligence units for days or weeks before the Government presents charges or acknowledges that it is holding them. Arrests by military security groups are sometimes made without warrants or orders of any kind.

In addition, general charges of subversion and rebellion are routinely leveled against those whom the government considers a threat.

In response to these abuses of the judicial process, Michael H. Posner, the executive director of the Lawyers Committee for International Human Rights, has made the following recommendation to Congress:

> Future U.S. aid provisions should require the government of the Philippines to restore traditional due process rights, including the restoration of the right to petition for habeas corpus and the abolition of the PDA. Persons detained pursuant to these presidential orders should be released immediately unless their arrest and detention is authorized by independent judicial authorities.

Coupled with these abuses is a new effort by the Marcos government to intimidate the legal profession. There is a coordinated campaign to arrest and harass lawyers who are working within the legal system of the Philippines to provide legal aid in human rights cases.

On April 3, 1985, Romaflo Taoja, a defense lawyer affiliated with the Free Legal Assistance Group [FLAG], was killed in his home by armed men. A number of FLAG lawyers were also arrested in April and May of this year, including Romeo Astudillo, Alberto Benesa, Antonio Arellano, Laurente Ilagan, and Marcos Risonar. In addition, charges have been brought against Manila attorneys Jejomar Binay and Vladimir Sampang. There are continuing reports that PDA's have been prepared and are about to be served on other human rights lawyers and workers. It is even more alarming that military authorities in Manila refused to obey a Philippines Supreme Court order to release three FLAG lawyers.

These are all very disturbing developments. If lawyers fear for their safety and liberty in providing legal assistance in human rights cases, then the entire legal system in the Philippines is in danger of breaking down. There can be no freedom where the rule of law is abandoned.

In the past few years, we have seen various waves of repression by the Marcos government. We have seen coordinated attacks on labor leaders, clergy and church workers, opposition leaders, and the press. Lawyers now are the latest victims.

In addition to the violation of civil liberties, there continue to be violations of basic human rights. As State Department's Country Reports for the Philippines states:

> There continued to be serious human rights violations in 1984 . . . There were frequent reports, many of them well-founded, of human rights abuses by government security forces. These included harassment of civilians; arbitrary arrests, detentions, and disappearances; instances of torture; unlawful searches and seizures; and summary executions of "salvagings" of suspected insurgents and insurgent sympathizers. The Government has conducted investigations of abuses by the military, and senior officials have made public statements on the need for discipline and respect in military dealings with civilians. However, in practice, few within the military are seriously punished for abusive actions.

The committee bill cites the goal of greater respect for human rights on the part of the Philippine "armed forces." My amendment adds the words "and security forces (including the Philippine Constabulary and the Civilian Home Defense Forces)." This language clarifies that the Congress is concerned not only with abuses by the regular army, but by the police and paramilitary groups whose actions are the ultimate responsibility of the Marcos government.

Sometimes a specific example is needed to illustrate the barbaric

crimes committed by the Marcos security forces. On April 11, 1985, Fr. Tullio Favali, an Italian missionary priest, was shot 22 times in Tulunan by members of the Civilian Home Defense Forces. He had come to that village in response to a call from frightened families who sought his help and protection. Pope John Paul II said that Father Favali had been carrying out "his mission of reconciliation and peace." Jaime Cardinal Sin, the leading prelate in the Philippines, said of this incident:

What explanations can we give our children to lessen their disillusionment as they come to know that the guns that shattered the body of Fr. Tullio were wielded by Filipinos whose bizarre laughter made a mockery of his death and whose uniforms proclaimed them to be protectors of our homes?

There must be an end to extrajudicial killings by the Philippine military and security forces, and the prosecution of those responsible for such killings in the past. Moreover, U.S. weapons and supplies must not be used to perpetrate such crimes. The Congress will continue to follow this situation with a keen eye to the use of U.S. military aid in human rights violations. We must not allow our country to become even indirectly involved in these immoral acts. We must not act like helpless bystanders.

Without a strong signal of U.S. concern about these human rights violations, it is unlikely that the Marcos government will feel compelled to reform these practices. Indeed, absent such a signal, Marcos may perceive that he has tacit U.S. support to do whatever he wishes as a means of internal control and suppression of dissent.

My amendment will help to fortify the concern expressed in this legislation by the Foreign Affairs Committee. We mean what we say in this legislation about the Philippines, and we are prepared to take stronger action against the Marcos government in the future if the urgent reforms required are not forthcoming.

I urge my colleagues to vote in favor of my amendment to put the House of Representatives on record in support of a firm policy to promote democracy and respect for human rights in the Philippines.

PARLIAMENTARY INQUIRY

Mr. SOLARZ. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SOLARZ. Mr. Chairman, under the rules that are now in operation, could the Chair tell us how much time is available for debate on these amendments?

The CHAIRMAN. The Chair will respond to the gentleman and would appreciate if Members would listen. Under today's unanimous-consent order of the House, once the 10 hours elapsed, 2 minutes are accorded to the advocate of the amendment and 2 minutes to an opponent, 2 minutes on each side.

Mr. SOLARZ. Mr. Chairman, if the Chair would permit a further parliamentary inquiry, in other words, the advocate, the proponent of the amendment, has 2 minutes to explain his amendment.

The CHAIRMAN. That is correct.

Mr. SOLARZ. Then are 2 minutes available to the majority and the minority managers of the bill each, or only to the opponents?

The CHAIRMAN. No; the Chair will state to the gentleman that under the unanimous-consent request, 2 minutes are accorded to the affirmative side of the proposition and 2 minutes to the negative side.

Mr. SOLOMON. Mr. Chairman, if I could reclaim my time and use 1 minute, out of courtesy I will give another minute to the gentleman from New York.

The CHAIRMAN. The gentleman from New York is propounding a parliamentary inquiry. The Chair is attempting to answer the gentleman's question and is not charging the gentleman's time.

Mr. SOLARZ. Mr. Chairman, I appreciate the gentleman's very gracious offer, but it may not be necessary.

The CHAIRMAN. Does the gentleman from New York understand the answer to his question?

Mr. SOLARZ. Yes, I do, Mr. Chairman, but I have one further inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SOLARZ. Mr. Chairman, how much time does the distinguished proponent of the amendment have left, under his generous allotment of 2 minutes?

The CHAIRMAN. The gentleman from Ohio [Mr. HALL] has no time remaining. He has consumed his 2 minutes.

Mr. SOLARZ. Mr. Chairman, if in the due course of time, my good friend, the gentleman from New York, having finished his observation, has a few seconds left over, I would appreciate if he would yield to me.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, even though I know the chairman will be in favor of the amendment and the gentleman is opposing my position, I still will grant the gentleman from New York some time.

Mr. Chairman, let me just say I am getting sick and tired of seeing people in this body pick on our friends throughout the world. If it were not for the Philippines and Filipino people, there would be no United States of America today. We would probably have lost the Second World War and yet we see amendment after amendment coming down here picking on our friends. It is about time we cease doing it.

We have a base called Subic Bay in the Philippines. We have the Clark Air Force Base. We have a treaty obligation to pay them $180 million to allow us to help them defend the free world, and here we are slapping them in the face again.

I think amendments like this ought to be defeated. Let the Secretary of State and the President of this country run foreign policy. Let them deal with this, instead of trying to do it here. We do not need 535 Secretaries of State running around Washington setting foreign policy.

Mr. Chairman, I would be glad to yield the remainder of my time to my opponent over here, the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Chairman, let me just say that I think this amendment in effect restates a truism. It simply says that in determining future aid levels to the Philippines, the Congress will take into account a variety of factors, among which are our base agreements and our military facilities in the Philippines.

With or without this amendment, the reality remains the same, which is that in the future the Congress has the constitutional right in its own wisdom to determine the level of our aid to the Philippines. Consequently, I think this amendment is acceptable.

I share my friend's love and gratitude to the Filipino people, but I do not think this is a slap in the face to the people of the Philippines. It is a reassertion of our congressional philosophy.

Mr. RUDD. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield to the gentleman from Arizona.

Mr. RUDD. Mr. Chairman, I support the statements of the gentleman in the well totally. I agree with the gentleman.

● Mr. ACKERMAN. Mr. Chairman, I rise in strong support of the Hall amendment, and to compliment the gentleman from Ohio for bringing this issue before the Congress today.

I am afraid that the short-memory syndrome has once again overtaken this body. The brief period of enlightenment concerning United States-Philippine relations that followed the Aquino assassination has now become a time of prolonged confusion and retrenchment. At one point, as resistance intensified in all segments of Philippine society, it appeared that the corrupt Marcos regime was finally being held accountable for its despicable human-rights policies. However, the Reagan administration has once again chosen to ignore the reality of

emerging change and to slavishly support the Marcos government.

The question before the Congress is this: What kind of change will take place? Will our Government support a democratic and peaceful change, or will the United States remain until the bitter end with the losing side in a violent transition which invites outside intervention?

Mr. Chairman, it is my fervent hope that the United States will not once again back the wrong side as the people clamor for relief from autocratic control. Rather, we should formulate a policy that will result in progress toward democratization, and that will allow the people of the Philippines to determine their future in an orderly and nonviolent fashion. Sadly, this is not the direction our policy is moving in today.

Mr. Chairman, the Hall amendment is an important policy statement which should be adopted by this House. In fact, while I wholeheartedly support this amendment, I had hoped that we might see some tougher action from this Congress. An examination of recent events in the Philippines mandates that we carefully examine the implications of the sustained growth of American military assistance in a rapidly deteriorating political, economic and military situation.

Some recent developments in the Philippines indicate that regression, not progress, is taking place. For example:

The trial of the Filipino military officials involved in the murder of Benigno Aquino has clearly turned into a political circus. Let us not forget the outrage our country felt when Aquino was assassinated. But now, 2 years later, this trial drags on and on, and it is difficult to take it seriously. As the New York Times reported on March 27, 1985, the soldiers charged in the plot are housed in luxury quarters, while key witnesses in this trial have inexplicably disappeared. Is it any wonder that Filipinos are unable or unwilling to testify at the trial? Obviously, fear and intimidation have had a chilling effect on many individuals who could offer some clear insights into the events that transpired in Manila on the day of the Aquino murder.

Another form of Philippine justice has been demonstrated by a string of assassinations and arrests of human-rights lawyers who are members of the free legal assistance group, know as FLAG. This is an organization of 290 attorneys who handle human-rights and national-security cases. The arrested lawyers are being held under preventive detention actions that permit President Marcos to lock up citizens without a warrant or trial for up to 1 year. The Members of the House should have no illusions about the origin of the harassment campaign against these legal defenders. Under the terms of the preventive-detention order, the Philippine President himself must give his personal approval for the use of this system.

If it is not clear already, we are witnessing today in the Philippines a cycle of violence, directed against innocent civilians, sanctioned directly by the Philippine Government. Yet this further deterioration in human rights seems to be viewed with a degree of disinterest in this House. It is impossible to ignore the ready comparisons to the death squads whose brutality in El Salvador sickened the American people only a few years ago. We can ill afford to shrug our shoulders at this gratuitous use of violence against innocent civilians. We do ourselves no favor by continuously pumping up the levels of military aid to the Marcos regime while ignoring the gross violations of human rights that occur every day in that country.

Let us remember the spirit of peaceful change which Benigno Aquino so eloquently advocated. It is time for the Congress to fully reevaluate our Military Assistance Program with the Philippines. The adoption of the Hall amendment would be a firm statement that this body is prepared to take that process seriously.●

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HALL].

The question was taken; and on a division (demanded by Mr. HALL of Ohio) there were—ayes 24, noes 28.

RECORDED VOTE

Mr. HALL of Ohio. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 254, noes 169, not voting 10, as follows:

[Roll No. 224]

AYES—254

Ackerman	Bryant	Eckart (OH)
Alexander	Burton (CA)	Edgar
Anderson	Bustamante	Edwards (CA)
Annunzio	Carper	Edwards (OK)
Anthony	Carr	English
Applegate	Chandler	Evans (IA)
Aspin	Clay	Evans (IL)
Atkins	Coats	Fascell
AuCoin	Coelho	Fawell
Barnes	Coleman (TX)	Fazio
Bates	Conte	Feighan
Bedell	Conyers	Florio
Bellenson	Cooper	Foglietta
Bennett	Coughlin	Foley
Bereuter	Coyne	Ford (TN)
Berman	Darden	Fowler
Biaggi	Daschle	Frank
Bliley	Dellums	Frenzel
Boehlert	Derrick	Frost
Boggs	Dickinson	Garcia
Boland	Dicks	Gaydos
Boner (TN)	Dingell	Gejdenson
Bonior (MI)	Dixon	Gephardt
Bonker	Donnelly	Gibbons
Borski	Dorgan (ND)	Glickman
Bosco	Dowdy	Gonzalez
Boucher	Downey	Goodling
Boxer	Durbin	Gordon
Brooks	Dwyer	Gradison
Brown (CA)	Dymally	Gray (IL)
Brown (CO)	Dyson	Gray (PA)
Bruce	Early	Green
Guarini	McKernan	Seiberling
Gunderson	Mikulski	Sharp
Hall (OH)	Miller (CA)	Sikorski
Hamilton	Miller (WA)	Skelton
Hatcher	Mineta	Slattery
Hawkins	Mitchell	Smith (FL)
Hayes	Moakley	Smith (IA)
Henry	Mollohan	Smith (NJ)
Hertel	Moody	Snowe
Horton	Morrison (CT)	Solarz
Howard	Mrazek	Spratt
Hoyer	Murphy	St Germain
Huckaby	Natcher	Staggers
Hughes	Neal	Stallings
Jacobs	Nelson	Stark
Jeffords	Nowak	Stokes
Jones (NC)	Oakar	Studds
Jones (OK)	Oberstar	Swift
Jones (TN)	Obey	Synar
Kaptur	Olin	Tallon
Kastenmeier	Ortiz	Tauke
Kennelly	Owens	Tauzin
Kildee	Oxley	Thomas (CA)
Kleczka	Panetta	Torres
Kolter	Pease	Torricelli
Kostmayer	Penny	Towns
Kramer	Pepper	Traficant
Lantos	Perkins	Traxler
Leach (IA)	Pickle	Udall
Lehman (CA)	Porter	Vento
Lehman (FL)	Price	Visclosky
Leland	Pursell	Volkmer
Levin (MI)	Rahall	Walgren
Levine (CA)	Rangel	Watkins
Lipinski	Regula	Waxman
Long	Reid	Weaver
Lowry (WA)	Richardson	Weiss
Luken	Ridge	Wheat
Lundine	Rinaldo	Whitten
MacKay	Rodino	Williams
Madigan	Roe	Wilson
Manton	Roemer	Wirth
Markey	Rostenkowski	Wise
Martinez	Roukema	Wolf
Matsui	Roybal	Wolpe
Mavroules	Russo	Wright
Mazzoli	Sabo	Wyden
McCloskey	Savage	Yates
McCurdy	Scheuer	Yatron
McDade	Schneider	Young (AK)
McEwen	Schroeder	Young (MO)
McGrath	Schulze	Zschau
McHugh	Schumer	

NOES—169

Akaka	Dreier	Latta
Andrews	Duncan	Leath (TX)
Archer	Eckert (NY)	Lent
Armey	Emerson	Lewis (CA)
Badham	Erdreich	Lewis (FL)
Barnard	Fiedler	Lightfoot
Bartlett	Fields	Livingston
Barton	Fish	Lloyd
Bateman	Flippo	Lott
Bentley	Franklin	Lowery (CA)
Bevill	Fuqua	Lujan
Bilirakis	Gallo	Lungren
Boulter	Gekas	Mack
Breaux	Gilman	Marlenee
Broomfield	Gingrich	Martin (IL)
Broyhill	Gregg	Martin (NY)
Burton (IN)	Grotberg	McCain
Byron	Hammerschmidt	McCandless
Callahan	Hansen	McCollum
Campbell	Hartnett	McKinney
Carney	Heftel	McMillan
Chappell	Hendon	Meyers
Cheney	Hiler	Mica
Clinger	Hillis	Michel
Cobey	Holt	Miller (OH)
Coble	Hopkins	Molinari
Coleman (MO)	Hubbard	Monson
Combest	Hunter	Montgomery
Courter	Hutto	Moore
Craig	Hyde	Moorhead
Crane	Ireland	Morrison (WA)
Daniel	Jenkins	Murtha
Dannemeyer	Johnson	Myers
Daub	Kanjorski	Nielson
Davis	Kasich	O'Brien
de la Garza	Kemp	Packard
DeLay	Kindness	Parris
DeWine	Kolbe	Pashayan
DioGuardi	LaFalce	Petri
Dornan (CA)	Lagomarsino	Quillen

Ray	Siljander	Sweeney
Roberts	Sisisky	Swindall
Robinson	Skeen	Taylor
Rogers	Slaughter	Thomas (GA)
Rose	Smith (NE)	Valentine
Roth	Smith (NH)	Vander Jagt
Rowland (CT)	Smith, Denny	Vucanovich
Rowland (GA)	Smith, Robert	Walker
Rudd	Snyder	Weber
Saxton	Solomon	Whitehurst
Schaefer	Spence	Whitley
Schuette	Stangeland	Whittaker
Sensenbrenner	Stenholm	Wortley
Shaw	Strang	Wylie
Shelby	Stratton	Young (FL)
Shumway	Stump	
Shuster	Sundquist	

NOT VOTING—10

Addabbo	Ford (MI)	Nichols
Chappie	Hall, Ralph	Ritter
Collins	Hefner	
Crockett	Loeffler	

□ 1420

Mr. THOMAS of California and Mrs. BOGGS changed their votes from "no" to "aye."

Mr. LIVINGSTON changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. LAGOMARSINO

Mr. LAGOMARSINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGOMARSINO: Page 145, strike out line 24 and all that follows through line 4 on page 146 and insert in lieu thereof the following:

(b) EARMARKING OF FUNDS.—Each fiscal year, not less than $15,000,000 of the aggregate amount of funds available to carry out chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 shall be available only for humanitarian assistance to the Afghan people pursuant to subsection (a) of this section.

(c) EFFECTIVE DATES.—This section shall take effect on the date of enactment of this Act, except that subsection (b) does not apply to fiscal year 1985.

Mr. LAGOMARSINO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. FASCELL. Mr. Chairman, reserving the right to object, I do so to ask the gentleman, Mr. LAGOMARSINO, is this his amendment that goes on page 145 of the bill?

Mr. LAGOMARSINO. Yes, it is, Mr. Chairman.

Mr. FASCELL. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LAGOMARSINO. Mr. Chairman, all available evidence suggests that for the Afghan population the situation is quite grim. Consider these figures: The Soviet invasion in 1979 has resulted in 3 to 4 million refugees—equal to 50 to 60 million Americans, were we the victims of such a holocaust—and perhaps 750,000 to 1 million dead—about 10 to 20 million Americans—200 times the American dead we suffered in Vietnam. Far from meeting crippling social, political and military complications in their Vietnam, the Soviets, although still not victorious after 5 years of fighting, are steadily draining Afghanistan of its population and preparing to add the country—a Texas-sized chunk of Southwest Asia tilted toward the Persian Gulf—to their empire. As one newspaper monitoring the Afghan war put it, "if guerrillas move among the population, in Mao's words 'like fish in the water,' then the Soviet response—in Afghanistan—is to boil the ocean."

In their conquest of Afghanistan, the Soviets are crushing the Afghan people in three ways: Driving them from their homes through indiscriminate or high-level carpet bombings, the intentional destruction of certain villages, and starving them into neighboring countries; killing them in battle—and in the most brutal and indescribable means, I might add—with the approximately 115,000 Soviet troops which prop up the Soviet-installed puppet regime of Babrak Karmal; or recasting them in the Soviet mold of the so-called new Soviet man—these are taken to schools in the Soviet Union and indoctrinated in Marxism-Leninism and are taught the benefits of being subservient to Soviet designs. Employing such a policy of divide and conquer, the Soviets are almost leisurely exiling, killing, or reeducating the entire Afghan population, all while testing their murderous tactics and equipment on battlefields largely hidden from Western eyes.

Mr. Chairman, I am cochairman of the Congressional Task Force on Afghanistan, an informal bipartisan, bicameral group of legislators interested in implementing an effective Afghan Aid Program, and dedicated to bringing more detailed information about the tragic plight of these people to congressional and world attention. The task force has held several substantive hearings to date on different aspects of the Soviets' Afghan war: The lack of food and the Soviet policy of migratory genocide; the lack of adequate emergency medical assistance; and the long-term Soviet strategy for rushing the brave Afghan resistance, called Mujahideen or Holy Warriors, and others.

The task force heard testimony from all the major PVO's—including the International Committee of the Red Cross, the International Rescue Committee, the Medecins Sans Frontieres or Doctors Without Frontiers, the International Medical Corps—American doctors and surgeons with teams presently operating inside Afghanistan, and others—on a wide range of topics, including the internal situation, the need for more humanitarian assistance and plans for future humanitarian efforts. All were in agreement that more needs to be done and that the U.S. Government should be assisting more than it has to date. Efforts to coordinate all the various groups—either distributing food aid, medical equipment and supplies or other nonmilitary aid—were encouraged.

We also heard of the campaign of terrorism against the Afghan people which is underway in that once peaceful and unrulable land. These terror tactics aimed at destroying the guerrillas' base of support among the populace including beheadings; the use of chemical weapons; the intentional destruction of agricultural products and irrigation systems; salting of land and slaughtering of farm animals; torture and unjustified imprisonment; intentional destruction of hospitals; and so forth. We saw pictures of children whose arms had been blown off by Soviet booby trapped toys; it is unspeakable that any nation can conceive of weapons designed only for the purpose of maiming children. Unfortunately, these tactics have by and large been ignored by the Western media.

The United Nations has focused on the brutal and widespread human rights violations, however. A year ago, the U.N. Human Rights Commission named a special observer, Felix Ermacora, to investigate the atrocities being committed against civilians in Afghanistan. Over the fierce opposition of the Soviets—they even called Ermacora, an international civil servant who could not defend himself, a neo-Nazi—the report was released. The report's findings? "We express profound concern at the grave and massive violation of human rights in Afghanistan" and "distress * * * at the widespread violations of the right to liberty and security of person, including the commonplace practice of torture against the regime's opponents, indiscriminate bombardments of the civilian population and the deliberate destruction of crops." As the Washington Post commented in a recent editorial on the findings of the UNHCR Report: "These are the facts in Afghanistan. It is necessary for everyone to know them." Mr. Chairman, I would take it one step further. It is necessary for this body to act upon this knowledge by supporting my amendment to earmark $15 million in fiscal year 1986 for Afghan humanitarian aid.

Let me also explain how these funds will be spent, and who will be administering the program. There are several private voluntary organizations [PVO's] that have an established track record in providing humanitarian relief to the Afghan people: These include the International Medical

Corps, the International Rescue Committee, the International Committee of the Red Cross [ICRC], Americares, and others. There are also several European groups that have performed admirably inside Afghanistan and in the refugee camps in Pakistan, they include the Medecins Sans Frontieres—the French doctors—the Swedish Doctors Committee, and others. These are the most likely recipients of such aid.

These groups in turn would distribute food, cash grants for food, medicine, clothing, and so forth, to the needy Afghan people. Operations could be conducted both inside the country and in neighboring Pakistani refugee camps on the border provinces.

Let me also praise the Pakistani Government for the considerable burden they have borne since the Soviet invasion and occupation in 1979. They have done an exemplary job of housing and feeding the massive influx of Afghan refugees—indeed, the largest number of refugees in the world today. They have done a marvelous job in the face of repeated threats—not veiled threats I might add—of Soviet reprisals if they continue to assist the downtrodden Afghan refugees, or as the Soviets prefer to call them, the Afghan "bandits."

Mr. Chairman, this amendment can and should be supported by every Member of the body. There are no Republicans or Democrats on this issue; there are only interested, concerned and helpful Americans. In no small sense, by passing this amendment, we may be preventing genocide in Afghanistan, Mr. Chairman, We cannot allow the Soviets to succeed in destroying the courageous people of that land. I urge my colleagues to support this amendment, and look forward to working closely with them in the future on the issue of providing effective humanitarian aid to the people of Afghanistan.

The following is a list of possible programs, or an example of how the President and Secretary of State might spend the money in my amendment:

Direct grants of foodstuffs and grain to Afghan villagers, through one or more of the various private voluntary organizations (PVO's) now operating inside the country. These include the International Rescue Committee (IRC), the International Committee of the Red Cross (ICRC), the International Medical Corps (IMC), the Medecins Sans Frontieres, or "Doctors Without Frontiers" (a group of over 250 French and other European doctors), the Swedish Committee, and others. Our task force also heard from a British member of Parliament, who has personally set up a large humanitarian aid program for the Afghan people.

Cash grants to reliable and trustworthy village leaders, solely for the purchase of foods, clothing, drugs, etc.

To establish in Peshawar, Pakistan, an emergency medical training facility. This center would teach male and female Afghans the basics in health care, prenatal care, emergency surgery, child nutrition, etc. The center would be staffed by professional doctors from across the globe.

To fund European and other emergency medical treatment and surgical teams to operate inside Afghanistan. For the past several years, the Soviets have bombed every hospital in the countryside which they do not directly control. It is vital for such emergency medical and surgical teams be mobile as to escape detection by the Soviets. Those several hundred brave doctors, from the United States, Europe, and elsewhere, who have been operating inside Afghanistan since the 1979 invasion have an outstanding track record of serving the people of that war-torn nation. Repeatedly, during our task force hearings—and each of you should have in front of you highlights of those three hearings—we heard of a profound need for both the number and effectiveness of these emergency medical groups to be dramatically increased.

This, Mr. Chairman, is just a brief overview of how the money could be spent and how an effective program might be implemented. I might add that I think it would be a good idea to strengthen the report language to urge the State Department to report back to us within, say, 2 months or so on how they might structure such a plan—at the classified or unclassified level. Obviously, the committee will carefully review such a plan, and will continue to work closely with State on this.

I might also add, Mr. Chairman, that we have worked closely with the State Department in the preparation of this amendment, and I have received assurances that the Department is in favor of it. I urge my colleagues to support the amendment.

Mr. SOLARZ. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. Mr. Chairman, I yield to the chairman of the Subcommittee on Asian and Pacific Affairs, the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I simply want to say that the committee supports the gentleman's amendment. The gentleman has been very concerned about this issue as we all have for some time. I think this is a constructive development and merits the broad bipartisan support of the House.

Mr. DREIER of California. Mr. Chairman, will the gentleman yield?

Mr. LAGOMARSINO. Mr. Chairman, I yield to the gentleman from California.

Mr. DREIER of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I join in providing very strong support of this superb amendment. It is very unfortunate that the American media has not focused enough attention on the plight of the freedom fighters in Afghanistan. I hope that what the chairman of the subcommittee said is in fact true, that we have strong bipartisan support and that attention is focused on the Soviet Union's atrocities against the people of Afghanistan.

Mr. Chairman, I thank the gentleman for yielding.

Mr. LEVIN of Michigan. Mr. Chairman, will the gentleman from California [Mr. LAGOMARSINO] yield to me?

Mr. LAGOMARSINO. I yield to the gentleman from Michigan.

Mr. LEVIN of Michigan. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, these are grave times for the people of Afghanistan. Five million of them serve a tenuous existence in refugee camps in Pakistan and Iran. Many millions more face the daily terror of Soviet Army atrocities on their native soil. The amendment offered by the gentleman from California is well considered and I offer my support for its passage today.

Since November 1984 the United States has provided $6 million for humanitarian assistance, while the need for medical and food assistance has become more critical. There is danger of a famine of horrendous proportions this winter in Afghanistan. Every bit of aid that we can provide is critical to avoid mass starvation in Afghanistan.

Although we cannot consider the most-favored-nation status of Afghanistan at this time, I do hope that MFN status will eventually be considered by this body and that we will deny the Karmal regime MFN trading status. Actions which affect our trade policy should always be carefully considered on a case-by-case basis, and upon close examination it is clear that MFN status should be denied to the present Government of Afghanistan. The Soviet Army of occupation and the actions of the Karmal regime are perpetrating a massive war against civilians. The current trade of $20 million per year with MFN status accorded to the Karmal regime can be read as the United States pulling its punches regarding its concern about the plight of the Afghan people. If we do not extend most-favored-nation status to the Soviet Union, how can we do so to a nation occupied by 115,000 Soviet Army troops?

I again urge this Congress to adopt this amendment dealing with humanitarian assistance for Afghanistan. It is a policy long overdue. And I urge my colleagues to take a more serious and sustained examination of this tragic war.

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

● Mr. LOWERY of California. Mr. Chairman, I rise in support of the amendment being offered by my colleague, Mr. LAGOMARSINO, a member of the Foreign Affairs Committee, which

would allocate $15 million in humanitarian assistance for the people of Afghanistan included in the Foreign Assistance Authorization Act for fiscal year 1986, H.R. 1555.

More than 5 years ago, the U.S.S.R. invaded Afghanistan with the intent to subjugate this small strategically located country and the people living there. The Soviet Army descended upon Kabul to place in power a government that would carry out the will of the Soviet Union. Instead of a willing population, the Soviets faced a massive popular resistance and a viable force of freedom fighters, thus forcing the Soviets to fight in Afghanistan longer than it took to defeat the Germans in World War II.

Over a half a million citizens of Afghanistan have perished as a result of the war. Over 3 million refugees have fled into neighboring Pakistan. The Soviets regularly bomb the refugee camps across the border in Pakistan. Their military relies on a scorched-earth policy of destroying crops that could feed the freedom fighters. This policy is creating a famine of astronomical proportions.

Mr. Chairman, it is for these reasons, and many more, that I introduced House Resolution 141, condemning the Government of the U.S.S.R. for its more than 5 years of forced and oppressive military occupation of Afghanistan in the face of popular resistance to Soviet imperialism.

Although we must continue to admonish the Soviet leadership to end its Communist tyranny, we must also do something now to aid the innocent women and children of Afghanistan. I believe, the amendment offered by Mr. LAGOMARSINO would serve both of these purposes. By standing behind the people of Afghanistan when they need our help the most, we send a message to the world of our continued commitment to freedom and the ideal that all people have the right to the necessities of life.

I urge my colleagues to lend their support to this nonpartisan, noncontroversial, and humanitarian amendment to H.R. 1555.●

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. LAGOMARSINO].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I ask unanimous consent that I be permitted to return to title IX for purposes of offering an amendment which has been cleared with the minority and the majority.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PENNY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PENNY: In section 903, on page 27 on line 12, immediately following the end of the paragraph, insert the following sentence:

"It is the sense of the Congress that the general categories for sale and barter of commodities under this section are: sale and barter during emergency food aid situations when the local currency proceeds are needed to pay for in-country distribution and related costs; partial sale to finance education, health, nutrition, income generating food for work materials, and other developmental activities; and full monetization for economic and community and agricultural cooperation development projects."

Mr. PENNY (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FASCELL. Mr. Chairman, will the gentleman yield to me?

Mr. PENNY. Mr. Chairman, I yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

Mr. Chairman, the gentleman has discussed this amendment with us. We have examined the amendment. It is a corrective amendment, and we certainly have no objection to it.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman from Minnesota yield to me?

Mr. PENNY. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we also have looked this over. The gentleman has cleared it with us.

Mr. Chairman, we accept the amendment.

Mr. PENNY. I thank the gentlemen for their comments.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. PENNY].

The amendment was agreed to.

□ 1430

The CHAIRMAN. Are there further amendments to title XI?

AMENDMENT OFFERED BY MR. ROBERT F. SMITH

Mr. ROBERT F. SMITH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBERT F. SMITH: Page 146, after line 4, add the following:

SEC. 1112. PROHIBITION ON ASSISTANCE TO COUNTRIES WHICH OPPOSE THE UNITED STATES POSITION IN THE UNITED NATIONS GENERAL ASSEMBLY MORE OFTEN THAN THE SOVIET UNION.

Assistance may not be provided under the Foreign Assistance Act of 1961 or the Arms Export Control Act to the government of any country whose votes in the most recent session of the United Nations General Assembly coincided with the United States position less frequently on a percentage basis than the votes of the Soviet Union coincided with the United States position, using for this purpose the percentage-of-voting-coincidences compiled by the Permanent Representative of the United States to the United Nations and set forth in the annual report to Congress on the degree of support being provided by each foreign country for the foreign policy of the United States.

Mr. ROBERT F. SMITH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The CHAIRMAN. The gentleman from Oregon is recognized for 2 minutes in support of his amendment.

Mr. ROBERT F. SMITH. Mr. Chairman, I believe that America's aid should be reserved for America's friends, or at least to those nations participating in the United Nations which show some indication that they are willing to support U.S. causes and positions in the votes of the General Assembly.

My amendment would tie U.S. foreign aid to U.N. support for the United States.

We have recently completed a difficult and sensitive hostage exchange in the Middle East. Thankfully, that's over, but the experience should serve as steel-girded proof that today there is a way of doing business in this world that the United States continues to ignore.

Simply stated, it means "to get, you gotta' give." Yet today the United States is perceived in the U.N. General Assembly as the world's patsy.

We send our delegates to the floor to make passionate appeals for votes to broaden the most basis American ideals of human rights, liberty, universal justice and equal opportunity. Time after time, our ears are boxed by the adversaries of freedom.

Yet win or lose, when the votes are counted, and we've lost, we walk directly to the U.S. Treasury, pull out billions of American taxpayer dollars—including $1 billion for the United Nations itself—and then go right back into the General Assembly and give $4½ billion to the very countries that vote against us.

As a matter of fact, that money went to nations that voted against the United States more often than the Soviet Union. Last year, the Soviets voted with the United States 13.2 percent of the time in the General Assembly's 153 votes—only 20 times. Of the U.N.'s 159 member nations, 67 of them had worse voting records than that.

We never tell our U.N. representatives that the money should go to friends. We don't suggest that they might stop getting it unless they vote

with us. We just smile and say "That's all right. We understand."

Well, my constituents don't understand and I don't believe yours understand either.

We ought to be just as interested as the Soviet Union in seeing to it that we get the votes we need.

My amendment would restrict the distribution of any U.S. aid—with the exception of humanitarian or hunger-related programs—to nations whose U.N. voting record shows support for the United States more often than the Soviet Union; 13.2 percent is not a lofty goal.

That policy should hinge on the concept of correlation: America should be serious enough about the United Nations to demand a minimum level of pro-American U.N. votes as the gateway to its hard-earned foreign aid cash.

Our adversaries aren't shy about setting conditions in the United Nations to bolster their positions. Nor should we be embarrassed about who will get our money and why.

We can, today, set the criteria for all nations of the world by declaring that our money is linked to voting percentages.

The United Nations is the right place to fight the human dignity campaigns which the United States and the American people care about. Let's be serious and effective about the campaigns for human rights, for freedom and national self-determination, for arms control and energy development.

But once we've made the decision to conduct a General Assembly battle for the things we believe to be right and just, we must also demonstrate a willingness to fight under the prevailing rules of conduct.

Under those rules, it isn't blackmail to declare that we want something for our money. It's simply a declaration that—in the future—we will be "more selectively generous."

From here on out, it should be clearly understood that blind, stupid, or devil-may-care voting policy has no place in an America that's overtaxed economically and under-supported internationally.

When moralistic-sounding silliness in our foreign aid program is replaced with genuine, meaningful generosity, all the nations of the world will realize that America's voice directs America's money.

We have a lot to gain by telling the international community that America respects both its money and its causes. And we have a lot to gain by demanding a degree of reciprocity for our foreign economic aid.

I urge you to join me in supporting this amendment.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment is fatally flawed.

First, the amendment would tie U.S. assistance to only one small aspect of our overall security, political, trade, and economic relations—votes at the United Nations.

Second, the amendment uses as a base for evaluating U.N. votes only a small number of such votes. Since most U.N. votes are by consensus, the actual percentage based on all votes would be much different and would reflect fuller support for U.S. policy. We have all had experience with such evaluations of our votes and how they can distort reality.

Third, the amendment concentrates only on short-term developments and not on long-term friendships. It cuts off aid based on only 1 year of U.N. votes.

Fourth, it ignores the need to discriminate in the real world between words and deeds.

Fifth, we provide aid and military assistance to countries basically for two purposes—because of humanitarian concerns or because such aid is in our interest. We ought not prevent our ability to achieve these purposes by setting some arbitrary standard.

Do we want to end humanitarian aid to the starving of Africa? Do we want to cut off our support to Egypt or Jordan—vital to the prospects for Middle East peace? Do we want to end aid to Pakistan with the Soviets in Afghanistan?

This amendment is ill advised though well intentioned. I urge its defeat.

Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. YATRON].

Mr. YATRON. Mr. Chairman, I oppose the amendment.

Mr. Chairman, this amendment would have a negative impact on U.S. effectiveness in the United Nations and would undermine our bilateral relations with many nations from a political, economic, and strategic standpoint.

I certainly share the gentleman's frustration over the unjustified attacks on the United States in the United Nations by countries which look to us for assistance. However, if this amendment is enacted into law, it would threaten our relations with countries which are of immense strategic importance to the United States. Egypt, Jordan, Sudan, Pakistan, Thailand, India, just to mention a few, would be automatically prohibited from receiving U.S. assistance under the terms of this amendment. Other countries on the borderline of failing to meet this criteria include the Philippines, Peru, and Zaire.

Mr. Chairman, the United Nations is a consensus organization and the United States receives support for many of its initiatives without votes. The amendment does not take this important fact into consideration. Further, if this amendment is adopted, it is conceivable that the Soviet Union would manipulate voting procedures at the United Nations. By insisting on recorded votes, the Soviet delegation would be in the position of determining which countries would be prohibited from receiving U.S. assistance. In a worse case scenario, the Soviet delegation, could force a cutoff of assistance to countries plagued by Communist insurgencies.

If we are to improve our posture in the United Nations, we need to do a better job at coordinating our bilateral policies in Washington with our policy toward this organization. In consulting with foreign dignataries and Ambassadors, does the State Department ever broach the subject of that respective country's voting record at the United Nations? I seriously doubt it.

Mr. Chairman, this year marks the 40th anniversary of the United Nations. In this connection, the Subcommittee on Human Rights and International Organizations, which I chair, and the Subcommittee on International Operations chaired by Congressman MICA, will be holding extensive hearings on U.S. policy toward the United Nations at that time, I can assure the gentleman, that his concerns will be given proper consideration.

In conclusion, this amendment will undermine U.S. interests worldwide and will in fact enhance Soviet influence in the United Nations. I urge my colleagues to defeat the amendment.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY TO THE AMENDMENT OFFERED BY MR. ROBERT F. SMITH

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey to the amendment offered by Mr. ROBERT F. SMITH: Strike out the period at the end of the section proposed to be added to the bill and insert in lieu thereof the following: ", unless the President determines, and reports to the Congress, that national security or humanitarian reasons justify furnishing such assistance to that country.".

Mr. SMITH of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The gentleman from New Jersey is recognized for 2 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I offer this amendment to the pending amendment to provide the President with the flexibility to waive the proposal ban on funding to a country whose voting percentage dips below that of the U.S.S.R. in the U.N. General Assembly relative to U.S. positions.

The waiver would be triggered if the President determines and reports to the Congress that national security or humanitarian reasons justify assistance to that country.

Clearly, I share the gentlemen's frustration over the lack of solidarity with U.S. positions exhibited by many of our friends in the United Nations. And I associate myself with the cogent remarks of the distinguished chairman of my subcommittee, Mr. YATRON.

But I believe that the gentleman's amendment will have an unintentioned negative effect on U.S. foreign policy if passed in its present form and will actually undermine vital relations with several nations of the world. On the other hand, the gentleman's amendment even as amended by my language is bound to get their attention.

I would point out to my colleagues, that without my language, countries such as Egypt, Thailand, India, Kenya, Pakistan, Indonesia, Mexico, Sudan, Jordan, Kuwait, Saudi Arabia, Oman Cypress, and others are likely to lose all U.S. assistance—military and humanitarian—based on previous voting percentages that were below that of the Soviet Union in relation to the United States.

Frankly, I don't believe it is in our own interest or that of our allies to preclude funding solely based on a U.N. scorecard.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from Florida.

Mr. FASCELL. Does the original sponsor of the amendment accept this amendment?

Mr. ROBERT F. SMITH. Mr. Chairman, if the gentleman will yield, I accept the amendment.

Mr. FASCELL. Mr. Chairman, certainly with this amendment, it is a lot better than it was, because I think otherwise it would be extremely ill-advised, and we are prepared to take this for conference.

Mr. BROOMFIELD. Mr. Chairman, if the gentleman will yield, we on the minority side will accept the amendment.

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] to the amendment offered by the gentleman from Oregon [Mr. ROBERT F. SMITH].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. ROBERT F. SMITH], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. SILJANDER

Mr. SILJANDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SILJANDER: Page 146, after line 4, insert the following new section:

SEC. 1112. REAFFIRMATION OF UNITED STATES POLICY TOWARDS TAIWAN.

The United States reaffirms the findings and declarations of policy found in sections 2 and 3 of Public Law 96-8 (Taiwan Relations Act). It is the policy of the United States to implement fully all provisions of Public Law 96-8.

(1) REPORTS.—The Secretary of State shall transmit to both Houses of Congress an annual report on the implementation of Public Law 96-8.

(2) CONGRESSIONAL HEARINGS.—To fulfill the oversight responsibilities given to Congress in section 14 of Public Law 96-8 the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate shall conduct annual public oversight hearings on the implementation of the Taiwan Relations Act (Public Law 96-8).

Mr. SILJANDER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman is recognized for 2 minutes.

Mr. SILJANDER. Mr. Chairman, I yield to Mr. SOLARZ, the chairman of the subcommittee, regarding my amendment dealing with Taiwan.

Mr. SOLARZ. Mr. Chairman, let me say to the gentleman that I understand and share his concerns about the implementation of the Taiwan Relations Act. Our subcommittee has held hearings on Taiwan in the past. It will hold hearings on Taiwan in the future, and I can assure the gentleman, in the context of those hearings, that it would certainly be our intention to take into consideration the implementation of the Taiwan Relations Act.

Mr. SILJANDER. That would be this year?

Mr. SOLARZ. I would anticipate that we would have hearings on this subject sometime this year. That certainly is my intention.

Mr. SILJANDER. I would like to insert into the RECORD this study done by the Heritage Foundation assessing the Taiwan Relations Act.

ASSESSING THE TAIWAN RELATIONS ACT

INTRODUCTION

Six years ago on December 15, President Jimmy Carter startled the nation and the world with a surprise televised announcement that, as of January 1, 1979, he would establish diplomatic relations with the People's Republic of China (PRC) and break relations and end the Mutual Defense Treaty with the Republic of China on Taiwan (ROC). The ROC and the U.S. Congress were kept in the dark.

The announcement was made during Christmas recess to avoid a likely congressional uproar. The few Members told of Carter's pending announcement were notified only hours before the speech. Complained Senator Robert Dole, the Kansas Republican, "Mr. Carter found it expedient to abandon Taiwan without a warning to its government or consultation with our own." Added Arizona Republican Senator Barry Goldwater: "The President downgraded, humiliated, and victimized the Republic of China on Taiwan, one of this nation's most faithful and valuable allies."[1]

What prompted Carter's action in part was his conviction that closer U.S. ties with mainland China would strengthen Washington's hand in dealings with Moscow. But it also seemed that Carter was grasping for a diplomatic triple coup. He was hoping to (1) establish diplomatic relations with the PRC, (2) obtain an agreement in the Middle East, and (3) initial an arms control pact with the USSR.

He failed that December in the Middle East and on arms talks, but nonetheless pushed ahead on the China issue. So determined was he to reach an agreement with the PRC that he accepted all of Beijing's terms. This meant not only breaking more than a half century of diplomatic relations with the ROC and tearing up the 1954 U.S.-ROC Mutual Defense Treaty, but also withdrawing all American troops from the ROC, removing American installations on Taiwan, shutting the U.S. embassy and hauling down the Stars and Stripes in Taipei, and forcing ROC diplomats to vacate their embassy and retire their flag in Washington. ROC official representatives, once regarded as among America's closest friends, suddenly lost their diplomatic status and became merely private citizens. To make matters worse, Carter did not even obtain Beijing's promise not to use force against Taiwan in the future.

Carter's action ignited a firestorm of protests across the U.S. and in Congress. They forced the White House to make formal assurances to the ROC that it was not being abandoned by the U.S. These guarantees are embodied in what is called the Taiwan Relations Act (TRA), which became law on April 10, 1979. In this Act, the U.S. in general promises to help the ROC defend itself and to maintain U.S.-ROC commercial, cultural, and other relations.

For a half dozen years, the TRA has governed U.S.-ROC relations. In most respects, the TRA has worked exceptionally well. Trade and investment between the two nations, for example, have increased substantially since 1979. Today the ROC is the sixth largest trading partner of the U.S. and hosts more than $6 billion in U.S. investments and loans. In certain critical aspects, however, the spirit and substance of the TRA have not been honored fully—even by the Reagan Administration, which values U.S. ties with the ROC. Too often U.S. policy and officials seem to keep the ROC at arms length. In fulfilling agreements reached with Beijing during normalization, State Department officials routinely turn down ROC invitations, the ROC flag is not permitted to fly in the U.S., and ROC commercial officials are not allowed to open consular offices in U.S. business centers.

[1] John Tierney, Jr., ed., "About Face: The China Decision and Its Consequences" (New Rochelle, New York: Arlington House, 1979), pp. 15, 23.

When the TRA was enacted, Congress promised to monitor its enforcement. But a comprehensive oversight hearing on the TRA has not been held since 1980. Since so many Americans are concerned that the TRA is not being fully enforced, it is time for Congress and the White House to assess the TRA to ensure that it is being carried out in the manner demanded by Congress in 1979. It also is time for Congress and the White House to explore ways for the U.S. to upgrade its ties with the ROC to the extent permitted by the TRA.

THE TAIWAN RELATIONS ACT

The TRA is a unique piece of legislation. It seeks to ensure that, even if the form of U.S.-ROC relations were to change, the substance would not. Included in its provisions were: a general declaration of U.S. policy; a statement that the U.S. would continue selling the ROC defense articles and services; procedures by which the White House must notify Congress in case of a threat to Taiwan; a declaration that existing agreements between the U.S. and the ROC would remain in force (except the Mutual Defense Pact); authorization for establishment of nongovernmental entities through which the U.S. and the ROC would conduct relations with each other; reporting requirements for the Secretary of State in respect to the implementation of the TRA; authorization for the President to prescribe rules and regulations to implement the TRA; and an obligation for Congress to provide oversight for fulfillment of the TRA.

Very significantly, the TRA linked U.S. national security interests with peace in the Taiwan straits and authorized American intervention should the ROC security or social and economic system be threatened.

In specifying the extent to which a threat to Taiwan and certain offshore islands would endanger U.S. interests, the TRA goes further in some respects than did the 1954 Mutual Defense Treaty. The TRA requires the U.S. to consider any threat to the ROC "of grave concern to the United States," necessitating "appropriate action" by the President and the Congress.

Section 14 of the TRA requires the House Foreign Affairs Committee and the Senate Foreign Relations Committee and other appropriate congressional committees to monitor:

(1) the implemenation of the provisions of the TRA;

(2) the operation and procedures of the American Institute in Taiwan;

(3) the legal and technical aspects of the continuing relationship between the United States and Taiwan; and

(4) the implementation of the policies of the United States concerning security and cooperation in East Asia.

Although numerous hearings on related subjects have been held and monitoring continues as part of the day-to-day activities of the responsible committees, Congress has not held hearings specifically on the implementation of the TRA since 1980.

Today, most Americans apparently feel that Carter made a mistake in breaking relations with the ROC. While many believe that U.S. interests were served by establishing diplomatic relations with the People's Republic of China, they also think that some type of official relationship should have been preserved with the Republic of China. This is reflected in a nationwide poll conducted this fall by Sindlinger & Company for the Heritage Foundation. An overwhelming 87.3 percent of the respondents said that the U.S. should have diplomatic relations with Taiwan. At the same time, 18.5 percent see the PRC as a friend of the U.S., while 5.6 percent see it as an enemy.

ERASTZ EMBASSIES

To replace the U.S. and ROC embassies closed down by Carter's breaking relations with the ROC, the Taiwan Relations Act calls for the creation of a diplomatic hybrid—an "instrumentality" that would allow the two nations to carry on unofficial contact with each other. The U.S. calls its ersatz embassy on Taiwan the American Institute in Taiwan (AIT), while the substitute ROC embassy in the U.S. is the Coordination Council for Nation American Affairs (CCNAA).

Both the AIT and the CCNAA keep low profiles in each other's country. The AIT office in Taipei, for example, is entered from a back alley and flies no U.S. flag. Though such self-effacement is not required by the TRA, it does coincide with the 1978 normalization agreement with the PRC, in which the U.S. recognized "the government of the PRC as the sole legal government of China" and acknowleged "the Chinese position that there is but one China and Taiwan is a part of China." In part also, the low-key posture is designed to enable Washington and Taipei to pursue more substantive aspects of their relationship without fanfare. But here again, fanfare is shunned only because it may anger Beijing. AIT has offices in Taipei and Kaohsiung, Taiwan's two largest cities. CCNAA maintains offices in Washington, Atlanta, Chicago, Houston, New York, Boston, Honolulu, Los Angeles, San Francisco, and Seattle.

AIT and CCNAA have signed more than twenty accords dealing with specific areas of concern. Among them are air transport, education and cultural exchanges, privileges and immunities of AIT and CCNAA employees, trade and commerce, and scientific cooperation. Washington and Taipei and attempting to institutionalize their relations through such bilateral agreements.

FULFILLMENT OF THE TRA

Important aspects of U.S.-ROC relations have continued improving despite derecognition.

In addition to being the sixth largest U.S. trading partner, the ROC remains the third largest recipient of U.S. Export-Import Bank funds. It could become number one if it accepted large-scale American participation in such major infrastructure projects as the Taipei subway system and the island's new nuclear power plant. (The ROC complains, however, that Ex-Im interest rates are too high.)

U.S. security assistance to the ROC remains at high levels. The Reagan Administration has interpreted the TRA as a mandate to ensure that the ROC arsenal does not deteriorate because of the decline of outdated equipment and that it is sufficient to deter and repeal attack from the mainland.

UNITED STATES-TAIWAN TRADE

[Amount: U.S. $1,000 not adjusted for inflation]

Year	U.S. exports to Taiwan	Taiwan exports to U.S.	Total
1975	1,652,129	1,822,737	3,474,866
1976	1,797,540	3,038,699	4,836,239
1977	1,963,852	3,636,250	5,603,102
1978	2,376,063	5,010,378	7,386,441
1979	3,380,797	5,652,243	9,033,040
1980	4,673,486	6,760,300	11,433,786
1981	4,765,671	8,163,099	12,928,770
1982	4,563,000	8,758,000	13,321,000
1983	4,646,000	11,333,000	15,979,000

ANNUAL U.S. MILITARY SALES TO TAIWAN

[In U.S. $1,000, not adjusted for inflation]

Fiscal year	Foreign military sales	Commericial export licensed	Total
1975	136,094	44,982	181,076
1976	344,662	42,531	387,193
1977	148,407	46,140	194,547
1978	353,154	73,637	426,791
1979	542,627	44,547	587,174
1980	486,756	57,770	544,526
1981	263,482	66,731	330,213
1982	504,412	[1] 75,000	579,412
1983	698,646	[1] 85,000	783,646

[1] Estimated.

U.S. visitors to Taiwan

1975	123,550
1976	137,488
1977	141,837
1978	150,432
1979	113,596
1980	122,673
1981	131,358
1982	137,531
1983	157,715

TAIWAN VISITORS/STUDENTS TO UNITED STATES

Calendar year	Total visits	Newly issued visas	Of which students
1979		48,336	7,267
1980		57,646	5,885
1981	76,599	61,796	5,171
1982	98,995	84,921	5,736
1983	110,148	81,289	6,050

U.S.-ROC CULTURAL/EDUCATIONAL EXCHANGES

1. Total ROC Students in USA: 21,960 in 1984, ranking No. 1 among all foreign countries.

2. U.S. Students Studying in Taiwan: 883 in school year 1983-84.

3. U.S. Scholars Visiting Taiwan (1981-83): 253 including 96 university presidents.

4. U.S. Professors Attending Summer Seminars in Taiwan (1981-83): 40.

5. Chinese-American Youth Attending Summer Courses in Taiwan (1981-83): 1,200.

6. Cooperation Projects: Since 1971, a total of 41 ROC colleges have signed cultural/educational cooperation agreements with 127 U.S. colleges.

The numerous agreements signed by Washington and Taipei since 1979 have built a strong network of relationships designed to withstand future shocks. This structural building process, although quiet and incremental, is viewed as extremely important to the continued close relationship between the two countries.

PROBLEMS IN THE RELATIONSHIP

There are, however, problems in the U.S.-ROC relationship. For its part, Washington is concerned about the U.S. trade deficit with the ROC and the Chinese on Taiwan's practice of counterfeiting American copyrighted products. In 1983 the U.S. trade deficit with the ROC was $6.7 billion, up $2.7 billion from 1982. Many trade practices and regulations on Taiwan present obstacles to U.S. exports. These include high tariffs; restrictive banking regulations that affect U.S. bank operations on Taiwan; denial of investment opportunities to certain U.S. manufacturers to protect Taiwan producers; infringement of U.S. intellectual property rights such as patents and copyrights; and general nontariff barriers that prevent equal access to Taiwan's domestic market.

Of considerable concern to Washington is the counterfeiting issue. Taiwan has a reputation as home port for patent and trademark pirates. Although the ROC government has begun taking steps to control this, U.S. companies continue to complain of Taiwan-based copying of copyrighted, trademarked, and patented products.

DIPLOMATIC PROBLEMS

More difficult are problems arising from the fact that the ROC is no longer officially recognized by the United States. This has resulted in numerous American affronts to ROC national pride and remains a constant irritation to its government and people. Taipei maintains that it is the legitimate government of China and that its citizens are "Chinese." Yet as part of the derecognition process, Carter barred the U.S. from using the names "Republic of China" and "Chinese." A January 9, 1979, State Department memorandum decrees:

(1) The term "Republic of China" is not to be used in referring to Taiwan.

(2) The adjectival form is "Taiwan," not "Taiwanese." People should be referred to as "from Taiwan," "on Taiwan," "of Taiwan," etc., rather than as Taiwanese. The adjective "Chinese" should not be applied to the government or institutions on Taiwan. (The ethnic groups on Taiwan are, however, Chinese; the language spoken there is Chinese, and one of its dialects is Taiwanese. There terms should continue to be used in appropriate instances.)

One of the ROC's greatest concerns is that, if the U.S. and other nations cease using its proper name, then its legitimacy as an independent, sovereign political entity will be challenged. Eventually, it is feared, the ROC will lose all standing in the international community.

The ROC maintains diplomatic relations with 24 countries: Bolivia, Costa Rica, Dominican Republic, Dominica, El Salvador, Guatemala, Haiti, the Holy See, Honduras, Malawi, Nauru, Nicaragua, Panama, Paraguay, the Republic of Korea, St. Christopher and Nevis, St. Vincent and the Grenadines, Saudi Arabia, Solomon Islands, South Africa, Swaziland, Tonga, Tuvalu, and Uruguay. So-called substantive relations, however, are maintained with most noncommunist countries.

In addition, the ROC participates as a full member in nine intergovernmental organizations and some 280 private international organizations. Taipei's continued participation in these organizations may depend on the resolution of the critical issue of the ROC's name. Since Washington has formal diplomatic relations with the PRC, it does not support Taipei's position on the use of the name "Republic of China." The United States does, however, maintain that Taiwan should participate as a full member in international organizations.

The ROC also has been offended by the extent to which its access to U.S. officials has been restricted since 1979. During the Carter Administration, communications between the two governments were poor. In a definitive statement of his prospective policy toward the ROC on August 25, 1980, Ronald Reagan listed several "petty practices" adopted by Carter. Reagan said:

"It is absurd and not required by the Act that our representatives are not permitted to meet with Taiwanese officials in their offices and ours. I will treat all Chinese officials with fairness and dignity.

"I would not impose restrictions which are not required by the Taiwan Relations Act and which contravene its spirit and purpose. Here are other examples of how Carter has gone out of his way to humiliate our friends on Taiwan:

"Taiwanese officials are ignored at senior levels of the U.S. government. . . .

"The Taiwan Relations Act specifically requires that the Taiwanese be permitted to keep the same number of offices in this country as they had before. Previously, Taiwan had 14 such offices. Today there are but nine. . . .

"Recently the Carter Administration attempted to ban all imports from Taiwan labeled "Made in the Republic of China," but was forced to rescind the order after opposition began to mount in the Congress.

"The Carter Administration unilaterally imposed a one-year moratorium on arms supplies even though the Act specifies that Taiwan shall be provided with arms of a defense character.

"The Carter Administration abrogated the Civil Aviation Agreement with Taiwan, which had been in effect since 1947, in response to demands from the People's Republic of China."

Despite Reagan's tough words, there was little improvement in U.S.-ROC communications after Alexander Haig, Reagan's first Secretary of State, moved into the State Department. The ROC, for instance, was not adequately consulted on three important letters sent by Reagan to Chinese leaders in April and May 1982. Once Haig left in mid-1982, however, U.S.-Taiwan relations gradually improved. Channels of communication have opened and both governments sense a better atmosphere of trust and cooperation. An additional CCNAA office was opened in Boston, for example, although none yet has been established in Portland, Kansas City, Calexico, Guam, or Samoa. The Boston office brings to ten the total of ROC installations in the U.S. and its territories.

Representatives of the American Institute in Taiwan and CCNAA are still restricted in their social activities. They have limited access to government officials, must maintain a low public profile on controversial issues, and function in a rather cloistered environment. Although certain properties in the U.S. previously owned by the ROC government have been turned over to CCNAA, the present location of CCNAA offices in Washington reflects the awkwardness with which the U.S. government views its relations with Taiwan. Its main office, equivalent to an embassy, is not anywhere near Washington's elegant embassy row or even in the nation's capital. It is in suburban Maryland, although the office will move into the District of Columbia within two years. AIT offices in Taipei are located in a drab complex down a small alley, far removed from the center of town.

Taken together, these intangibles create the impression that the ROC is a problem for the U.S., rather than a nation with which Americans have been allied with for decades.

THE "TAIWAN ISSUE"

More difficult still have been problems arising from the ROC's role in overall Sino-American relations. Relations with the People's Republic of China are seen as vital to U.S. national security interests. But Beijing frequently points to continued unofficial U.S. relations with the ROC as the principal obstacle to improved Sino-American ties. At times, the PRC has threatened to downgrade Sino-American relations unless Washington reduces the level of its support of Taipei.[2]

On two important matters, in fact, the Reagan Administration buckled under Beijing pressure. The first was the January 11, 1982, decision regarding the possible sale to the ROC of a U.S.-made warplane known as the FX. In this case, the Administration, under heavy pressure from Secretary of State Haig and the "China hands" in the Department of State, decided not to sell the FX aircraft to the ROC.

The second instance was the signing of the August 17, 1982, Joint Comminiqué between the U.S. and PRC. This Communiqué violates the intent of the Taiwan Relations Act. Paragraph 6 of the Communiqué declares:

"Having in mind the foregoing statements of both sides [referring to China's 'fundamental policy of striving for peaceful reunification of the Motherland'], the United States government states that it does not seek to carry out a long-term policy of arms sales to Taiwan, that its arms sales to Taiwan will not exceed, either in qualitative or quantitative terms, the level of those supplied in recent years since the establishment of diplomatic relations between the United States and China, and that it intends to reduce gradually its sales of arms to Taiwan, leading over a period of time to a final resolution."

This is in stark contrast to Section 3 of the TRA, which requires the U.S. to "make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability." Obviously, as Beijing increases its capabilities to utilize force against the ROC, Taipei's defense needs will increase as well. The TRA permits—possibly even obliges—the U.S. to increase quantitatively and qualitatively arms sales to the ROC to match any increased threat from the mainland. The August 17 Communiqué, however, seems to preclude this.

It should be noted, however, that President Reagan vehemently denies this interpretation of the August 17 Communiqué and has on several occasions dictated his own understanding of the agreement. In a Human Events interview in February 1983, for instance, the President stated that the TRA is the law of the land and that "we will help maintain Taiwan's defensive posture and capability" until the two sides "find that they can get together and become one China in a peaceful manner."[3]

TAIWAN'S SECURITY

Arms sales permitted by the TRA are critical not only to the ROC's defense, but also as a symbol of continuing American concern for the ROC's fate. So far, Taiwan is marginally safe from attack. While the PRC enjoys overwhelming superiority to the ROC in strategicc missiles, bombers, fighters, submarines, fast attack craft, and total manpower in all branches, forces deployed in the three military regions (Guangzhou, Fuzhou, and Nanking) opposite Taiwan and in the East China Sea are not sufficient for an invasion of the ROC. A blockade could be enforced, however.

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[2] For a discussion of PRC attempts to link Sino-American strategic cooperation with U.S. unofficial policy toward Taiwan, see Martin L. Lasater, "The Taiwan Issue in Sino-American Strategic Relations" (Boulder, Colorado: Westview Press, 1984).

[3] Human Events, February 26, 1983, p. 19.

Assessments of the PRC threat must also take into consideration Beijing's intentions. The PRC often has vowed to gain control of Taiwan. Beijing's strategic objectives are elimination of the Nationalists' autonomy on Taiwan, erasing the Republic of China as a viable political entity, and the eventual socialization of the island.[4]

One high-ranking Chinese official said in February 1979, "After China has achieved peaceful reunification the long-term road for Taiwan will be the socialist road." [5] One could also point to Tibet as an example of how the PRC might treat Taiwan. Even the recently concluded London-Beijing accord only guarantees Hong Kong's capitalist system for 50 years following the PRC's assumption of control in 1997.

Official U.S. assessments of the PRC threat to Taiwan have been consistently low, because they tend to emphasize the short-term intentions side of the equation rather than Beijing's growing military capabilities or its long-term objectives. Many American officials, however, privately voice concern over the growing disparity between the military capabilities of the PRC and the ROC. The recent deployment by Beijing of a new generation of fighters, the F-8, increases these concerns.

It is reassuring to Taipei that U.S. arms sales and scheduled sales to the ROC since the August 17 Comminiqué have been relatively high. The Administration has approved the continued coproduction of 30 F-5E and 30 F-5F fighters valued at $622 million and the sale of armored vehicles worth $97 million; 66 used F-104G fighters for $31 millon; $530 million in air defense missiles and various other arms; and 12 C-130H military transport aircraft valued at $325 million. Some of this equipment suggests that Washington may be at least partially upgrading the ROC arsenal to counter Beijing's rapid military modernization.

Meanwhile, in March 1983, the State Department began applying an inflationary index to arms sales to the ROC. This meant that rising prices would not necessarily force the ROC to buy fewer weapons from the U.S. Taken together, these actions imply that the Reagan Administration is trying to ensure that Taipei's defense needs are met under the terms of the TRA. These needs will not be met completely, however, until the ROC is allowed to buy an advanced fighter, such as the F-20 or the F-16-79, and the Harpoon antiship missile. So far, the Administration has refused to sell these advanced weapons systems to Taipei.

If the ROC can design and produce its own advanced fighter, of course, the need for the FX from the U.S. diminishes. Taipei, however, is not able to do so at present. There is one option that Taipei does not seem to have—buying an advanced fighter from abroad. Other nations are very reluctant to sell Taipei such aircraft and risk Beijing's displeasure. As such, the TRA gives Washington the major responsibility for ensuring that the ROC's air force can counter the threat from the mainland.

A U.S.-ROC-PRC TRIANGLE

The TRA enables the U.S. to pursue friendly relations with Beijing and Taipei simultaneously. By and large, this should prompt Washington to assess the first six years of the TRA positively. Further, the Reagan Administration has assured Taipei that it will not revise the TRA.

From Taipei's perspective, the TRA has permitted the ROC to expand tremendously its commercial, cultural, scientific, and technological ties with the U.S. In the area of national security, the ROC has been served fairly well. There is no absolute guarantee of future military sales, however, because the White House has wide discretionary powers in interpreting the ROC's defense needs. If a President decides to reduce arms sales to Taipei, he need only declare that the ROC does not need them. What makes the matter even more uncertain are the contradictions between the TRA arms sale provisions and the limitations imposed by the August 17 Communiqué.

Politically, the TRA has had both positive and negative effects on the ROC's interests. On the one hand, the TRA serves as a model for other countries to emulate in their relations with Taipei while they pursue diplomatic relations with Beijing. In this sense, the TRA may have prevented a potentially complete erosion of Taipei's diplomatic status in the world. On the other hand, the TRA does not allow the use of the name "Republic of China," the name by which Taipei wants to be recognized. The use of any other name weakens the ROC's most cherished mission: the democratization of all of China.

The PRC is well aware that the TRA permits a wide range of U.S. contacts with Taiwan, which could strengthen the ROC over time. Since it is in Beijing's interests to gain control over the island, it is near certain that the PRC periodically will try to nullify, alter, or eliminate the TRA.

In the face of PRC pressure to change or abolish the TRA, will a future administration or Congress interpret its provisions in a more restrictive way? This is a question with major implications for the ROC's future. At best, the Reagan Administration can use bilateral agreement and arms sales to cement the U.S.-ROC relationship in ways that will make it difficult for future administrations to dilute the U.S. guarantees to Taipei.

RECOMMENDATIONS

High-level PRC officials recently warned that what they call the "Taiwan issue" may heat up again. Deng Xiaoping on at least two occasions has spoken of a blockade of Taiwan. Beijing continues to be angered by U.S. sales of defensive weapons to the ROC. Since the PRC is likely once again to push the Taiwan issue to the forefront of Sino-American relations, the Administration needs to draw up contingency plans to ensure that U.S. interests are protected. The PRC must realize that the quickest path to Taipei is not through Washington. If Beijing wants Taipei to negotiate, then the PRC must offer terms acceptable to the government and the people of the ROC. Until then, the U.S. must continue the close relations with the ROC mandated by the TRA. This appears to be the current view of the Reagan Administration, of both sides of the aisle in the House and the Senate, and of the U.S. public.

Both Chinese governments must understand that the U.S. will not be forced into an "either/or" choice in its China policy. Washington wants relations with Beijing and with Taipei. Given the importance of the U.S. to both governments, this fundamental U.S. position, if conveyed forcefully, may prevent the reemergence of the "Taiwan issue."

In addition, the Reagan Administration should ensure that Beijing's military capabilities and intentions are monitored accurately and that assessments are not shaded by political motivations. It thus would be wise to request threat assessments prepared by qualified nongovernmental as well as governmental experts.

If Taipei, moreover, does not appear capable of purchasing advanced fighters from other sources or of producing its own fighters within the next few years, then the U.S. must remedy this serious deficiency in the ROC's defense capability. Specifically, Washington soon should reconsider the sale to the ROC of such weapons as the FX fighter, the Harpoon missile, and sophisticated anti-submarine warfare equipment.

Given the Chinese on Taiwan's sensitivity over their future, the TRA should be implemented in ways more publicly perceptible. Washington should encourage Taipei's representatives in the U.S. to express their views freely to counter the feeling that the ROC will fade from view after some sort of "decent interval." Furthermore, the spirit and the letter of the TRA would be more faithfully honored if the Reagan Administration were to:

Increase opportunities for U.S. officials to meet with CCNAA representatives and visiting ROC officials;

Relax travel restraints so that U.S. officials can travel to Taiwan in the course of their responsibilities;

Permit CCNAA representatives to visit the State Department, a public building open to virtually everyone else;

More forcefully support the ROC's participation in international organizations;

Move the American Institute in Taiwan to new, more attractive and accessible quarters in Taipei and fly the American flag over it;

Allow the CCNAA to increase its offices to the number requested in the TRA.

In addition, the Reagan Administration should consider the opening of consular offices in Taiwan and permitting similar commercial offices of Taipei to be opened in major trading centers in the United States. Such offices are not considered diplomatic and thus would not violate the U.S.-PRC Communiqué on normalization.

For its part, Congress should convene a new round of oversight hearings on the fulfillment of the TRA, taking into account the London-Beijing pact on Hong Kong, the debate over the extent of U.S-PRC military cooperation, and the new maturity in Sino-American relations.

Such steps would not be intended to offend the PRC or to create a permanent division between the mainland and Taiwan. They would be intended to carry out the requirements of the Taiwan Relations Act and to give the Chinese on Taiwan greater confidence in their future, which could head off potentially troublesome political developments on Taiwan itself.

CONCLUSION

During the past two years, the Taiwan Relations Act has been handled in ways generally consistent with the letter and intent of the Congress. Much of substance is being accomplished quietly and efficiently by U.S. officials. The Administration prefers this low-key approach and argues that a higher profile might result in a strong PRC reaction. This, in turn, may make it more difficult for the Administration to carry out some of the more sensitive substantive ar-

[4] See Martin L. Lasater, "Taiwan: Facing Mounting Threats" (Washington, D.C.: The Heritage Foundation, 1984).

[5] Liao Chengzhi in speech before the National Association of Overseas Chinese, February 28, 1979, reprinted in "Inside China Mainland" (Taipei), November 1981, p. 12.

rangements currently in place or being contemplated.

On the other hand, there are those in Washington and Taipei who feel that important aspects of the TRA are not being carried out because of hypersensitivity to possible PRC reactions. They feel that Sino-American relations have matured to the point where Washington and Beijing can disagree over Taiwan without disrupting the wide range of their mutual interests. This group advocates a higher-profile U.S. policy toward Taiwan, including the sale of advanced weapons and the elimination of restrictions on contact between U.S. and ROC officials.

Both groups agree, however, that the TRA is the law of the land and that the ROC's substantive needs—with the possible exception of the FX fighter and other advanced weapons—are being met. There is further agreement that the "Taiwan issue" will not soon disappear as a disruptive element in Sino-American relations. What is needed, both agree, is a U.S. consensus on its own interests and policy, so that the PRC cannot take advantage of polarized American opinion to gain further concessions over Taiwan.

The eve of the second Reagan Administration is an appropriate time to reassess the implementation of the TRA. Early congressional hearings on this subject would contribute to a unified U.S. policy toward the ROC during the next four years and beyond.

MARTIN L. LASATER,
Policy Analyst.

Mr. SILJANDER. Mr. Chairman, I ask unanimous consent that I may withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was not objection.

□ 1440

AMENDMENT OFFERED BY MR. SCHUMER

Mr. SCHUMER. Mr. Chairman, I offer an amendment.

Mr. Clerk read as follows:

Amendment offered by Mr. SCHUMER: Page 143, strike out lines 15 through 22 and insert in lieu thereof the following:

(3) DISTRIBUTION OF ASSISTANCE THROUGH PVO'S, COOPERATIVES, AND OTHER NONGOVERNMENTAL ENTITIES.—The reports pursuant to this subsection shall include an analysis of the effectiveness of the private distribution of United States food and development assistance to the Philippines and of efforts to increase the use of private distribution pursuant to subsection (d).

Page 144, after line 2, insert the following:

(d) DISTRIBUTION OF DEVELOPMENT AND PUBLIC LAW 480 ASSISTANCE THROUGH PVO'S, COOPERATIVE, AND OTHER NONGOVERNMENTAL ENTITIES.—

(1) MINIMUM DISTRIBUTION REQUIREMENTS.—Except as provided in pararagraph (2), for each of the fiscal years 1986 and 1987—

(A) not less than one-fourth of the assistance provided for the Philippines under chapter 1 of part I of the Foreign Assistance Act of 1961, and

(B) not less than one-fourth of the total amount of assistance provided for the Philippines under title I (including title III) and title II of the Agricultural Trade Development and Assistance Act of 1954,

shall be provided through private and voluntary organizations, cooperatives, and other nongrovemental entities.

(2) DISTRIBUTION OF LESSER AMOUNTS.—The amount of assistance distributed through private and voluntary organizations, cooperatives, and other nongovernmental entities for fiscal year 1986 or for fiscal year 1987 may be an amount which is less than the amount specified in subparagraph (A) or (B) of paragraph (1) if the Administrator of the Agency for International Development reports to the Congress, during the first 60 days of that fiscal year, that such lesser amount is the maximum amount which those entities can distribute effectively in that fiscal year.

Mr. SCHUMER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. FRENZEL. Mr. Chairman, reserving the right to object, is this an amendment that has been printed?

Mr. SCHUMER. Yes, it is, Mr. Chairman.

Mr. FRENZEL. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHUMER. Mr. Chairman, this amendment pertains to the Philippines and it sets a middle course in our dealings with the Philippines. There are, as we know, two sides fighting one another. There is the Marcos government on the one side and there is the Communist insurgency on the other side. There are literally millions of Filipinos who at this point wish to reject communism but cannot cozy up to the Marcos government for a variety of reasons. These include many middle-class business people, these include many educators, these include many of the mainstream of the Philippine middle class.

Mr. Chairman, it is my belief, as it is the belief of so many Members of this House, that we cannot abandon the Philippines, that we have military interests in the Philippines, and this amendment does not cut any of those interests, but in terms of our economic and developmental aid, we ought to show that middle ground in the Philippines that there is United States support for their way.

I yield briefly for a statement of support from the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, I just wanted to respond by saying that I endorse the gentleman's efforts. I think he has made a very good effort, and I hope my colleagues will support it.

Mr. SCHUMER. Mr. Chairman, I yield to the gentleman from New York [Mr. SOLARZ], the chairman of the subcommittee, to show the committee support.

Mr. SOLARZ. I thank the gentleman for yielding.

Mr. Chairman, I would just point out that this amendment does not relate to the base agreement. It only relates to our development assistance in the Philippines outside the context of the base agreement. It provides not less than 25 percent of it should be provided through nongovernmental organizations. But it does provide for a Presidential waiver if it should turn out that it is not possible to effectively spend and utilize that much money in our development assistance program outside of the mechanism of the Government.

So I do think it strikes a healthy balance. The more of our aid we can provide in the Philippines through nongovernmental mechanisms, such as the Catholic Church, the better the chances are the aid would be effectively utilized. But if it turns out that up to that much cannot be spent through the private mechanisms, the President can waive the requirement and the money would be spent through AID itself.

Mr. SCHUMER. Mr. Chairman, I am inserting into the RECORD an article from the San Jose Mercury News that details the capital flight that is currently plaguing the Philippines. The article describes how President Marcos himself is believed to be leading the capital flight and facilitating the export of capital by his cronies. The article further suggests that the capital flight is directly fueling the growing Communist insurgency that threatens U.S. security interests in the Philippines.

I also want to submit statements of support for my amendment by the Friends of the Filipino People; the Philippines Human Rights Lobby; the Movement for a Free Philippines; a group of Filipino professionals, business groups and others called Manindigan; and Marcelo Fernan, the assistant minority floor leader of the Philippine Parliament.

[From the San Jose Mercury News, June 25, 1985]

DOLLAR DRAIN'S LINK TO UNREST IN PHILIPPINES

(By Lewis M. Simons)

MANILA, Philippines—The Philippine economy has been gouged so deeply and for so long that most people here have grown apathetic about the practice they call "dollar-salting."

To the man and woman on the street, reports that their impoverished nation's political and business leaders are sending billions of dollars abroad to establish nest eggs are met with acceptance.

"I guess it's one of the main advantages of being in power." Alfredo San Angelo, an unemployed electrician, said in a conversation that was typical of several held in the Metro Manila area. "Why else be in power if you can enrich yourself and you family?"

But there is less apathy among a number of Filipino and Western experts, who say that the flow of funds out of the country—estimated as high as $30 billion since the 1950s—has done enormous damage to the economy of the country and threatens its security.

The Philippines now is plagued by an increasingly challenging communist insurgency. To some analysts, the connection between the drainage of dollars and the rising tide of guerrilla war is not coincidental.

"There is not the slightest doubt that the mind-boggling manipulation of the economy by less than 1 percent of the population has created fertile ground for the communists' appeal among the 99 percent who are have-nots," said a Western diplomat here.

The spreading insurgency is of grave concern to the United States, which views it as a direct threat to its vital military bases in the Philippines—bases that most U.S. officers believe are irreplaceable in the Pacific.

Western diplomats in Manila and political opponents of the Marcos regime trace a direct line from peasants exploited by those with wealth and power in such traditional Philippine economic fields as sugar and logging to the spreading insurgency.

CONTRIBUTING FACTOR

"The exploitation of the vast underclass by the handful of rich with political and military connections—the very people who are investing huge fortunes overseas—must be viewed as a fundamental contributing factor to the insurgency," a Western economic analyst said.

A senior Filipino corporate executive put it this way: "The poor have lost all hope. They're ripe for anything that offers change. The insurgency is a direct reflection of the maldistribution of wealth and the salting of dollars overseas is but one example of how horribly twisted things are.

"Unfortunately, we have no one to blame but ourselves. We've slept too long, lulled by a corrupt judiciary and a shackled press. I don't know if we're waking up yet. But, even if we are, it may be too late."

Defense Minister Juan Ponce Enrile dismisses such claims.

"Drainage of dollars out of the country has not been raised as an issue by opponents of the regime," Enrile said. "We cannot yet say whether or not this supposed drain contributes in any way to the rising strength of the communists."

MARCOS ALLEGEDLY AT CENTER

According to a number of political and economic analysts, the system of sending money out of the country revolves around President Ferdinand E. Marcos and his wife, Imelda, herself a powerful force in the national government.

In the last 20 years of their rule, the Marcoses, these analysts allege, have surrounded themselves with a coterie of Cabinet ministers and business people who have amassed huge fortunes through privileges and favors granted them by the first couple.

In Manila, their stunning wealth is seen in vast mansions, superb art collections, huge staffs of servants, fleets of imported cars and private aircraft. Hedging against the day when all this falls apart, these same people also invest their wealth in the United States and elsewhere.

In return for their gain, the privileged few have contributed to the Marcoses' own personal fortunes as well as their political war chests.

"The main characteristic distinguishing the Marcos years from other periods in our economic history has been the trend toward the concentration of powers in the hands of the government, and the use of governmental functions to dispense economic privileges to some small factors in the private sector," stated a controversial report published last year by the University of the Philippines.

COMMISSION APPOINTED

So common and widespread has capital flight become particularly in the past few years, that President Marcos last year appointed a commission headed by Trade and Industry Minister Roberto V. Organ to investigate the dollar-salting.

The commission has reported that an estimated $1 billion was drained out of the Philippines in 1983 and claim $2 billion last year. But because Marcos and his so-called cronies are widely believed to profit most from the system, few Filipinos have confidence that the commission's net will catch any big fish.

Opposition member of parliament Eva Kelaw has taken preliminary steps toward forming a panel similar to the one that probed the August 1983 assassination of former Sen. Benigno S. Aquino Jr.

The political trauma triggered by the Aquino killing heightened the torrent of dollars and altered the character of overseas investments.

"Ever since the 1950s dollars would ebb and flow in and out of the Philippines," said an internationally respected Manila banker. "But, after the assassination, the money has stayed overseas and there's little or no hope that it will even return."

FRIENDS OF THE FILIPINO PEOPLE STATEMENT IN SUPPORT OF THE PROPOSED SCHUMER AMENDMENT

Friends of the Filipino People, a nationwide organization of Americans and Filipino-Americans, is in favor of the amendment being offered by Representative Charles Schumer.

There is a quiet violence taking place in the Philippines. So quiet it is literally silent. It is the violence of row after row of tiny coffins throughout the country waiting for their occupants. In 1979 the World Bank cited a study by the Food and Nutrition Institute of the Philippines that estimated that malnutrition was the root cause of 40 percent of all deaths in the Philippines. Well more than a hundred thousand deaths a year; most of those deaths are children. The situation is surely worse now given the economic crisis the country now faces: more tiny coffins, more small graves, and more families turning their grief into hatred for the conditions that could create such violence.

The Philippines was supposed to be the showcase for democracy in Asia. As the center of the Green Revolution in rice, it was also supposed to be the showcase for development. It is neither. Instead it is the showcase for greed, brutality, and the use of raw power to enrich the few at the expense of the many.

Representative Charles Schumer's efforts is a small but very welcome and hopefully significant step away from past U.S. policies towards the Philippines. Those policies of the past continue to contribute to a future for the Philippines that ensures more silent deaths, hundreds of thousands more, and very likely hundreds of thousands if not millions of noisy, bloody, violent deaths as well.

If shifting 25 percent of the food aid and development assistance for the Philippines to Private Voluntary Organizations can do some immediate good and help disengage the U.S. from a foreign policy leading to disaster, we support it and urge members of Congress to pass the amendment.

PHILIPPINE HUMAN RIGHTS LOBBY STATEMENT OF SUPPORT FOR THE AMENDMENT TO H.R. 1555 INTRODUCED BY THE HON. CHARLES E. SCHUMER

The Philippine Human Rights Lobby is a coalition of American and Filipino church and human rights organizations which believes that U.S. foreign policy towards the Philippines should be based upon human rights considerations and the principle of mutual respect for the sovereign rights of both nations.

As an organization which is concerned about the impact of U.S. economic aid to the Philippines, the Philippine Human Rights Lobby supports the amendment introduced by the Hon. Charles Schumer of New York which would require that one quarter of all developmental and food aid be distributed through non-governmental organizations. Such a move would be a first step to insure that economic assistance does not support the Marcos regime and would not be used for partisan political purposes.

The amendment would also help to insure that economic aid to the Philippines truly benefits the majority of the Filipino people and not a select few. For too long economic assistance has financed disastrously misguided development projects which have been detrimental to the majority of Filipinos, or has gone to line the pockets of Marcos and his cronies. The recent case in which $18 million in U.S. aid earmarked for school construction was instead invested by the Marcos government in the money market is merely the latest example.

A series of articles in the San Jose Mercury News documents the extent to which Marcos and his cronies have invested tens of millions of dollars in the U.S. A significant portion of these monies may have come either directly or indirectly from U.S. economic assistance since Imeldo Marcos heads the Ministry of Human Settlements which handles most of the ESF funds. When will American tax dollars stop going to buy condominiums in California for Marcos and his cronies?

The Philippine Human Rights Lobby would like to thank Congressman Schumer for his amendment which, if successful, would be an important step towards insuring that economic assistance to the Philippines truly benefits the Filipino people, not just a few in the Marcos regime. We hope that Congress passes the amendment and will in future years take whatever action is necessary to insure that economic assistance is not merely aid for Marcos, nor for a particular political faction or group, but is intended to benefit the entire Filipino people.

MOVEMENT FOR A FREE PHILIPPINES,
Washington, DC, July 9, 1985.

Hon. CHARLES E. SCHUMER,
U.S. House of Representatives, 126 Cannon H.O.B., Washington, DC.

DEAR CONGRESSMAN SCHUMER: The Movement for a Free Philippines applauds your proposed amendment to H.R. 1555 requiring at least 25% of U.S. food aid (mainly P.L. 480) and non-bases economic development aid to the Philippines be channeled to the Filipino people through private voluntary organizations, cooperatives and other non-governmental organizations. Such a require-

ment is in the best interests of both the American and Filipinio peoples.

The American people gain by more direct assistance to Filipinos through organizations which Filipinos have learned to trust. By developing contacts with many national and regional voluntary organizations, and providing Filipinos tangible reasons for maintaining constructive contacts, the aid will be more productively utilized and will foster greater realization that American aid is intended for the Filipino people, and not to keep Marcos in power against their will.

The interests of the Filipino people are served by not giving the Marcos government further means to sway the upcoming 1986 local elections. Cases have been reported to us of U.S. aid repackaged with Ferdinand and Imelda Marcos' pictures on the wrapping and with words indicating it comes from the generosity of the Philippine First Family. Philippine democracy would not be advanced by Marcos doling out U.S. aid to favored barrios or through favored politicians running for re-election.

We hope every Member of Congress will join with the Movement for a Free Philippines in supporting your amendment. We also hope this step would lead ultimately to disengagement of the U.S. from the Marcos dictatorsip, thus paving the way for a peaceful transition to democracy in our country.

Sincerely,

RAUL S. MANGLAPUS,
Director, Washington Office.

BATASANG PAMBANSA,
Quezon City, Philippines, July 9, 1985.

Congressman CHARLES SCHUMER,
Cannon Building, Washington, DC.

DEAR CONGRESSMAN SCHUMER: I strongly support and endorse the amendment to H.R. 1555 offered by your goodself to the effect that the distribution of United States food and development assistance to the Philippines be coursed through the Catholic church, private and voluntary organizations and cooperatives to ensure an effective and fair distribution of the same.

From my personal knowledge, experience and observation, the present Marcos administration has been using the United States food and development assistance to promote and enhance its dictatorial and repressive regime. Rather than give credit to the source of such assistance, often times it is made to appear to the Filipino people that these assistance are the personal gifts of the Marcoses.

May I, therefore, reiterate my unqualified support for such amendent.

With all good wishes.

Sincerely yours,

MARCELO B. FERNAN,
Assistant Minority Floor Leader,
Philippines Parliament.

MANINDIGAN!
Manila, July 9, 1985.

We, the undersigned group send our best wishes to Congressman Charles Schumer of New York and strongly support the amendment he is proposing to H.R. 1555 which provides that the developmental and food assistance aid authorized for the Philippines be provided through non-government sources.

This proposed amendment would show that the U.S. Congress is aware that the foreign assistance for the U.S. is meant for the Filipino nation and not for a particular regime or individuals close to that regime.

Manindigan!

JAIME ONGPIN,
Chairman.

RAMON DEL ROSARIO,
President.

DETTE PASCUAL,
U.S. Representative.

NOTE.—Manindigan! (English translation: "Make a Stand!") is composed of professionals, business groups and concerned individuals who have decided to make a stand on political, economic and social reform affecting the Philippines today.

Mr. BROOMFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I thank the ranking minority Member for yielding.

Mr. Chairman, here we go again. We do it time and time and time again. I do not think any of the Members in this Chamber would like another country telling the United States that we have to raise our interest rates because they are too low, that we have to do away with the tariffs in this country. Right now the Philippines are in serious straits. What hardly any of the Members in this Chamber know is the fact that they have reduced their military budget by almost one-third because there are serious economic problems in the Philippines, serious problems. And President Marcos and his government, realizing this, have tried to spend less money on military and still provide freedom to the free world the way we are, in conjunction with us, and yet here we go again, telling them what they need to do with these funds that are badly needed to furnish water, to furnish crops for the people of the Philippines, and we have no business doing this. I just do not understand our continuing to stick out our noses in other people's business like this.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, why do we write this bill on the floor?

The gentleman from New York [Mr. SOLARZ] chairs a committee that deals with this subject. They have hearings. The full committee has hearings. And now, with 2 minutes debate on each side, we are going to change the economic structure of our aid to the Philippines. Why do we do it that way?

Mr. SCHUMER. If the gentleman will yield, I would say to the gentleman that this amendment has changed dramatically and it has been done in great cooperation with the chairman of the subcommittee and that is why they have supported the amendment, as well as other members of the Foreign Affairs Committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SCHUMER].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to this title?

The Clerk will designate title XII.

The text of title XII is as follows:

TITLE XII—MISCELLANEOUS PROVISIONS

SEC. 1201. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act shall take effect on October 1, 1985.

SEC. 1202. PROCUREMENT OF CONSTRUCTION AND ENGINEERING SERVICES.

Section 604(g) of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(1)" after "(g)"; and

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

"(2) Paragraph (1) does not apply with respect to an advanced developing country which—

"(A) is receiving direct economic assistance under chapter 1 of part I or chapter 4 of part II of this Act, and

"(B) if the country has its own foreign assistance programs which finance the procurement of construction or engineering services, permits United States firms to compete for those services.".

SEC. 1203. COMPLETION OF PLANS AND COST ESTIMATES.

Section 611 of the Foreign Assistance Act of 1961 is amended—

(1) in subsection (a) by striking out "$100,000" and inserting in lieu thereof "$500,000"; and

(2) in subsection (b) by striking out "the procedures set forth in the Principles and Standards for Planning Water and Related Land Resources, dated October 25, 1973, with respect to such computations" and inserting in lieu thereof "the principles, standards, and procedures established pursuant to the Water Resources Planning Act (42 U.S.C. 1962, et seq.) or acts amendatory or supplementary thereto".

SEC. 1204. REPROGRAMMING NOTIFICATIONS TO CONGRESS.

Section 634A of the Foreign Assistance Act of 1961, as amended by title I of this Act, is further amended by adding at the end thereof the following new subsection:

"(c) The President shall notify the chairman of the Committee on Foreign Relations of the Senate and the chairman of the Committee on Foreign Affairs of the House of Representatives concerning any reprogramming of funds in the International Affairs Budget Function, the authorizations of appropriations for which are in their respective jurisdictions, to the same degree and with the same conditions as the President notifies the Committees on Appropriations. The requirements of this subsection are in addition to, and not in lieu of, other notification requirements.".

SEC. 1205. REPEAL OF OBSOLETE PROVISIONS AND CORRECTION OF TECHNICAL REFERENCES.

(a) REPEALS.—The Foreign Assistance Act of 1961 is amended as follows:

(1) The third sentence of section 105(a) is repealed.

(2) Section 106(b)(1) is amended by striking out "(A)" and by striking out subparagraph (B).

(3) Section 110 is amended by striking out "(a)" and by striking out subsection (b).

(4) Chapter 10 of part I is repealed.

(b) CORRECTION OF CROSS-REFERENCES.—

(1) FOREIGN SERVICE ACT.—Section 636(a)(14) of such Act is amended by striking out "the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.)" and inserting in lieu thereof "the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.)".

(2) TITLE 31 OF THE U.S. CODE.—Section 611(a) of such Act is amended by striking

out "section 1311 of the Supplemental Appropriation Act, 1955 as amended (31 U.S.C. 200)" and inserting in lieu thereof "section 1501 of title 31, United States Code".

(3) ITAR REGULATIONS.—Section 47(6) of the Arms Export Control Act is amended by striking out "combat" and inserting in lieu thereof "military".

SEC. 1206. CODIFICATION OF POLICY PROHIBITING NEGOTIATIONS WITH THE PALESTINE LIBERATION ORGANIZATION.

(a) UNITED STATES POLICY.—The United States in 1975 declared in a memorandum of agreement with Israel, and has reaffirmed since, that "The United States will continue to adhere to its present policy with respect to the Palestine Liberation Organization, whereby it will not recognize or negotiate with the Palestine Liberation Organization so long as the Palestine Liberation Organization does not recognize Israel's right to exist and does not accept Security Council Resolutions 242 and 338.".

(b) REAFFIRMATION AND CODIFICATION OF POLICY.—The United States hereby reaffirms that policy. In accordance with that policy—

(1) no officer or employee of the United States Government, and no agent or other individual acting on behalf of the United States Government, shall negotiate with the Palestine Liberation Organization or any representatives thereof, and

(2) the United States shall not recognize the Palestine Liberation Organization,

unless and until the Palestine Liberation Organization recognizes Israel's right to exist, accepts United Nations Security Council Resolutions 242 and 338, and renounces the use of terrorism.

SEC. 1207. COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD.

(a) PURPOSE.—Because the fabric of a society is strengthened by visible reminders of the historical roots of the society, it is in the national interest of the United States to encourage the preservation and protection of the cemeteries, monuments, and historic buildings associated with the foreign heritage of United States citizens.

(b) ESTABLISHMENT.—There is established a commission to be known as the Commission for the Preservation of America's Heritage Abroad (hereafter in this section referred to as the "Commission").

(c) DUTIES.—The Commission shall—

(1) identify and publish a list of those cemeteries, monuments, and historic buildings located abroad which are associated with the foreign heritage of United States citizens from eastern and central Europe, particularly those cemeteries, monuments, and buildings which are in danger of deterioration or destruction;

(2) encourage the preservation and protection of such cemeteries, monuments, and historic buildings by obtaining, in cooperation with the Department of State, assurances from foreign governments that the cemeteries, monuments, and buildings will be preserved and protected; and

(3) prepare and disseminate reports on the condition of and the progress toward preserving and protecting such cemeteries, monuments, and historic buildings.

(d) MEMBERSHIP.—

(1) The Commission shall consist of 21 members, of whom 7 shall be appointed by the President, 7 shall be appointed by the Speaker of the House of Representatives, and 7 shall be appointed by the President pro tempore of the Senate.

(2)(A) Except as provided in subparagraphs (B), (C), and (D), members shall be appointed for terms of 3 years.

(B) Of the members first appointed by the Speaker of the House of Representatives, 5 shall be appointed for a term of 2 years. Of the members first appointed by the President pro tempore of the Senate, 5 shall be appointed for 2 years.

(C) A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the member's predecessor was appointed.

(D) A member may retain membership on the Commission until the member's successor has been appointed.

(3) The President shall designate the Chairman of the Commission from among its members.

(e) MEETINGS.—The Commission shall meet at least once every three months.

(f) COMPENSATION AND PER DIEM.—

(1) Members of the Commission shall receive no pay on account of their service on the Commission.

(2) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(g) AUTHORITIES.—

(1) The Commission or any member it authorizes may, for the purposes of carrying out this section, hold such hearings, sit and act at such times and places, request such attendance, take such testimony, and receive such evidence, as the Commission considers appropriate.

(2) The Commission may appoint such personnel (subject to the provisions of title 5 of the United States Code which govern appointments in the competitive service) and may fix the pay of such personnel (subject to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates) as the Commission deems desirable.

(3) The Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay then in effect for grade GS-18 of the General Schedule (5 U.S.C. 5332(a)).

(4) Upon request of the Commission, the head of any Federal department or agency, including the Secretary of State, may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this section.

(5) The Commission may secure directly from any department or agency of the United States, including the Department of State, any information necessary to enable it to carry out this section. Upon the request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(6) The Commission may accept, use, and dispose of gifts or donations of money or property.

(7) The Commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(8) The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(h) REPORTS.—The Commission shall transmit an annual report to the President and to each House of Congress as soon as practicable after the end of each fiscal year. Each report shall include a detailed statement of the activities and accomplishments of the Commission during the preceding fiscal year and any recommendations by the Commission for legislation and administrative actions.

The CHAIRMAN. Are there amendments to title XII?

AMENDMENT OFFERED BY MR. LAGOMARSINO

Mr. LAGOMARSINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGOMARSINO: Page 154, after line 24, insert the following new section:

SEC. 1208. DENIAL OF TRADE BENEFITS TO AFGHANISTAN.

(a) AMENDMENT TO TARIFF SCHEDULES.—The General Headnotes and Rules of Interpretation to the Tariff Schedules of the United States (19 U.S.C. 1202) are amended by inserting "Afghanistan" before "Albania" in headnote 3(f).

(b) DENIAL OF MOST-FAVORED-NATION STATUS.—

(1) Notwithstanding any other provision of law, the products of Afghanistan shall not receive nondiscriminatory (most-favored-nation) trade treatment.

(2) No agreement may be entered into with Afghanistan under section 405 of the Trade Act of 1974 (19 U.S.C. 2435).

(c) DENIAL OF TRADE CREDITS.—Notwithstanding any other provision of law, Afghanistan may not participate, directly or indirectly, in any program under which the United States extends credit, credit guarantees, or investment guarantees.

Mr. LAGOMARSINO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FRENZEL. Mr. Chairman, I reserve a point of order against the amendment.

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

Mr. LAGOMARSINO. Mr. Chairman, I have offered this amendment on behalf of myself and the gentleman from California [Mr. DREIER] and the gentleman from New Jersey [Mr. COURTER] to clear up a glaring oversight in our policy toward the Soviet-puppet regime of Babrak Karmal in Afghanistan; that is, that ruthless Communist puppet regime is listed as a country benefiting from most-favored nation trade status with the United States.

Mr. Chairman, I do not believe that this body wishes to grant even the negligible trade benefits that accrue to the puppet Afghan regime in Kabul, which is carrying out what can only be considered a policy of forced famine and terror against its people. The Con-

gressional Task Force on Afghanistan, which I have had the pleasure of cochairing, has heard countless stories of torture, terrorism, flagrant human rights abuses, crop destruction, and other atrocities against the innocent people of Afghanistan at the hands of the Soviet and Afghan armies in the almost 6 years since the Soviets invaded that once peaceful nation. To grant that brutal dictatorship most-favored nation trade status is not only an oversight; it is behavior which would inadvertantly signal our acceptance of that regime's criminal and genocidal human rights violations.

There are now numerous nations which have been removed from the MFN trade status category. Certainly, Afghanistan's human rights record is if anything far worse compared to many of these countries. It is time that this Congress recognized that the Afghan puppet regime is brutally subjugating its people; is destroying that nation's cultural and spiritual heritage; is promoting policies which are tantamount to what one analyst has termed "migratory genocide"; is refusing to cooperate in United Nations efforts to obtain a peaceful solution to the current conflict underway; and is totally subservient to the will and aims of the Soviet Communists. This Congress cannot and must not be a party to that terror.

Mr. Chairman, I yield to my friend and colleague, the gentleman from California [Mr. DREIER].

Mr. DREIER of California. I thank the gentleman for yielding, and, Mr. Chairman, I would again like to compliment him on his superb job of focusing attention on the plight of the people in Afghanistan.

Mr. Chairman, the list of countries that do not receive most-favored-nations status from the United States is a short one, but it is definitely one that should include the Government of Afghanistan. Just as we've forgotten to remove Afghanistan from our most-favored-nation list until now, we sometimes seem to forget the atrocities that have taken place and continue to take place against the people of Afghanistan.

Maybe we forget because it's not a war that's played out each night on our television screen. We don't see the unforgettable pictures we saw from the Vietnam war, such as the little Vietnamese girl trying to escape napalm. We don't see children rounded up and sent off to the Soviet Union, never to see their parents again. There are no pictures of bombed out villages, or people wandering aimlessly with their few remaining possessions strapped to their backs.

The Soviet bombers, the Soviet troops, and the Soviet-made destruction of a country and a people are missing from our television screens. But it's there. It's just hard to remember it's real.

We do hear reports from Afghan refugees and health officials who have been in Afghanistan. But the reports are almost too painful to hear. We'd rather not hear about booby-trapped toys planted by the Soviets, or animals tortured rather than killed.

In other words, we're doing just what the Soviets want us to do—forget about Afghanistan.

Mr. Chairman, it's time we remember and talk about what's going on in Afghanistan. This amendment removing most-favored-nation status is the very least we can do. The $15 million in aid we're providing in this bill is also the least we can do for the people of Afghanistan. We need to regain our sense of moral outrage over these atrocities. Just as we hear a great hue and cry over human rights violations in El Salvador and South Africa, we need to pay more attention and take action to stop the crimes taking place every day against the people of Afghanistan.

If we don't, in the future, we'll only be able to talk about the genocide of the Afghan people.

Mr. LAGOMARSINO. Mr. Chairman, I yield to the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. I thank the gentleman for yielding.

Mr. Chairman, I would like to say that the committee fully supports this brilliant amendment. It literally boggles the imagination that 6 years after the Soviet invasion of Afghanistan that Afghanistan still enjoys most-favored-nation status in terms of their trading relationship with the United States. I cannot figure out why nobody discovered this anomaly in our trading law before. So I pay tribute to my very good friend, the gentleman from California [Mr. LAGOMARSINO], for having noticed this oversight and for having attempted to deal with it through the introduction of this amendment which I strongly support.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Minnesota [Mr. FRENZEL] insist upon his point of order?

Mr. FRENZEL. Yes, Mr. Chairman.

Mr. Chairman, I make a point of order that the amendment offered by the gentleman from California [Mr. LAGOMARSINO] is in violation of clause 5(b) of rule XXI, which prohibits amendments carrying a tax or tariff measure from being offered during consideration of a bill not reported by the committee having jurisdiction over such tax and tariff measures.

Mr. Chairman, there is no doubt but what that bill offered in the proper committee would be passed promptly, and the committee would love to have their recommendation. However, I must ask that the point of order be sustained.

The CHAIRMAN. Does the gentleman from California [Mr. LAGOMARSINO] desire to be heard on the point of order?

Mr. LAGOMARSINO. Yes, Mr. Chairman.

I would point out that the bill has been widely expanded. It does now include trade restrictions on Libya and Ethiopia, among others, and I think, therefore, the point of order should be overruled.

The CHAIRMAN (Mr. AUCOIN). The Chair is prepared to rule.

The Chair rules that this is not a question of germaneness. The Chair is of the belief that the amendment does violate clause 5(b), rule XXI, because it does constitute a tariff measure to a bill reported from a committee—in this case Foreign Affairs—which does not have jurisdiction over tariffs.

Therefore, the point of order is sustained; and the amendment is ruled out of order.

Are there further amendments to title XII?

□ 1450

AMENDMENT OFFERED BY MR. FASCELL

Mr. FASCELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FASCELL: Page 154, after line 24, insert the following new section:

SEC. 1208. SOVIET POLICY REGARDING SOVIET JEWRY.

(a) FINDING.—The Congress finds that President Reagan recently stated that "Soviet Jewry . . . suffers from persecution, intimidation, and imprisonment within Soviet borders", that "We will never relinquish our hope for their freedom and we will never cease to work for it", and that "If the Soviet Union truly wants peace, truly wants friendship, then let them release Anatoly Shcharansky and free Soviet Jewry".

(b) POLICY.—Therefore, in support of the President's position, the Congress calls on the Soviet Union, as an initial gesture—

(1) to release immediately Anatoly Shcharansky, Yosef Begun, and all other prisoners of conscience, and allow them to leave the Soviet Union;

(2) to issue immediately exit permits to the many known long-term "refuseniks" such as Ida Nudel and Vladimir Slepak; and

(3) to allow those thousands of Jews, who wish to join their relatives abroad, to leave the Soviet Union this year and to pledge that such cases will be dealt with expeditiously and in a humanitarian way during the next three years, thus enabling those who have requested exit permits to leave.

Mr. FASCELL. Mr. Chairman, this amendment on behalf of Mr. BROOMFIELD, myself, and many others, reaffirms the policy of this Congress stated time and time again, and strongly supports the stated policy of the President of the United States.

Mr. Chairman, I yield 40 seconds to the distinguished cochairman of the Helsinki Commission [Mr. HOYER].

Mr. HOYER. I thank the gentleman for yielding to me.

Mr. Chairman, I rise in very strong support of the amendment offered by Chairman FASCELL and Mr. BROOMFIELD. We recently had the opportunity to participate in a conference in Ottawa of human rights experts which was a continuation of the Helsinki process. It was clear that the Soviets are not being cooperative, responsive, or adhering to their undertakings in Helsinki.

This is a minimal step that this amendment urges the Soviets to take to show that they in fact share the views of the other 34 signatory nations in Helsinki that they will recognize the human rights of their citizens. This is a small step that we urge; an important step. I congratulate Mr. FASCELL and Mr. BROOMFIELD on the sponsorship of this amendment.

Mr. Chairman, in 1979, more than 51,000 Soviet Jews were allowed to emigrate from the Soviet Union. In 1984, that number drastically declined to a mere 896. This number collapsed further this year so that only 499 have been allowed to emigrate. This deplorable trend does not appear to have been reversed under Mr. Gorbachev, in that only 36 Soviet Jews were allowed to leave the Soviet Union in June.

The denial of emigration is only one of the continued violations by the Soviets in the area of basic human rights. Active religious persecution continues. People who choose to exercise their religious beliefs are subjected to harassment, physical abuse, and criminal sentences which often include hard labor.

Mr. Chairman, the Fascell-Broomfield amendment appreciates the urgency of this problem and seizes the opportunity to communicate a strong, unified national policy for human rights to the new administration in the Soviet Union. I strongly urge support for the Fascell-Broomfield amendment which urges the release of prisoners of conscience and freedom for the thousands of Soviet Jews who seek to join their relatives abroad.

Mr. FASCELL. Mr. Chairman, I yield to the distinguished cochairman of the Congressional Caucus on Soviet Jewry, the gentleman from Georgia [Mr. FOWLER].

Mr. FOWLER. I thank the gentleman for yielding to me.

Mr. Chairman, I rise along with my cochairman, the gentleman from New York [Mr. KEMP] in strong support of this statement of American policy concerning Soviet Jewry. It has the full backing of the President of the United States. His language is incorporated in this amendment, and I agree with my friend from Maryland, that it is an extremely important step to highlight the plight of thousands of Soviet citizens who are denied the right to emigrate.

Mr. FASCELL. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. BROOMFIELD] may be entitled to 2 minutes, even through he rises not in opposition to the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BROOMFIELD. Mr. Chairman, I appreciate the request by the chairman of the committee very much. I rise in strong support of this amendment.

Mr. Chairman, this amendment gives our support to the President's condemning the Soviet Union for its treatment of Soviet Jewry. It also calls upon Soviet leaders to release a number of prominent Soviet Jews and refuseniks as an initial gesture of good faith.

As we all know, many Soviet Jews are suffering from imprisonment and persecution. The whole world knows of the tragic abuse of Anatoly Shcharansky and Iosef Begun. How long has Ida Nudel and Vladimir Slepak been trying to leave that country?

Why not allow these people to leave? Why not permit them to join their loved ones overseas? Why continue this cruel program of denying them their human rights? How can the Soviets continue to ignore the Helsinki agreement which they pledged to support?

This amendment gives the Soviets an opportunity to take the first step by immediately releasing a number of Soviet Jews. I urge my colleagues to support this amendment.

Mr. Chairman, I yield to the gentleman from New York [Mr. KEMP].

Mr. KEMP. I thank the gentleman for yielding to me.

Mr. Chairman, I congratulate the gentleman from Michigan [Mr. BROOMFIELD] and the gentleman from Florida [Mr. FASCELL] and Cochairman HOYER of the Helsinki Commission with whom I am honored to serve for their efforts in this regard.

There is a very important reason for this amendment, and that is to tell the Soviet Union that if they want a better relationship with the United States in other areas they must honor their human rights commitments. In short, we believe in linkage; and this amendment establishes the linkage. That the Soviets should, as an act of good faith, allow Jewish refuseniks to be free to emigrate. It seems to me this is, the proper thing to do at this time and I rise in strong support of it.

Mr. BROOMFIELD. Mr. Chairman, I yield to the gentleman from Michigan [Mr. SILJANDER].

Mr. SILJANDER. Mr. Chairman, I too stand in strong support of the amendment and I would like to congratulate all the chairmen that are involved. As one who has been deeply interested in the Soviet Jewry movement and whose resolution did pass the House and the Senate last year, I am very excited to see that Congress is taking action again in this session.

● Mr. GILMAN. Mr. Chairman, I rise in strong support of the Soviet human rights amendment now being offered by the chairman of our Foreign Affairs Committee, Mr. FASCELL. As he so aptly stated, this Congress continues to be vitally concerned with the treatment and welfare of the thousands of Soviet Jews who hold refusenik and prisoner of conscience status. Unfortunately, however, the situation in the Soviet Union has deteriorated in the past several years to such an extent that even the most pessimistic among us are surprised.

It was anticipated that with the advent of new leadership in Moscow, perhaps new discussions would lead to the correct implementation of the many international treaties, such as the Helsinki Final Act, to which the Soviet Union is signatory. Human rights abuses continue to mount in the U.S.S.R., and Soviet Jewish emigration and arrests are so dismal that this outcry from the House of Representatives is indeed sorely needed. Last month, only 36 individuals received their emigration vizovs for Israel, bringing this year's total emigration to only 499 men, women, and children. This parallels last year's emigration figure of under 900, and is in stark contrast to the over 51,000 people who were allowed to leave in 1979.

The Fascell human rights amendment calls for the release from imprisonment of Anatoly Shcharansky, Iosef Begun and all others suffering in Soviet prisons and labor camps, who have not committed any crime other than love for their religious heritage. Recently, arrests have mounted, and the charges with which these individuals are now being accused of include patently false drug possession allegations. The amendment further goes on to urge the granting of exit visas to these men and women, as well as the thousands of others who know they are but one short step away from being arrested on false grounds themselves. Just last week we heard of the arrests of Isay Goldshtein, a long-term refusenik from Tbilisi, and Leonid Volvovsky of Gorky, as well as the detention of Yevgeny Koifman of Dniepropetrovsk. These three men are guilty of nothing more than of studying Hebrew and of sharing their Jewish heritage with their families and friends. The amendment is needed to emphasize to the American people as well as the Soviet Government our deep commitment to the many thousands of Soviet Jews who live courageously in their pursuit of their religious beliefs and traditions.

Mr. Chairman, without our continued concern and action on their

behalf, this dire situation will be perceived to be unimportant by Soviet leader Mikhail Gorbachev; something which we must not allow to happen. For we all know too well the consequences of inaction.

Accordingly, I urge my colleagues to support this important amendment, and commend the gentleman from Florida for keeping this issue in the forefront of our legislative agenda.●

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. FASCELL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GEJDENSON

Mr. GEJDENSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEJDENSON: Page 154, after line 24, insert the following new section:

SEC. 1208. EFFORTS BY JAPAN TO FULFILL SELF-DEFENSE RESPONSIBILITIES.

(a) FINDINGS.—The Congress finds that—

(1) the Japan-United States security relationship is the foundation of the peace and security of Japan and the Far East, as well as a major contributor to the protection of the United States and to the democratic freedoms and economic prosperity enjoyed by both the United States and Japan;

(2) the threats to our two democracies have increased significantly since 1976, principally through the Soviet invasion of Afghanistan, the expansion of Soviet armed forces in the Far East, the invasion of Cambodia by Vietnam, and the instability in the Persian Gulf region as signified by the continuing Iran-Iraq conflict;

(3) in recognition of these and other threats, the United States has greatly increased its annual defense spending through sustained real growth averaging 8.8 percent yearly between fiscal years 1981 and 1985, and cumulative real growth of 50 percent in that period;

(4) the United States Government appreciates the May 1981 statement by the Prime Minister of Japan that, pursuant to the Treaty of Mutual Cooperation and Security between his country and the United States and pursuant to Japan's own Constitution, it was national policy for his country to acquire and maintain the self-defense forces adequate for the defense of its land area and surrounding airspace and sea lanes, out to a distance of 1,000 miles;

(5) the United States Government applauds the policy of Japan to obtain the capabilities to defend its sea and air lanes out to 1,000 miles and expects that these capabilities should be acquired by the end of the decade, and recognizes that achieving those capabilities would significantly improve the national security of both Japan and the United States;

(6) the United States Government appreciates the contribution already made by Japan through the Host Nation Support Program and its recent efforts to increase its defense spending; and

(7) thus far, Japan has not provided sufficient funding to enable Japan, in cooperation with the United States, to be in a position to make a sufficiently effective contribution to common defense objectives.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that Japan, in order to make a more effective contribution to its own defense in cooperation with the United States, which would include among other efforts the development of a 1,000 mile airspace and sea lanes defense capability, should be strongly encouraged in its plans to develop and implement a 1986–1990 Mid-Term Defense Plan containing sufficient funding, program acquisition, and force development resources to achieve 1,000 mile self-defense capabilities by the end of the decade, including the allocation of sufficient budgetary resources annually to reduce substantially the ammunition, logistics, and sustainability shortfalls of Japan's forces.

Mr. GEJDENSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GEJDENSON. Mr. Chairman, I yield to the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. I thank the gentleman for yielding to me.

Mr. Chairman, I want to commend the gentleman for a very thoughtful and constructive amendment which is entirely acceptable to the committee. It has been very carefully drafted; it expresses the view that Japan should increase its defense spending, so that in cooperation with the United States it can do a better job in defending itself in the event of aggression.

It also takes note of the fact that the Japanese Government has committed itself to achieving certain objectives with respect to its ability to defend itself up to 1,000 miles from the home islands, and it simply asks the Government of Japan to accomplish the very self defense tasks which the Government of Japan has already set for itself.

At a time when we are spending so much more on defense than they are, I think the time has come for Japan to increase its defense spending, and the gentleman's amendment, in a thoughtful and statesmanlike fashion, would urge our Japanese friends to do so.

Mr. GEJDENSON. I thank the gentleman for his kind remarks. What the amendment does do is ask the Japanese who have been cooperating and forthcoming in their efforts to increase their share of the defense of the free world in that region to simply fulfill the commitments they have made.

Mr. Chairman, I yield to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, we have no objection to the amendment.

Mr. GEJDENSON. Mr. Chairman, I yield to the ranking member of the committee, the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. I thank the gentleman for yielding to me.

Mr. Chairman, I rise in support of the amendment before us.

For years, the value of the United States-Japanese security relationship has been the focus of attention in both countries. In particular, there have been positive efforts to improve this important relationship by strengthening the mutual defense of both the United States and Japan. Japanese efforts to enhance sea-lane security, air defense, and early warning capability with the cooperation of the U.S. military, not only contribute to Japan's security but also the regional security of the Western Pacific. Moreover, the United States is committed to the security of Japan through a bilateral treaty, which was signed in January 1960.

The United States appreciates the contribution already made by Japan through host nation support as well as Japan's recent efforts to increase its defense spending. Over the years, these mutual security efforts have helped to counter the increased threat of Soviet military aggression, as well as the possible diversion of U.S. forces from the Pacific to meet possible crises in the Persian Gulf. At the same time, however, there are many in the United States and in particular, the U.S. Congress, who believe that Japan should play an increasingly responsible role in security areas. The amendment before us would encourage greater efforts on this regard, and I urge my colleagues to support it.

Mr. HYDE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment has been sanitized considerably, but I just think it ought to be said on the floor of this Chamber that we are here singling out only one of our allies, Japan. I would like to point out that the Japanese defense spending for fiscal year 1984 increased 4.5 percent in real terms, far above the 3 percent we have asked the NATO countries to increase theirs. In fiscal year 1985 their defense budget increased by 5.3 percent in real terms. Japan contributes an estimated $1.4 billion each year to support the maintenance for our forces in Japan.

Japan has been supportive of our home port 7th Fleet ships visiting there, being based there, and, in addition, this amendment does not recognize Prime Minister Nakasone's sincere and effective efforts to bring that country forward in increasing its defense capability.

Now remember, Japan is the only country in the world that has been struck by two nuclear bombs. We helped them to write a constitution that they have adopted, and if you were to read it, it embraces total pacifism. They have renounced all military forces. Now, we are publicly prodding them to do more, and I just think it is unwise. Japan is doing more, and if ever there was an appropriate time for quiet diplomacy, recognizing the political nuances of this effort it is here and now.

Japan does not like to be told by the United States what to do. We can suggest but not in this inappropriate manner. I think this is an unfortunate amendment and I do not intend to support it even though some others do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. GEJDENSON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROOMFIELD

Mr. BROOMFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOMFIELD: Page 154, after line 24, insert the following new section:

SEC. 1208. STATE TERRORISM.

It is the sense of the Congress that all civilized nations should firmly condemn the increasing use of terrorism by certain states as an official instrument for promoting their policy goals, as evidenced by such examples as the brutal assassination of Maj. Arthur D. Nicholson, Jr., by a member of the Soviet armed forces.

Mr. BROOMFIELD (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

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Mr. BROOMFIELD. Mr. Chairman, this amendment is a simple one. It expresses by deep and continuing concern about the use of terrorism by the Soviet Union to take the life of Major Arthur D. Nicholson, Jr.

As all of you know, a member of the Soviet Armed Forces took the life of Major Nicholson while he was performing his duties in East Germany. Soviet personnel denied the gravely wounded American officer medical attention which may have saved his life.

Much has been said in recent months about terrorism. This is a classic case of state-sponsored terrorism directed against an innocent human being. This and other acts of state-sponsored terrorism must stop. They must be condemned by civilized nations everywhere.

I urge you to support my amendment.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I am happy to yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

Mr. Chairman, all Members on this side join the gentleman in the strong condemnation expressed in his amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. BROOMFIELD].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GEJDENSON

Mr. GEJDENSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEJDENSON: At the end of title XII (on page 146, after line 5) insert the following new section:

SEC. . STUDY OF MEASURES TO ENHANCE CRISIS STABILITY AND CONTROL.—

(a) The Secretary of State and the Director of the Arms Control and Disarmament Agency shall conduct a detailed and complete study and evaluation of additional measures which both enhance the security of the United States and reduce the likelihood of nuclear weapons use by contributing to crisis stablility and/or crisis control capabilities, including specific consideration of the following measures:

(1) Increased redundancy of direct communications link circuits, including the creation of new survivable circuits and terminals, located outside the national capitals which have access to the command and control system of the country in which they are located.

(2) Establishment of redundant, survivable direct communications links between and among all nuclear-armed states.

(3) Conclusion of an agreement creating "nontarget" sanctuaries only for certain direct communications link circuits to enhance survivability of communications.

(4) Creation in advance of standard operating procedures for communicating, and possibly cooperating, with the Soviet Union and other states in the event of nuclear attacks by third parties on either the United States or Soviet Union.

(5) Addition to the Incidents at Sea agreement of a prohibition on the "locking on" of fire control radars on ships and planes of the other side, an agreement on the separation of naval forces during specified periods of crisis, and other such measures relevant to the Incidents at Sea agreement.

(6) Placement by the United States and the Soviet Union of unmanned launch sensors in the land-based missile fields of both countries.

(7) Establishment of antisubmarine operations free zones designed to enhance the security of ballistic missile submarines.

(8) Installation of permissive actioan links aboard the ballistic missile submarines of the United States, which might possibly be activated or deactivated at various levels of alert, and encouragement of the Soviet Union to do the same.

(9) Establishment of training programs for National Command Authority officials to familiarize them with alert procedures, communications capabilities, nuclear weapons release authority procedures, and the crisis control and stability implications thereof.

(10) Include in standard operating procedure the relocation in a crisis of a National Command Authority official outside Washington, DC, to a secure location with access to the strategic command and control system, and announce the institution of this procedure to relevant foreign governments.

(b) The Secretary of State and the Director of the Arms Control and Disarmament Agency shall submit a report of the study and evaluation under subsection (a) to the Committees on Armed Services and Foreign relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives by January 1, 1986. Such report should be available in both a classified, if necessary, and unclassified format.

Mr. GEJDENSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GEJDENSON. Mr. Chairman, I believe this amendment has been approved by both the minority and the majority of the committee, the gentleman from Florida [Mr. FASCELL], and the gentleman from Michigan [Mr. BROOMFIELD].

● Mr. STARK. Mr. Chairman, my amendment, offered by Mr. GEJDENSON, is a simple but important one. My amendment requires a report from the State Department and the Arms Control and Disarmament Agency on the usefulness of a variety of measures which could enhance our security by increasing crisis stability, and our ability to control escalation in a crisis.

The measures I would like to see specifically studied are designed to reduce the frightening possibility of a nuclear Sarajevo, a crisis in which neither superpower desires nor expects escalation, but which runs out of control despite efforts to contain it.

I want to commend the President on taking one key step in the right direction by concluding the Hotline Upgrade Agreement with the Soviets. I hope that the study the State Department and ACDA will undertake yields administration support for further such measures, including both those specifically outlined in my amendment, and other which arise during the course of their work on this crucial issue.●

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. GEJDENSON. I would be happy to yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

Mr. Chairman, we have held hearings and we intend to study the matter very carefully, and this study certainly will be useful.

Mr. Chairman, we accept the amendment.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

Mr. Chairman, we accept the amendment on this side, also.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. GEJDENSON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LOTT

Mr. LOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LOTT: Page 154, after line 24, insert the following new section:

SEC. 1208. DAMAGES RESULTING FROM DELAYS IN THE CONSTRUCTION OF THE UNITED STATES EMBASSY IN MOSCOW

(a) Within 30 days after the enactment of this Act the Secretary of State shall initiate actions to begin the international arbitration process, which is provided for in the embassy construction agreement between the United States and the Union of Soviet Socialist Republics, in order to resolve all United States claims against the Soviet Union for damages arising from delays in the construction of the new United States Embassy complex in Moscow.

(b) Within one year after the enactment of this Act the Secretary of State shall submit to the Congress of the United States a report on the final resolution of claims as described in subsection (a).

(c) In the event that the Soviet Union refuses to participate in or abide by the results of the arbitration process in subsection (a), the Secretary of State shall not permit the Soviet Union to occupy the chancery building at its new Embassy complex in Washington, D.C. (or to occupy any other new facilities in the Washington, D.C. metropolitan area), until such arbitration is completed and until any damages determined in such arbitration are paid in full.

(d) The President of the United States may suspend the restrictions in subsection (c) in the national security interest of the United States in the event that a substantial number of the claims described in subsection (a) are settled and that resolution of any remaining claims is proceeding in a satisfactory manner.

Mr. LOTT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. LOTT. Mr. Chairman, this amendment was described by one of our Democratic colleagues in the other body as the "antichump" amendment, and I believe it is an amendment that all of us will be able to support. It requires the Soviet Union to submit to arbitration regarding U.S. claims for damages in the construction of the new U.S. Embassy in Moscow before the Soviet Union occupies their own new Embassy in Washington. I have discussed this amendment with the committee leadership on both sides and it has been accepted by both sides.

To explain further, Mr. Chairman, the United States has for several years been attempting to collect from the Soviet Union over $20 million in damages incurred due to Soviet-imposed delays in the construction of the new U.S. Embassy in Moscow. That Embassy is being built under an agreement with the Soviet Union allowing a new U.S. Embassy here in Washington. From the start the bargain was unequal. The Soviets got the highest point of land in Washington, DC, an ideal listening post for various communications here in the Nation's Capital. The new U.S. Embassy in Moscow on the other hand is in a virtual swamp, in a very low-lying area.

In addition, the United States agreed that the new U.S. Embassy would be built by Soviet workers while their Embassy here was also built by Soviets, giving rise to security problems for the United States not faced by the Soviets.

In that agreement, we also consented to paying the Russians based on the costs of similar construction in Washington, DC, though construction costs are certainly lower in Moscow.

Other elements of this rotten deal include provisions which have allowed the Soviets to move into their new housing facilities in Washington while our own facilities in Moscow have not yet been completed.

The Soviets, however, have not even kept up their end of so one-sided a deal. In 1978, the State Department estimated that the new U.S. Embassy in Moscow would cost $75 million and would be completed in July of 1982. Since that time, the State Department has come back to Congress five times for an additional $72.2 million. This year they are coming back for another $20.1 million, meaning that the project will cost well over twice the amount originally estimated.

Much of this additional cost is due to Soviet-caused delays in construction of the Embassy. Under the provisions of this agreement signed by both countries, claims for damages such as these I have described are to be submitted to international arbitration. Unfortunately, our own State Department has delayed in beginning the process of international arbitration, and, of course, the Soviets themselves have been in no hurry to settle the damage claims. My amendment, therefore, does two things: First, it orders our own State Department to immediately begin the international arbitration process and it requires a report on the results of that process in 1 year. I would add that I fully expect that the arbitration process would be complete within 1 year and I will expect an extraordinary explanation in the report if the process is not completed.

The second thing my amendment does is to prohibit the Soviet Union from occupying their new chancery or any other new facilities in Washington until the damage claims have been settled and paid. If the Soviets want to occupy their new listening post in Washington they ought to at least adhere to the bargain they made to get it.

The amendment does allow the President to waive this no-move requirement if the waiver is in the national security interests of the United States and if most of the claims have been settled and satisfactory progress is being made on any remaining claims.

Mr. Chairman, if we can't hold the Soviets to their word on a simple agreement like this, its no wonder that they flagrantly ignore arms limitation treaties and other agreements. This is one instance in which we have the leverage to force the Russians to live up to their promises, and we ought to do so.

I urge the adoption of this amendment.

HISTORY OF THE NEW MOSCOW EMBASSY COMPLEX

1969: Agreement reached between the United States and the Soviet Union to provide for an exchange of sites to construct new diplomatic complexes in Washington, D.C. and Moscow. This agreement gave the Soviets property at one of the highest points in Washington, D.C.—a spot ideal for intelligence collection. The Soviets, in turn, gave us a plot in a swamp at one of the lowest points in the Moscow area.

1972: Agreement reached between the United States and the Soviet Union on the conditions of construction of the new embassy complexes.

1977: Protocol with the Soviet Union was signed, calling for a fixed price contract with the Soviet Union for their portion of the construction. The United States agreed to accept Washington, D.C. construction costs as the basis for unit costs of our complex in Moscow. The protocol called for construction to begin by May 15, 1978 and work to be completed by July 1, 1982. At this point in time, the estimated cost of the project was $75 million.

1978: Contract negotiated with the Soviet Union. In return for the Soviets reducing their contract bid to levels comparable to Washington, D.C. construction costs (as they had agreed to in the 1977 Protocol), the State Department allows the Soviets to occupy new housing at the Washington, D.C. site in 1979. Additional housing for U.S. diplomats in Moscow will not be completed until late 1986. The State Department maintained that total cost of the project would be around $75 million and completion was projected for July 1982.

1979: Cumulative appropriations reach $91.5 million.

1981: Cumulative appropriations reach $103.5 million.

1982: Cumulative appropriations reach $135.2 milion. State Department estimates completion in 1984.

1983: Cumulative appropriations reach $139.8 million.

1984: Cumulative appropriations reach $147.0 million—the Department of State claims project will be completed in 1984.

1985: State Department requests $20.1 million supplemental. Complex expected to be completed in 1988. Total cost expected to exceed $167 million.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. LOTT. I am glad to yield to the gentleman from Florida.

Mr. MICA. I thank the gentleman for yielding.

Mr. Chairman, I would just like to rise in support of this amendment and say that the committee and the sub-

committee have looked very closely at this. I agree fully with the intent.

I think every Member of this House is sick and tired of the delays that we have had and the problems we have had with the Soviet Union, and we are going to try to require them to submit to arbitration. I hope it is successful, but at least this is a solid intent, well written, by the House of Representatives as to our concern about what is going on; that we want our Embassy; that we want to move in, and we want the Soviets to pay for the increased cost that they have caused against us by the delay.

I commend the gentleman and I thank the gentleman for working with the subcomittee and the full committee in the writing of this amendment.

Mr. LOTT. I thank the gentleman for his cooperation and for his support.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. LOTT. I am glad to yield to the ranking member on this side, the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

Mr. Chairman, we also, on this side, strongly support the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. LOTT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAHALL: Page 154, after line 24, insert the following new section:

SEC. 1208. FEDERAL COAL EXPORT COMMISSION.

(a) ESTABLISHMENT.—The Secretary of Commerce shall establish, within ninety days after the date of enactment of this Act, a Federal Coal Export Commission (hereafter in this section referred to as the "Commission").

(b) MEMBERSHIP.—The Commission shall be composed of thirty members appointed by the Secretary of Commerce, as follows:

(1) FEDERAL GOVERNMENT REPRESENTATIVES.—Ten members shall be representatives of the International Trade Administration, the Department of Energy, the Department of State, the Department of Transportation, the Office of the United States Trade Representative, and a Federal institution involved in export financing.

(2) PRIVATE SECTOR REPRESENTATIVES.—

(A) Five members shall be representatives of export coal producers, including traders and brokers.

(B) Five members shall be representatives of coal labor.

(C) Five members shall be representatives of transporters of export coal, including representatives of rail and barge carriers and port authorities.

(D) Five members shall be representatives of institutions having a substantial interest in United States export coal financing.

(c) EXPENSES.—Members of the Commission shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(d) COOPERATION.—All Federal departments and agencies are authorized to cooperate with the Commission and to furnish information, appropriate personnel, and such assistance as may be agreed upon by the Commission and the Federal department or agency involved.

(e) ACTIVITIES.—The Commission shall convene not less than four times a year for consultation on activities leading to increased cooperation among entities involved in United States coal exports, with the goal of expanding the United States share of the international coal market. Activities of the Commission shall include, but are not limited to, the identification of—

(1) diplomatic channels to facilitate the exportation of United States coal and methods to increase the coordination of diplomatic efforts relating to such exports;

(2) domestic and international impediments to coal exports;

(3) foreign markets for United States export coal, with emphasis on increasing United States coal sales to developing nations and expanding the participation of the United States International Development Cooperation Agency in such an effort;

(4) availability of, and methods of, financing United States coal exports, including the feasibility of increasing Federal export financial and economic assistance; and

(5) methods to promote, market, and coordinate United States coal on the international market.

The Commission shall also examine the potential for small- and medium-sized coal companies to enter the export coal trade through export trading companies with respect to the marketing, transportation, and financial services which such trading companies may provide pursuant to the Export Trading Company Act of 1982 (Public Law 97-290).

(f) REPORT.—The Commission shall submit to the President and the Congress, within two years after its first meeting, a report which details its findings pursuant to subsection (e) and, based upon such findings, makes recommendations which would lead to the expansion of the United States share of the international metallurgical and steam coal market.

(g) TERMINATION.—The Commission shall cease to exist upon submission of its report pursuant to subsection (f).

Mr. RAHALL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RAHALL. Mr. Chairman, the amendment I am offering is noncontroversial and simply seeks to establish under the auspices of the Commerce Secretary a Federal Coal Export Commission.

The goal of this Commission would be to increase the cooperation and coordination of those parties involved with U.S. coal exports. Among the Commission's mandates would be the identification of diplomatic channels to increase coal exports, impediments to these exports and foreign markets for U.S. coal with an emphasis on those in developing nations.

Further, the Commission would seek to identify innovative methods of financing U.S. coal exports.

The importance of creating such a commission, which would be authorized for a 2-year period and consist of representatives from both the Federal Government and the private sector, is due to the nature of the international coal trade with many foreign buyers being governmental entities.

The U.S. Federal Government must show these foreign buyers that it is committed to maintaining and increasing the U.S. market share of international coal demand. It can only be through such a joint Government-private sector effort that many of the impediments to the coal export trade will be resolved.

Of special importance, and I would like to highlight this portion of the amendment, is the work the Commission would do with respect to examining areas of coal export financing, insurance and the U.S. foreign aid program to developing nations who have growing coal requirements as they further their efforts to industrialize.

The Agency for International Development has undertaken activities to help developing nations reduce their dependence on imported oil while also assisting these nations to increase their use of coal.

The Agency has stated that one of its principal objectives in this effort is to assist countries to develop methods to increase their use of coal in such a way so as to increase opportunities for U.S. coal exporters. I would submit that AID's efforts in this regard have not been overly successful to date and would be enhanced by its participation in the Federal Coal Export Commission.

The same benefit would be enjoyed by the U.S. Export-Import Bank which has sent millions of dollars overseas to coal projects which will compete with U.S. coal on the world market and even in this country itself, but has only seen fit to expend a paltry $250 million last year through its Export Credit Insurance Program to assist U.S. coal exports.

Problems such as these—which are basically due to lack of cooperation and coordination among Federal agencies and the private sector—are those which would be addressed by the Commission established by this amendment. I ask for its adoption.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. RAHALL. I am glad to yield to the chairman of the full committee, the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

Mr. Chairman, we have examined this amendment on this side. We agree with the gentleman on the need for this, and we accept the amendment.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. RAHALL. I yield to the ranking minority member, the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

Mr. Chairman, the gentleman has also explained the amendment to us, and we accept it, too, on this side.

Mr. RAHALL. I thank both gentlemen for their agreement to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. RAHALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRAY OF PENNSYLVANIA

Mr. GRAY of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAY of Pennsylvania: Page 154, after line 24, insert the following new section:

SEC. 1208. REPRESENTATION OF MINORITIES AND WOMEN IN THE FOREIGN SERVICE

(a) DEVELOPMENT OF PROGRAM.—The head of an agency using the Foreign Service personnel system shall develop, to the extent practicable, an affirmative action effort designed to increase significantly the number of members of minority groups and women in the Foreign Service in that agency.

(b) EMPHASIS ON MID- AND SENIOR-LEVELS.—The affirmative action efforts developed pursuant to this section shall place particular emphasis on achieving significant increases in the numbers of minority group members and women who are in the mid-levels and senior-levels of the Foreign Service.

(c) GOAL.—The goal of the program developed pursuant to this section shall be to have the representation of minority groups and women in the Foreign Service at least equivalent to those groups' respective proportions within the labor force of the United States.

(d) REPORTS TO CONGRESS.—The head of an agency shall report annually to the Congress on the affirmative action effort developed pursuant to this section as part of the report required to be submitted pursuant to section 105(d)(2) of the Foreign Service Act of 1980. Subsequent reports pursuant to that section shall include reports on the implementation of these efforts, giving particular attention to the progress being made in increasing, through advancement and promotion, the numbers of members of minority groups and women in the mid-levels and senior-levels of the Foreign Service.

Mr. GRAY of Pennsylvania (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GRAY of Pennsylvania. Mr. Chairman, I rise to offer an amendment to H.R. 1555. My amendment would simply increase the representation of minorities and women within our Foreign Service.

Under this amendment, the head of those agencies using the Foreign Service personnel system would develop an affirmative action effort designed to increase minority and female representation within the Foreign Service to a level of at least equivalent to those groups' respective proportion within the labor force of the United States. Under the requirements of section 105(d)(2) of the Foreign Service Act of 1980, the Secretary of State now reports annually on the State Department's minority recruitment effort.

The amendment now under consideration would simply strengthen the existing provision, with the expanded report addressing itself to the progress being made in increasing the members of mid- and senior-level minority and female personnel in the Foreign Service. I have paid particular attention to mid- and senior-level positions because it is at these levels that the imbalance which now exists is most apparent. It is also at these levels that there is the greatest scope for impact and involvement.

Mr. Chairman, the Foreign Service needs to embody a balance and realistic reflection of our Nation's best minds. There are many minorities, many women, who are equipped to serve and pursue this country's best interests abroad but who, by dent of tradition and bias have been effectively locked out of the Service. There is no reason to delay correcting this imbalance and this amendment is a significant step and new direction.

Mr. Chairman, I urge my colleagues to join me on this issue.

Mr. MICA. Mr. Chairman, will the gentleman yield?

Mr. GRAY of Pennsylvania. I yield to the distinguished subcommittee Chair of jurisdiction, the gentleman from Florida.

Mr. MICA. I thank the gentleman for yielding.

Mr. Chairman, I would just like to take a moment to commend the gentleman for the very sensitive and delicate wording that has been put forth in this amendment. I think it addresses the problem responsibly, addresses it in an appropriate manner, and we appreciate the gentleman working with the subcommittee and the full committee on this language.

Mr. GRAY of Pennsylvania. I want to thank the gentleman from Florida, the distinguished Chair of the subcommittee, for his efforts in drawing up this language, which effectively just strengthens what the Congress decided in the Foreign Service Personnel Reform Act of 1980.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. GRAY of Pennsylvania. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

Mr. Chairman, I have been advised by the State Department that they have no objection to the gentleman's amendment and I am happy to endorse his amendment.

Mr. GRAY of Pennsylvania. I thank the ranking member very much.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GRAY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SUNDQUIST

Mr. SUNDQUIST. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SUNDQUIST: Page 154, after line 24, insert the following new section:

SEC. 1208. EMPLOYEES OF THE UNITED NATIONS.

(a) INITIAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall report to the Congress on whether, and the extent to which, international civil servants employed by the United Nations, including those seconded to the United Nations, are required to return all or part of their salaries to their respective governments. The Secretary shall also include in this report a description of the steps taken by the Department of State and by the United States Representative to the United Nations to correct this practice.

(b) REPORT ON STEPS TO CORRECT PRACTICE.—The Secretary of State shall determine and report to the Congress on whether substantial progress has been made by January 1, 1987, in correcting the practice of international civil servants employed by the United Nations being required to return all or part of their salaries to their respective governments.

(c) REDUCTION IN CONTRIBUTION IF SUBSTANTIAL PROGRESS NOT MADE.—If the Secretary of State determines pursuant to substantial progress has not been made in correcting this practice, the United States shall thereafter reduce the amount of its annual assessed contribution to the United States proportionate share of the salaries of those international civil servants employed by the United States Nations who are returning any portion of their salaries to their respective governments.

Mr. SUNDQUIST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SUNDQUIST. Mr. Chairman, there are 773 Soviet nationals employed by the United Nations and its specialized agencies. There are another 200 Eastern bloc employees over which the Soviet Union exercises some degree of influence.

The U.S. intelligence community estimates that one-fourth of the Soviets in the U.N. Secretariat are intelligence officers. That means some 200 Soviets who receive U.N. salaries do not have

U.N. duties as their primary function; rather, their primary function is espionage and activities in support of Soviet objectives.

This should not be news to my colleagues. There are numerous public sources which discuss espionage by Soviet employees of the United Nations.

For example, former U.N. Under Secretary General, Arkady Shevchenko, who defected to the United States, reveals the workings of the KGB within the United Nations in his best-selling book, "Breaking With Moscow." Shevchenko says a key duty was to find jobs for KGB agents.

In the June 17 issue of U.S. News & World Report, James Fox of the FBI's Soviet counterintelligence section stated: "They have KGB meetings right in the halls of the U.N."

In a recent public report by the Senate Select Committee on Intelligence, the U.S. intelligence community concluded, "The Soviet Union is effectively using the U.N. Secretariat in the conduct of its foreign relations, and the West is paying for most of it."

The Intelligence Committee report went on to note that some 90 percent of the salaries of Soviet U.N. employees are paid for by contributions from other member states.

This information should be of concern to my colleagues.

Mr. Chairman, we are helping the Soviets in their efforts to subvert the United Nations and to undermine our society through propaganda and espionage. We are, in fact, subsidizing activities against ourselves to the tune of $20 million a year.

How does this occur?

Soviet employees of the United Nations are loaned, or "seconded," to the Secretariat. They are given the salary, status, and privileges of international civil servants. But, in reality, they maintain their position within the Soviet bureaucracy. They are required to turn their U.N. paycheck over to the Soviet mission, which then pays them at the rate of a Soviet employee of the mission. The balance is kept by the Soviet mission.

As I said, this kickback system nets the Soviets $20 million a year.

The Soviets receive a further subsidy when the seconded employee leaves the United Nations. The hard currency contribution to the U.N. pension fund is turned over to the Soviet mission.

The American taxpayer's contribution to the United Nations is thus used to finance activities against our freedoms. Further, we are forced to pay for increased counterintelligence costs. Thus the current system penalizes the taxpayer twice: Once in the amount we pay to the United Nations, and again in what goes to our counterintelligence efforts.

I must ask my colleagues: How would our constituents feel if they knew taxpayers' dollars authorized by this body were used to finance KGB activities in the United States?

I know the American people would be opposed to the use of their taxpayer dollars for Soviet espionage.

My amendment would end the U.S. subsidy for Soviet spying operating from United Nations. It requires the Secretary of State to report on the extent of the kickback system, take measures through the U.S. Representative to the United Nations to correct the situation, and, failing reform, to reduce our assessed contribution by the proportionate share of the amount lost through the kickback system. The burden is placed on the U.N. Secretariat to put its house in order.

It is not the job of the Congress to promote the KGB's use of the United Nations. That is what our contribution indirectly does.

In short, Mr. Chairman, what we are talking about is ending our support for this espionage activity by a foreign national government and its employees in the United Nations. We do not reward, or condone, such behavior by our own citizens.

At a time when the Soviets are nearly $200 million in arrears on their payment to the United Nations, it is outrageous that we are subsidizing them with our U.N. contribution, which accounts for 25 percent of the U.N. budget.

Mr. Chairman, my amendment is very simple. It is the first step in ending our financing of Soviet espionage activities against this country originating from the United Nations. There is no reason the U.S. taxpayer should subsidize this.

It is time that the practice of kickbacks was stopped. This amendment will send an important message to all that this Congress is serious about the problem of Soviet spying.

I urge my colleagues to support this important amendment.

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Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. SUNDQUIST. I am delighted to yield to the committee chairman.

Mr. FASCELL. Mr. Chairman, I want to commend the gentleman for calling this matter to the attention of the committee. We agree with the gentleman that we need some way to deal with this problem, and we are ready to accept his amendment.

Mr. SUNDQUIST. Mr. Chairman, I thank the distinguished chairman of the committee.

Mr. GILMAN. Mr. Chairman, if the gentleman will yield, the minority has no objection, and we accept the amendment.

Mr. SUNDQUIST. Mr. Chairman, I thank the gentleman.

Mr. WORTLEY. Mr. Chairman, I would like to express my support for the amendment offered today by Mr. SUNDQUIST of Tennessee to the foreign assistance authorization bill.

The Soviets' U.N. "kickback" scheme described by my friend from Tennessee would be ludicrous if it weren't so disgusting. The United Nations was not established as an income-generating venture for the Soviet Union. It was not established to provide the Soviet Union with a convenient—and lucrative—means of placing hundreds of spies in the United States. It was established to promote world understanding and peace.

It is ironic that the Soviet Union—that "bastion" of socialism—has turned the United Nations into a profitmaking venture. The Soviets are nearly $200 million in arrears on their contribution to the United Nations, yet they are raking in $20 million per year in hard currency.

At the same time, the United States—this model of capitalism—is contributing 25 percent of the total U.N. budget. In effect, we are financing the Soviets' perversion of the U.N. system.

Mr. Chairman, we should not continue to do so.

The United Nations has so far failed to fulfill its responsibility to address Soviet abuse of the organization. Mr. SUNDQUIST's amendment will send a very clear message to the United Nations that the United States will not continue to finance this failure. If the United Nations has not made significant progress in correcting this situation within a year, the United States will reduce its contribution by an amount equal to the Soviet kickbacks.

I congratulate my colleagues for supporting the Sundquist amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. SUNDQUIST].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WOLF

Mr. WOLF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLF. Page 154, after line 24, insert the following new section:

SEC. 1208. REFUGEES IN THAILAND.

(a) APPRECIATION FOR THE RESPONSE OF THE GOVERNMENT OF THAILAND.—The Congress recognizes and expresses appreciation for the extraordinary willingness of the Government of Thailand to respond in a humanitarian way to the influx of refugees fleeing Vietnamese Communist oppression.

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

(1) Cambodians, Laotians, and Vietnamese seeking asylum and refuge in Thailand should not be involuntarily repatriated or otherwise put at risk; and

(2) every effort should be made to provide increased security for refugees in camps in Thailand which should include an increased

presence by international humanitarian organizations.

(c) REVIEW OF CERTAIN CAMBODIAN REFUGEES.—

(1) The Secretary of State should—

(A) work with the Government of Thailand and the United Nations High Commissioner for Refugees to conduct a review of the status of Cambodians who have not been permitted to register at refugee camps in Thailand; and

(B) implement a humanitarian solution to their plight.

(2) The Secretary of State, with the assistance of appropriate agencies, should conduct a review of those Cambodians who have been rejected for admission to the U.S. to ensure such decisions are consistent with the letter and spirit of United States refugee and immigration law.

(3) The Secretary of State, with the assistance of appropriate agencies, should institute as expeditiously as possible a family reunification program for those refugees in Thailand, including those at the border who have family members in the United States.

(4) The Secretary of State should provide for a program of educational assistance for Cambodians in the border camps and for improved literacy training in all camps.

Mr. WOLF (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOLF. Mr. Chairman, I rise today to bring to the attention of my colleagues the plight of Cambodian, Vietnamese and Laotian refugees in Thailand and urge support of an amendment I am offering with the support of my colleagues Congressman JIM LEACH and Congressman STEPHEN SOLARZ.

We are concerned about the humanitarian needs of thousands of people who have been displaced as a result of the Vietnamese occupation of Cambodia. I recently met with members of Concerned Virginians for Cambodian Families who told me of their personal experiences in Thailand. During this meeting I heard accounts of the tragic crimes which occur against Cambodians in Khao I Dang refugee camp.

They described grotesque crimes, including rape, torture, and murder. These Virginians receive news from their relatives who have remained in Thailand indicating that the crimes continue to occur. However, the Western World does not receive news of these crimes because foreign observers are not present in the camps at night, when most of the crimes take place. My amendment expresses the sense of Congress that the protection be provided to the refugees. Additionally, representatives from international humanitarian relief organizations should be allowed to remain in these camps 24 hours a day as witnesses to offer some assurance to the western world that protection is provided to those seeking refuge in the camps.

Residence aspects of the camps is also of great concern. It is vital that camps, such as Khao I Dang, remain open as a camp qualifying under United Nations High Commission on Refugee requirements. Cambodians and Laotians currently in these camps, both registered and unregistered, should be permitted to remain there. Those who are unwilling and afraid to go back to the border or to Cambodia should not be involuntarily repatriated or otherwise put at risk.

Additionally, my amendment would provide for a comprehensive review of all displaced persons who have not been allowed to register at refugee camps. it is my hope that this review would result in registration of all of those people in need of medical and nutritional assistance. Without this reevaluation, denial of registration privileges, which is vital in obtaining food from camp authorities, may continue.

A review of the Cambodian cases which have been rejected for admission to the United States is also appropriate in light of concerns raised that previous review of some cases was inadequate. In the climate of fear in which most Cambodians lived during 1975–79, many learned that authorities could not be trusted. Later, when interviewed by U.S. Immigration personnel, fear was foremost in the minds of these same Cambodians. They were easily intimidated by authority figures and often could not adequately present their cases, resulting in their rejection.

Equally important is the repeated consideration of family reunification cases. I frequently talk to residents of the 10th Congressional District of Virginia who plead for assistance in bringing their families to the United States to join them. Many indicate that if their cases were reconsidered, they believe that their families would be permitted to join them.

Finally, to assist the youth and adults who were not afforded the benefits of an education during the turbulence of the 1975–79, era my amendment would provide that educational programs be initiated to improve literacy training in all camps. I believe that this education would be especially beneficial in presenting the principles of democratic governments. During their stay in the camps many of those seeking refuge would welcome and profit greatly from the opportunity to receive an education.

I sincerely urge my colleagues to join me in support of these recommendations. For the RECORD, I would like to submit an article which recently appeared in the New York Times. The examples of life in Thailand described in this article are heartbreaking and depict the harsh daily reality of the displaced people from Cambodia, Vietnam, and Laos.

[From the New York Times, Mar. 24, 1985]

CAMBODIA REFUGEES HAVE A NEW PROBLEM: BANDITS

(By Barbara Crossette)

ARANYAPRATHET, THAILAND.—Well-armed and organized bandit gangs from the volatile Cambodian war zone are breaking into a lightly guarded Cambodian refugee settlement at night to rob and sometimes kill its unarmed inhabitants, according to residents and international aid officials.

Banditry in this border area is not new. Travelers are periodically attacked and refugee settlements, including the camp of Khao I Dang north of Aranyaprathet; have been robbed in the past.

But what concerns the refugees as well as Thai and international aid workers who administer Khao I Dang and its humanitarian services are the increasing frequency, size and violence of the attacks on the camp.

IN 2 MONTHS 5 ATTACKS

On March 10, Khao I Dang, a thatch and bamboo settlement of more than 30,000 people, was attacked for the fifth time since mid-January. This time, residents said in interviews during a recent visit to the camp, they were the prey of a large Cambodian gang that entered the camp at about 7:30 p.m. and went on a rampage of robbery and terror lasting until about 1 a.m.

And this time, for the first time, residents said, people who could not meet extortion demands were killed. Two women and two children, one 8 months old and the other 4 years old, were shot to death, relatives said, and then blown apart by what was believed to be a grenade.

"Cambodians are again killing Cambodians," said Sou Gaing, the neighborhood section leader.

INTERNATIONAL DONORS CONTACTED

Alarmed by the violence, refugee leaders and international aid workers have relayed their fears to foreign embassies that support relief work. They have also expressed concern to the Bangkok office of the United Nations High Commissioner for Refugees, which is responsible for running the camp, and to local officers of the Thai military-civilian border patrol that provides camp security.

One French aid organization, the Doctors Without Borders, withdrew its night staff for a short period.

Every evening frightened residents, particularly those with homes at the edge of the camp, come to the open area around the compound's offices, hospital and warehouse to sleep huddled together on the ground.

"A PLACE OF TERRORS"

"This place of refuge has become a place of terror," a volunteer worker said, echoing comments heard in many parts of the sprawling camp.

"They came down from the mountain, more than a hundred of them," said Nan Pich, describing the March 10 attack. "First we heard the shooting; then they were here, everywhere in our houses."

Mr. Nan Pich, 28, was squatting by a homemade foxhole as he told of the raid, in which his mother, Sok Hoeum, and his sister Pich Kola died.

He said his mother and her neighbor, Sroy Chborn, had run to hide in the foxhole and were shot "because the women did not have 600 baht"—about $21. Residents of the camp say the standard bandit "fee" per family is 300 baht.

LITTLE SHELTER FROM CROSSFIRE

Sroy Khoeung, Mrs. Sroy Chborn's husband, said the bandits had come to his home three times before killing his wife, who had nothing left to give them. Not having any money himself, Mr. Sroy Khoeug said, he had fled the area at the advice of neighbors who assumed the intruders would not hurt women.

His head shaved in mourning, he sat on his bamboo bed over the foxhole where his wife had sought safety. He said the camp's security force had ordered him to dig the pit in February, when he moved from another part of the camp to the small thatch and bamboo hut. Khao I Dang's houses offer no protection from a cross fire between bandits and troops.

The residents of the camp, some of whom have been here for four or five years and many of whom have repeatedly been rejected for resettlement by Western countries, are classified as political refugees who will not or cannot return to Cambodia.

Their status differs from that of the quarter of a million Cambodians who were pushed into Thailand by recent Vietnamese attacks on rebel bases inside Cambodia. These people are expected to return to Cambodian territory sooner or later.

In the last five years, the population of Khao I Dang has shrunk through emigration from more than 130,000 to just over 30,000, in addition to as many as 5,000 illegal residents—people who steal into the compound hoping to be declared refugees and thus to reach the West.

PERMANENCE SAID TO LURE BANDITS

Resettlement of Cambodians in the United States and other nations has slowed in the last year, however, and the camp's permanence and appearance of relative prosperity increase the temptation for thieves, the refugees and aid workers suggest. Thai officials say they would like to empty this holding center, and they have repeatedly asked Western nations to speed up immigration of the residents.

The camp is not heavily fortified. The single, shoulder-high barbed-wire fence can be easily penetrated from outside, as it is regularly by smugglers who supply the camp's black market.

Residents of the camp say that poorly paid Thai guards occasionally accept money to let the smugglers and would-be refugees enter. But residents interviewed about the growing bandit menace say they do not believe the thugs are gaining access the same way.

Col. Pradab Sangkaew, the Thai camp commander, said in an interview that the bandits "need only wire cutters to get in," and that the area needed stronger defenses against intruders.

The commander said the pattern of armed robberies indicated that the bandits know when a group of refugees is about to be moved to a resettlement processing center. The bandits strike then, apparently believing that the refugees may have some extra money on hand for the move.

He said he thought some camp residents might have an idea who the bandits are, but were reluctant to identify them. Residents who had seen the intruders said only that they were Cambodian-speaking and appeared to be ethnic Cambodians. One bandit was killed on March 10, but he has not been identified.

A spokesman for the Kmer People's National Liberation Front denied suggestions that the armed men could be irregular troops loosely attached to the front's army, the anti-Vietnamese, Cambodian guerrilla force that is predominant in the area. The spokesman added that the front's officers always investigated such charges.

Refugees were asked in interviews where they thought the robbers got their weapons—AK-47 rifles, M-79 grenade launchers and rocket-propelled grenades, according to Colonel Pradab. The refugees said some of the weapons could have come from Liberation Front stocks at bases recently overrun by the Vietnamese, and one said he thought some weapons had been bought from Thai troops.

Thai officials say Khao I Dang has had a small security force because resources are limited at a time when the armed forces have been facing intrusions by Vietnamese troops along the boarder, and when they have also been called on to oversee more than half a dozen major Cambodian evacuation sites.

Mr. SOLARZ. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from New York.

Mr. SOLARZ. Mr. Chairman, I thank the gentleman for yielding.

On behalf of the committee, let me say that we consider this an extraordinarily constructive amendment. It embodies the best instincts of the American people. The continuing tragedy which has befallen Cambodia and the people of that country requires a continuing humanitarian response on the part of the United States. That is what the gentleman's amendment calls for, and I applaud him for his initiative in bringing this proposal before the House.

Mr. WOLF. Mr. Chairman, I want to thank the gentleman for his comments, and I also thank him for his help.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, the moniority has examined the amendment. We commend the gentleman for offering this amendment, and we have no objection to it.

Mr. WOLF. Mr. Chairman, I thank the gentleman very much, and I also wish to thank the chairman of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. WOLF].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title XII?

AMENDMENT OFFERED BY MR. SILJANDER

Mr. SILJANDER. Mr. Chairman, I offer an amendment adding a new title.

The CHAIRMAN. If there are no further amendments to title XII, the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SILJANDER: Page 154, after line 24, insert the following new title:

TITLE XIII

SEC. 1301. PROHIBITION ON MILITARY ASSISTANCE FOR MOZAMBIQUE.

None of the funds authorized to be appropriated by this act may be used for military assistance for Mozambique.

The CHAIRMAN. The gentleman from Michigan [Mr. SILJANDER] is recognized for 2 minutes in support of his amendment.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. SILJANDER. I am happy to yield to the chairman of the committee.

Mr. FASCELL. Mr. Chairman, let me ask the gentleman, is this the same amendment that the gentleman offered in title I?

Mr. SILJANDER. It is similar, but not identically the same, no.

Mr. FASCELL. It would not be out of order in any event, but I just wanted to know.

Mr. SILJANDER. The concept is the same because it bans U.S. military aid to Mozambique. It is the same in that respect.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. SILJANDER] in support of his amendment.

Mr. SILJANDER. Mr. Chairman, we have debated this issue several times today. We recently passed by a vote of 247–177 an amendment banning nonfood economic aid to the Communist regime in Mozambique.

What this amendment does is it goes a step further. It simply bans U.S. direct military aid to the Marxist regime in that country. There is absolutely no reason that this Nation should be involved in military assistance to a Communist nation. They have as yet not been weaned away, as they say, from the East toward the West, so until that happens, Mr. Chairman, I believe very strongly that this Congress obviously supports this concept that we should ban U.S. military aid to a Communist country.

The CHAIRMAN. For what purpose does the gentleman from Michigan [Mr. WOLPE] rise?

Mr. WOLPE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Michigan [Mr. WOLPE] is recognized for 2 minutes.

Mr. WOLPE. Mr. Chairman, the House in fact has debated this issue previously. In fact, we even had one previous vote on the subject. The administration is opposed to the amendment, the committee is opposed to the amendment, and I urge a "no" vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. SILJANDER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RICHARDSON

Mr. RICHARDSON. Mr. Chairman, I offer an amendment that would create a new title, title XIV.

Mr. FRENZEL. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Minnesota [Mr. FRENZEL] reserves a point of order on the amendment, and the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RICHARDSON: Page 154, after line 24, insert the following new section:

TITLE XIII.—BAN ON IMPORTING URANIUM AND COAL FROM SOUTH AFRICA AND NAMIBIA

(a) PROHIBITION.—Notwithstanding any other provision of law, the following products of South Africa and Namibia may not be imported into the customs territory of the United States: coal, uranium ore, and uranium oxide.

(b) EFFECTIVE DATE.—The prohibition contained in subsection (a) shall not apply to a contract or agreement entered into before the date of the enactment of this Act.

Mr. RICHARDSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There as no objection.

The CHAIRMAN. The gentleman from New Mexico [Mr. RICHARDSON] is recognized for 2 minutes in support of his amendment.

Mr. RICHARDSON. Mr. Chairman, this amendment sends two signals. First of all, it sends a signal to American miners and workers who have been displaced by imports in the areas of coal and uranium throughout this country, especially uranium, that the United States stands behind them. This is a jobs amendment, protecting American jobs from imports.

Second, it also sends a signal to the Government of South Africa that continues to practice its reprehensible apartheid policies and that the United States will not tolerate this racism. It also sends another signal that we disapprove of South Africa's recent incursions that are detrimental to the peace in the area.

Mr. Chairman, I would like to add that this amendment does not in any way include any tariffs, duties, or import fees. According to the tariff schedule of the United States for 1985, there are none of these duties, fees or tariffs on coal and uranium.

I would also like to point out that this bill contains other important restrictions. The gentleman from California [Mr. HUNTER] and the gentleman from New York [Mr. GILMAN] offered those amendments. I ask for support of this amendment.

Mr. Chairman, this amendment would prohibit the imports into the United States of coal, uranium oxide, and uranium ore.

This amendment will not cost the Treasury any money in duties or tariffs—there are no duties, tariffs, or import fees on coal, uranium ore, or uranium oxide (this is according to the tariff schedules of the United States for 1985). The Richardson amendment would not affect existing contracts.

ON SOUTH AFRICAN/NAMIBIAN URANIUM COMING INTO THE UNITED STATES

From 1953 to 1971, the United States imported 43,250 tons of South African uranium worth $450 million for its weapons program.

Since 1971, imports have been from enrichment and reexport and for use in domestic nuclear power plants. DOE estimates of import amounts are as follows:

1978: 552,493 kg raw uranium and 5.28 kg spent fuel; 1979: 373,517 kg raw uranium; 1980: 546,873 kg raw uranium; 1981: 1,015,142 kg raw uranium; 1982: 2,200,000 kg raw uranium; and 1983: 2,500,000 kg raw uranium.

Out of 362 U.S. uranium mines, 347 are not operating today. Uranium industry representatives inform us that U.S. domestic producers could make up the shortfall. While we would prefer domestic producers to make up the shortfall, Canada also has huge uranium reserves. Canada is now the largest producer of uranium in the world—one Canadian field has enough uranium to fuel every U.S. reactor for more than 5 years (Key Lake, Saskatchewan).

In 1983, a total of 2,038,000 pounds of uranium (U^{308}) were delivered to DOE enrichment plants, some 46 percent of the total foreign uranium.

Between 1981 and 1983, uranium imports from South Africa increased by 350 percent.

Eighteen U.S. utilities used over 2,500 tons of South African and Namibian uranium in 1983.

Bob Wolcott of UNEXCO, a top uranium broker, estimates the U.S. could be buying as much as 10 million pounds of South African uranium by 1995.

Today, only 4,000 uranium miners are working in the U.S. in addition, the number of uranium mines have shrunk from 362 to only 15 today.

ON SOUTH AFRICAN COAL COMING INTO THE UNITED STATES

Despite the fact that our country has among the largest coal deposits in the world, we still continue to increase our coal imports from South Africa. Our electric utility companies have imported almost 7 million tons of South African coal.

The American coal industry is stagnating—between 60,000 to 100,000 coal miners are out of work.

The U.S. coal industry can make up for loss of South African coal. According to Courier Journal, dated May 1, 1985—"Coal excesses range from 200-220 million tons despite 81.3 million in exports in 1983."

South Africa is the largest importer of coal into the United States. We imported 612,447 tons of coal from South Africa in 1984.

During the last 2 years South Africa has obtained almost $43 million in foreign exchange from coal exports to the United States.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to my colleague, the chairman of the Subcommittee on Africa.

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding.

I want to commend the gentleman for offering his amendment. I would like to have been able to give him my support on another bill earlier, but because it was an inappropriate vehicle I could not do so. Now I can.

This is an important amendment. I might point out that Sweden has recently imposed a very similar coal ban to that which is contemplated in this amendment. So the United States would not be the first to take this kind of initiative.

The uranium import sanction would strike at the fourth largest South African import to the United States. While U.S. jobs in the uranium industry are disappearing, uranium produced by cheap labor in South Africa and South Africa-occupied Namibia is being exported to the United States in increasing amounts.

Mr. Chairman, this amendment makes sense both in terms of American jobs and in terms of American policy toward South Africa. I thank the gentleman for offering it.

Mr. GRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to my colleague, the gentleman from Illinois.

Mr. GRAY of Illinois. Mr. Chairman, I thank my distinguished friend for yielding.

I rise in support of the amendment offered by my friend, the gentleman from New Mexico [Mr. RICHARDSON].

Mr. Chairman, we have thousands of unemployed coal miners in southern Illinois and throughout the Nation, and I think it is inexcusable that we allow foreign countries to export coal to the United States at the expense of our American coal miners.

This is a forthright and important amendment, and I urge all my colleagues to support it.

POINT OF ORDER

The CHAIRMAN. The Chair will inquire, does the gentleman from Minnesota [Mr. FRENZEL] insist on his point of order?

Mr. FRENZEL. I do, Mr. Chairman. May I be heard?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. FRENZEL. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from New Mexico [Mr. RICHARDSON] on the ground that it violates clause 7 of rule XVI of the rules of the House and is not germane to the bill. Clause 7 of rule XVI provides that no motion or proposition on a subject different from that under consideration shall be considered under color of amendment. One test of germaneness is whether the fundamental purpose of the amendment is germane to the fundamental purpose of the bill or title.

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Another test of germaneness of whether the amendment is within the jurisdiction of the committee reporting the bill.

The sole purpose of the amendment is to prohibit the importation of uranium and coal from South Africa. Clearly this is a measure within the jurisdiction of the Committee on Ways and Means.

The bill as reported amends various acts within the jurisdiction of the Committee on Foreign Affairs. The fundamental purpose of the bill is to authorize appropriations for foreign development and security assistance programs for the fiscal year 1986.

The bill as reported contains no provisions to impose import prohibitions or other restrictions or sanctions on any product from South Africa or from any other country.

There were two amendments added yesterday which have already been referenced.

The only limitations in the bill as reported, however, relate to the use of foreign aid funds.

The amendment clearly does not relate to the subject matter or to the fundamental purpose of the bill or the title, since there is no fundamental purpose of the title pending.

The subject matter of the amendment, or rather the current title, now includes a matter relating to Mozambique, not to any import restrictions.

The subject matter of the amendment is also not within the jurisdiction of the committee reporting the bill.

Mr. Chairman, in my judgment, for all these reasons, the amendment fails every test of germaneness and I urge that the point of order be sustained.

The CHAIRMAN. Does the gentleman from New Mexico wish to be heard on the point of order?

Mr. RICHARDSON. Yes, I do, Mr. Chairman.

First of all, let me state that this is an issue of foreign relations between the Governments of the United States and South Africa.

Second, in this bill there have been import restrictions imposed on terrorist countries; Libya, Ethiopia, the Gilman amendment, the Hunter amendment.

Let me also make the case that this bill does not affect any tariffs, any duties or import fees, according to the tariff schedules of the United States for 1985.

This is a foreign relations matter. It is an important foreign policy statement between the United States and South Africa and it does not affect the jurisdiction of the Ways and Means Committee.

The CHAIRMAN (Mr. AUCOIN). The Chair is prepared to rule.

The pending amendment is not an amendment to the Mozambique amendment which just inserted a new title XIII, but rather a new title XIV. As a new title to the bill at the end of the bill, the test of germaneness is whether it is germane to the bill as a whole.

Title IV of the bill has been amended to include several import restrictions, specifically the Hunter amendment regarding imports from countries which harbor terrorists, and the Gilman amendment to the Miller amendment relating to imports from Libya.

Therefore, the Chair finds that the amendment is germane to the bill as a whole in its amended form and the point of order is overruled.

Does any Member wish to speak in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from New Mexico [Mr. RICHARDSON].

The amendment was agreed to.

● Mr. CRANE. Mr. Chairman, H.R. 1555, the Foreign Assistance Act authorization, contains a provision in title VII that is in many ways a radical departure from previous U.S. policy. This section recommends that the President pursue expanded use of employee stock ownership plans in Central America and the Caribbean as a means of promoting political and economic pluralism and strengthening democratic institutions. The entire concept of expanded capital ownership is one that deserves our fullest attention and our careful consideration, for it could turn the tide of socialism that has plagued our neighbors to the south for the past decade.

Karl Marx's answer to economic injustice caused by the concentration of wealth in the hands of the few was to wage class warfare and abolish all private ownership of the means of production. For years capitalism has seemed unable to provide a convincing rejoinder to this Marxist siren's call of common ownership by all, even though socialism as an economic system has failed miserably at every turn. The slogans were too appealing and the lure was too great for those who did not hold power, and many underdeveloped countries turned to socialism to solve their problems and correct the inequities that had existed for centuries. More often than not, however, the adoption of socialism was accompanied by violence, oppression, economic chaos, and tremendous suffering. And yet, lemming-like, one underdeveloped country after another has embraced Marx's erroneous ideas and theories and begun to suffer like those before them.

But now, for the first time, there has begun to appear a convincing and workable alternative to Marx's plan. This alternative, which is called expanded capital ownership, provides a tangible option to the world's underdeveloped countries, one which promises true economic democracy as well as increased productivity. The beauty of expanded capital ownership lies in its simplicity: The employees of corporations gain an ownership stake in the corporation for which they work. This is capitalism in its purest form.

If we are to prevent the Soviets and their proxies from achieving success in Central and South America, as well in other parts of the world, it is imperative that we seize the high ground in the ideological battle being waged. Expanded capital ownership provides us with a weapon that will put us on that high ground. I hope that my colleagues will enthusiastically support this important provision of H.R. 1555, and thereby implement our best tool in our struggle against socialism—capitalism itself.●

The CHAIRMAN. Are there other amendments to the bill?

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BROOMFIELD

Mr. BROOMFIELD. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment.

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

Amendment in the nature of a substitute offered by Mr. BROOMFIELD: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "International Security and Development Cooperation Act of 1985".

TITLE I—MILITARY SALES AND RELATED PROGRAMS

SEC. 101. FOREIGN MILITARY SALES CREDIT AUTHORIZATIONS AND AGGREGATE CEILINGS.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—The first sentence of section 31(a) of the Arms Export Control Act is amended to read as follows: "There are authorized to be appropriated to the President to carry out this Act $5,463,414,000 for fiscal year 1986 and $5,463,414,000 for fiscal year 1987.".

(b) FY 1986 AND FY 1987 FMS PROGRAMS.—Sections 31(b) and (c) of such Act are amended to read as follows:

"(b) AGGREGATE CEILING AND TERMS FOR FMS CREDITS.—

"(1) ANNUAL AGGREGATE CEILING.—The total amount of credits extended under section 23 of this Act shall not exceed $5,463,414,000 for fiscal year 1986 and $5,463,414,000 for fiscal year 1987.

"(2) AGGREGATE CEILING ON CONGRESSIONAL FINANCING.—Of the aggregate amount of financing provided under this section, not more than $553,900,000 for fiscal year 1986 and not more than $553,900,000 for fiscal year 1987 may be made available at concessional rates of interest. If a country is released from its contractual liability to repay the United States Government with respect to financing provided under this section, such financing shall not be considered to be financing provided at concessional rates of interest for purposes of the limitation established by this paragraph.

"(3) AUTHORIZATION FOR EXTENDED REPAYMENT TERMS.—For fiscal year 1986 and fiscal year 1987, the principal amount of credits provided under this section at market rates of interest with respect to Greece, the Republic of Korea, Portugal, Spain, Thailand, and Turkey shall (if and to the extent each country so desires) be repaid in not more than twenty years, following a grace period of ten years on repayment of principal.

"(c) COUNTRY-SPECIFIC PROVISIONS.—

"(1) ISRAEL.—

"(A) EARMARKING.—Of the aggregate total of credits extended under section 23 of this Act, not less than $1,800,000,000 for fiscal year 1986 and not less than $1,800,000,000 for fiscal year 1987 shall be available only for Israel.

"(B) FORGIVENESS.—Israel shall be released from its contractual liability to repay the United States Government with respect to the credits provided pursuant to subparagraph (A).

"(C) LAVI PROGRAM.—Of the amounts made available for Israel under section 23 of this Act—

"(i) up to $150,000,000 for fiscal year 1986 and up to $150,000,000 for fiscal year 1987 shall be for research and development in the United States for the Lavi program, and

"(ii) not less than $250,000,000 for fiscal year 1986 and not less than $250,000,000 for fiscal year 1987 shall be made available for the procurement in Israel of defense articles and defense services (including research and development) for the Lavi program, if Israel wishes to use those funds for that purpose.

"(2) EGYPT.—

"(A) EARMARKING.—Of the total amount of credits extended under section 23 of this Act, not less than $1,300,000,000 for fiscal year 1986 and not less than $1,300,000,000 for fiscal year 1987 shall be available only for Egypt.

"(B) FORGIVENESS.—Egypt shall be released from its contractual liability to repay the United States Government with respect to the credits extended pursuant to subparagraph (A).

"(3) GREECE.—

"(A) TERMS OF CONCESSIONAL CREDITS.—For each of the fiscal years 1986 and 1987, of the total amount of credits extended for Greece under section 23 of this Act, Greece shall receive the same proportion of credits extended at concessional rates of interest as the proportion of credits extended at concessional rates of interest which Turkey receives from the total amount of credits extended for Turkey under section 23 of this Act, and the average annual rate of interest on the credits extended for Greece at concessional rates of interest shall be comparable to the average annual rate of interest on the credits extended for Turkey at concessional rates of interests.

"(B) INAPPLICABILITY OF CEILING ON CONCESSIONAL CREDITS.—Credits extended for Greece for each of the fiscal years 1986 and 1987 at concessional rates of interest shall not be counted toward any ceiling established by law on concessional financing under this Act.".

SEC. 102. TERMS OF FOREIGN MILITARY SALES CREDITS.

Section 23 of the Arms Export Control Act is amended to read as follows:

SEC. 23. FOREIGN MILITARY SALES CREDITS.

"(a) AUTHORITY TO FINANCE PROCUREMENT.—The President is authorized to finance the procurement of defense articles, defense services, and design and construction services by friendly foreign countries and international organizations, on such terms and conditions as he may determine consistent with the requirements of this section.

"(b) REPAYMENT PERIOD.—The President shall require repayment in United States dollars within a period not to exceed twelve years after the loan agreement with the country or international organization is signed on behalf of the United States Government, unless a longer period is specifically authorized by statute for that country or international organization.

"(c) INTEREST RATES.—

"(1) GENERAL AUTHORITY.—The President shall charge interest under this section at such rate as he may determine, subject to the limitations contained in paragraph (2) and other provisions of law.

"(2) MINIMUM INTEREST RATES.—The interest rate charged under this section may not be less than—

"(A) 5 percent per year, or

"(B) the rate which is 7 percentage points less than the current average interest rate (as of the last day of the month preceding the financing of the procurement) that the United States Government pays on outstanding marketable obligations of comparable maturity,

whichever is greater.

"(3) DEFINITIONS OF CONCESSIONAL AND MARKET RATES.—For purposes of financing provided under this section—

"(A) the term 'concessional rate of interest' means any rate of interest which is less than market rates of interest; and

"(B) the term 'market rate of interest' means any rate of interest which is equal to or greater than the current average interest rate (as of the last day of the month preceding the financing of the procurement under this section) that the United States Government pays on outstanding marketable obligations of comparable maturity.

"(d) PARTICIPATIONS IN CREDITS.—References in any law to credits extended under this section shall be deemed to include reference to participations in credits.".

SEC. 103. MILITARY ASSISTANCE.

Section 504(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows: "(a)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter $805,100,000 for fiscal year 1986 and $805,100,000 for fiscal year 1987.".

SEC. 104. INTERNATIONAL MILITARY EDUCATION AND TRAINING.

Section 542 of the Foreign Assistance Act of 1961 is amended to read as follows:

SEC. 542. AUTHORIZATIONS OF APPROPRIATIONS.

"There are authorized to be appropriated to the President to carry out the purposes of this chapter $56,221,000 for fiscal year 1986 and $56,221,000 for fiscal year 1987.".

SEC. 105. PEACEKEEPING OPERATIONS.

Section 552(a) of the Foreign Assistance Act of 1961 is amended to read as follows: "(a) There are authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to amounts otherwise available for such purposes, $37,000,000 for fiscal year 1986 and $37,000,000 for fiscal year 1987.".

SEC. 106. GUARANTEE RESERVE.

The second sentence of section 24(c) of the Arms Export Control Act is amended to read as follows: "Funds authorized to be appropriated by section 31(a) to carry out this Act, which are allocated for credits at market rates of interest, may be used to pay claims under such guarantees to the extent funds in the single reserve are inadequate for that purpose.".

SEC. 107. FULL COSTING OF FMS SALES OF TRAINING AND IMET PROGRAMS.

(a) FMS SALES.—Section 21(a)(3) of the Arms Export Control Act is amended to read as follows:

"(3) in the case of the sale of a defense service, the full cost to the United States Government of furnishing such service.".

(b) IMET.—Section 644(m) of the Foreign Assistance Act of 1961 is amended—

(1) by amending paragraph (4) to read as follows:

"(4) with respect to a defense service or military education and training, the full cost to the United States Government of furnishing such assistance; and"; and

(2) in paragraph (5) by striking out "military education and training or" and by striking out "assistance" and inserting in lieu thereof "services".

SEC. 108. ADMINISTRATIVE SURCHARGE.

Subparagraph (A) of section 21(e)(1) of the Arms Export Control Act is amended by inserting "(excluding a pro rata share of fixed base operation costs)" immediately after "full estimated costs".

SEC. 109. CONTRACT ADMINISTRATION SERVICES.

Section 21(h) of the Arms Export Control Act is amended by inserting "contract administration services," immediately after "inspection," in the text preceding paragraph (1).

SEC. 110. CATALOG DATA AND SERVICES.

Section 21(h) of the Arms Export Control Act is further amended—

(1) by inserting "(1)" immediately after "(h)";

(2) by striking out "(1)" and "(2)" and inserting in lieu thereof "(A)" and "(B)", respectively; and

(3) by adding at the end thereof the following:

"(2) In carrying out the objectives of this section, the President is authorized to provide cataloging data and cataloging services, without charge, to the North Atlantic Treaty Organization or to any member government of that Organization if that Organization or member government provides such data and services in accordance with an agreement on a reciprocal basis, without charge, to the United States Government.".

SEC. 111. REPORT ON INTERNATIONAL VOLUME OF ARMS TRAFFIC.

Section 25 of the Arms Export Control Act is amended—

(1) in subsection (a) by striking out "No later than February 1" and inserting in lieu thereof "Except as provided in subsection (d) of this section, no later than February 1"; and

(2) by adding at the end thereof the following new subsection:

"(d) The information required by subsection (a)(4) of this section shall be transmitted to the Congress no later than April 1 of each year.".

SEC. 112. SECURITY ASSISTANCE SURVEYS.

(a) SURVEYS SUBJECT TO REQUIREMENTS.—Section 26 of the Arms Export Control Act is amended—

(1) in the section caption, by striking out "DEFENSE REQUIREMENT" and inserting in lieu thereof "SECURITY ASSISTANCE";

(2) by striking out "defense requirement" each place it appears in the section and inserting in lieu thereof "security assistance"; and

(3) by adding at the end of the section the following new subsection:

"(d) As used in this section, the term 'security assistance surveys' means any survey or study conducted in a foreign country by United States Government personnel for the purpose of assessing the needs of that country for security assistance, and includes defense requirement surveys, site surveys, general surveys or studies, and engineering assessment surveys.".

(b) SUBMISSION OF SURVEYS TO CONGRESS.—Section 26(c) of such Act is amended by striking out "grant that committee access to" and inserting in lieu thereof "submit to that committee copies of".

SEC. 113. QUARTERLY REPORTS ON UNITED STATES MILITARY ADVISORS ABROAD.

Section 36(a)(7) of the Arms Export Control Act is amended to read as follows:

"(7) an estimate of—

"(A) the number of United States military personnel, the number of United States Government civilian personnel, and the number of United States civilian contract personnel, who were in each foreign country at the end of that quarter, and

"(B) the number of members of each such category of personnel who were in each country in Central America for longer than 29 days during that quarter,

in implementation of sales and commercial exports under this Act or of assistance under chapter 2, 5, 6, or 8 of part II of the Foreign Assistance Act of 1961, including both personnel assigned to the country and personnel temporarily in the country by detail or otherwise;".

SEC. 114. INCREASE IN CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE ARMS EXPORT CONTROL ACT.

(a) CRIMINAL PENALTIES.—Section 38(c) of the Arms Export Control Act is amended by striking out "not more than $100,000 or imprisoned not more than two years, or both" and inserting in lieu thereof "for each violation not more than $1,000,000 or imprisoned not more than ten years, or both".

(b) CIVIL PENALTIES.—Section 38(e) of such Act is amended by adding at the end thereof the following: "Notwithstanding section 11(c) of the Export Administration Act of 1979, the civil penalty for each violation involving controls imposed on the export of defense articles and defense services under this section may not exceed $500,000.".

(c) EFFECTIVE DATE.—This section shall take effect upon the date of enactment of this Act or October 1, 1985, whichever date is later. The amendments made by this section apply with respect to violations occurring after the effective date of this section.

SEC. 115. OFFICIAL RECEPTION AND REPRESENTATION EXPENSES.

Section 43 of the Arms Export Control Act is amended—

(1) in subsection (b) by inserting "and official reception and representation expenses" immediately after "administrative expenses"; and

(2) by adding at the end thereof the following new subsection:

"(c) Not more than $72,500 of the funds derived from charges for administrative services pursuant to section 21(e)(1)(A) of this Act may be used each fiscal year for official reception and representation expenses.".

SEC. 116. SPECIAL DEFENSE ACQUISITION FUND.

(a) CONTINUOUS ORDERS FOR CERTAIN ARTICLES AND SERVICES.—Section 51(a) of the Arms Export Control Act is amended by adding at the end thereof the following new paragraph:

"(3) The Fund may be used to keep on continuous order such defense articles and defense services as are assigned by the Department of Defense for integrated management by a single agency thereof for the common use of all Military Departments in anticipation of the transfer of similar defense articles and defense services to foreign countries and international organizations pursuant to this Act, the Foreign Assistance Act of 1961, or other law.".

(b) LIMITATIONS ON DEPOSITS IN THE FUND.—Section 51(b) of such Act is amended to read as follows:

"(b)(1) Subject to paragraph (2) of this subsection, the Fund shall consist of collections from sales made under letters of offer, or transfers made under the Foreign Assistance Act of 1961, of defense articles and defense services acquired under this chapter (representing the value of such items calculated in accordance with paragraph (2) or (3) of section 21(a) or section 22 of this Act or section 644(m) of the Foreign Assistance Act of 1961, as appropriate), together with such funds as may be authorized and appropriated or otherwise made available for the purposes of the Fund.

"(2) Whenever—

"(A) the value (in terms of acquisition cost) of the defense articles and defense services acquired under this chapter which have not been transferred from the Fund in accordance with this chapter, plus

"(B) the amount of contracts to acquire defense articles and defense services under this chapter,

exceeds $500,000,000, the collections described in paragraph (1) shall be deposited in the Treasury as miscellaneous receipts.".

SEC. 117. WAIVER OF NET PROCEEDS FOR SALE OF MAP ITEMS.

Section 505(f) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following: "In the case of items which were delivered prior to 1975, the President may waive the requirement that such net proceeds be paid to the United States Government if he determines that to do so in the national interest of the United States.".

SEC. 118. STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES.

Section 514(b)(2) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(2) The value of such additions to stockpiles in foreign countries shall not exceed $360,000,000 for fiscal year 1986 and shall not exceed $125,000,000 for fiscal year 1987.".

SEC. 119. SECURITY ASSISTANCE ORGANIZATIONS.

Section 515(c)(1) of the Foreign Assistance Act of 1961 is amended in the last sentence by striking out "For the fiscal year 1982 and the fiscal year 1983" and inserting in lieu thereof "Pakistan, Tunisia, El Salvador, Honduras, Venezuela".

SEC. 120. EXCHANGE TRAINING.

Chapter 5 of part II of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 544. EXCHANGE TRAINING.

"In carrying out this chapter, the President is authorized to provide for attendance of foreign military personnel at professional military education institutions in the United States (other than service academies) without charge, and without charge to funds available to carry out this chapter (notwithstanding section 632(d) of this Act), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one, reciprocal basis each fiscal year between those United States professional military education institutions and comparable institutions of foreign countries and international organizations.".

SEC. 121. TRAINING IN MARITIME SKILLS.

(a) AUTHORIZATION.—Chapter 5 of part II of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof the following new section:

"SEC. 545. TRAINING IN MARITIME SKILLS.

"The President is encouraged to allocate a portion of the funds made available each fiscal year to carry out this chapter for use in providing education and training in maritime search and rescue, operation and maintenance of aids to navigation, port security, at-sea law enforcement, international maritime law, and general maritime skills.".

(b) EXEMPTION.—Section 660(b) of such Act is amended—

(1) by striking out "or" at the end of clause (1);

(2) by striking out the period at the end of clause (2) and inserting in lieu thereof "; or"; and

(3) by adding the following new clause after clause (2):

"(3) with respect to assistance, including training, in maritime law enforcement and other maritime skills.".

SEC. 122. SPECIAL WAIVER AUTHORITY.

Section 614(a)(4) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(4)(A) The authority of this subsection may not be used in any fiscal year to authorize—

"(i) more than $750,000,000 in sales to be made under the Arms Export Control Act;

"(ii) the use of more than $250,000,000 of funds made available for use under this Act or the Arms Export Control Act; and

"(iii) the use of more than $100,000,000 of foreign currencies accruing under this Act or any other law.

"(B) If the authority of this subsection is used both to authorize a sale under the Arms Export Control Act and to authorize funds to be used under the Arms Export Control Act or under this Act with respect to the financing of that sale, then the use of the funds shall be counted against the limitation in subparagraph (A)(ii) and the portion, if any, of the sale which is not so financed shall be counted against the limitation in subparagraph (A)(i).

"(C) Not more than $50,000,000 of the $250,000,000 limitation provided in subparagraph (A)(ii) may be allocated to any one country in any fiscal year unless that country is a victim of active Communist or Communist-supported aggression, and not more than $500,000,000 of the aggregate limitation of $1,000,000,000 provided in subparagraphs (A)(i) and (A)(ii) may be allocated to any one country in any fiscal year.".

SEC. 123. REPROGRAMMING REQUIREMENTS.

(a) REPROGRAMING NOTIFICATIONS.—Section 63A of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(a)" immediately before "None";

(2) by inserting "or the Arms Export Control Act" immediately after "disaster relief and rehabilitation)" and immediately after "this Act" the second place it appears; and

(3) by adding at the end of the section the following new subsection:

"(b) The notification requirement of this section does not apply to the reprograming of less than $25,000 for use under chapter 8 of part I, or for use under chapter 5 of part II, for a country for which a program under that chapter for that fiscal year was justified to the Congress.".

(b) ALLOCATION REPORTS.—Section 653 of such Act is amended—

(1) by inserting in subsection (a) "or the Arms Export Control Act" immediately after "sections 451 or 637)";

(2) by striking out subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

(c) QUARTERLY REPORTS.—Section 36(a) of the Arms Export Control Act is amended—

(1) in paragraph (5) by striking out "cash" and by striking out ", credits to be extended under section 23, and guaranty agreements to be made under section 24"; and

(2) in paragraph (6) by striking out "cash" and by striking out "and credits expected to be extended".

SEC. 124. CONVENTIONAL ARMS TRANSFERS.

The President shall submit to the Congress a report which examines and analyzes United States policies concerning the export of conventional arms, especially sophisticated weapons, and possible approaches to developing multilateral limitations on conventional arms sales. This report shall examine and analyze—

(1) the lessons of earlier offorts to negotiate restraints on the export of conventional arms;

(2) the evolution of recipient country attitudes regarding conventional arms transfers;

(3) the prospects for engaging the Soviet Union in serious discussions concerning arms transfers, both globally and as they relate to regional security problems;

(4) possible measures by the United States and Western European supplies to control levels of sophisticated weapons sales, both regionally and globally;

(5) the relationship between arms exports by Western European countries and the needs of those countries to support their domestic procurement programs; and

(6) the timing and phasing of international conventional arms control negotiations. This report should be unclassified to the extent possible, with classified addenda if necessary.

SEC. 125. FOREIGN MILITARY SALES FOR JORDAN.

(a) MIDDLE EAST PEACE.—The foreign military sales financing authorized by this Act for Jordan is provided and increased in the recognition of progress Jordan has made in the search for a just and lasting peace in the Middle East, to encourage further progress, in recognition of the continuing defense needs of Jordan, and in the expectation that Jordan will enter into direct negotiations with Israel based on United Nations Security Council Resolutions 242 and 338 and the Camp David Accords in order to resolve the state of war between those two countries.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that no sales of sophisticated weaponry—specifically advanced aircraft, new air defense weapons systems, or other new advanced military weapons systems—be made to Jordan unless the Government of Jordan is publicly committed to the recognition of Israel and to prompt entry into direct peace negotiation with Israel.

SEC. 126. CERTIFICATION CONCERNING AWACS SOLD TO SAUDI ARABIA.

(a) THE PRESIDENT'S 1981 AWACS, COMMUNICATION TO THE SENATE.—(1) The Congress finds that in his October 28, 1981, communication to the Senate concerning the proposed sale of AWACS aircraft and F-15 enhancement items to Saudi Arabia which was then being reviewed by the Congress (hereafter in this section referred to as the "1981 AWACS communication"), the President stated the following:

"Transfer of the AWACS will take place . . . only after the Congress has received in writing a Presidential certification, containing agreements with Saudi Arabia, that the following conditions have been met:

"1. Security of Technology

"A. That a detailed plan for the security of equipment, technology, information, and supporting documentation has been agreed to by the United States and Saudi Arabia and is in place; and

"B. The security provisions are no less stringent than measures employed by the U.S. for protection and control of its equipment of like kind outside the continental U.S.; and

"C. The U.S. has the right of continual on-site inspection and surveillance by U.S. personal of security arrangements for all operations during the useful life of the AWACS. It is further provided that security arrangements will be supplemented by additional U.S. personnel if it is deemed necessary by the two parties; and

"D. Saudi Arabia will not permit citizens of third nations either to perform maintenance on the AWACS or to modify any such equipment without prior, explicit mutual consent of the two governments; and

"E. Computer software, as designated by the U.S. Government, will remain the property of the USG.

"2. Access to Information

"That Saudi Arabia has agreed to share with the United States continuously and completely the information that it acquires from use of the AWACS.

"3. Control Over Third-Country Participation

"A. That Saudi Arabia has agreed not to share access to AWACS equipment, technology, documentation, or any information developed from such equipment or technology with any nation other than the U.S. without the prior, explicit mutual consent of both governments; and

"B. There are in place adequate and effective procedures requiring the screening and security clearance of citizens of Saudi Arabia and that only cleared Saudi citizens and cleared U.S. nationals will have access to AWACS equipment, technology, or documentation, or information derived therefrom, without the prior, explicit mutal consent of the two governments.

"4. AWACS Flight Operations

"That the Saudi AWACS will be operated solely within the boundaries of Saudi Arabia, except with the prior, explicit mutual consent of the two governments, and solely for defensive purposes as defined by the United States, in order to maintain security and regional stability.

"5. Command Structure

"That agreements as they concern organizational command and control structure for the operation of AWACS are of such a nature to guarantee that the commitments above will be honored.

"6. Regional Peace and Security

"That the sale contributes directly to the stability and security of the area, enhances the atmosphere and prospects for progress toward peace, and that initiatives toward the peaceful resolution of disputes in the region have either been successfully completed or that significant progress toward that goal has been accomplished with the substantial assistance of Saudi Arabia.".

(2) The Congress finds that the President also stated in the 1981 AWACS communication that should circumstances arise that might require changes in the arrangements described in that communication, "they would be made only with Congressional participation".

(b) REQUIREMENT FOR PRESIDENTIAL CERTIFICATION.—As provided in the 1981 AWACS communication, before the E-3A airborne warning and control system (AWACS) aircraft which were the subject of that communication are transferred to Saudi Arabia, the President shall submit to the Congress a written Presidential certification, containing agreements with Saudi Arabia, that the conditions set forth in that communication have been met.

(c) CONGRESSIONAL PARTICIPATION IN CHANGES IN AWACS ARRANGEMENTS.—In order to facilitate the congressional participation provided for in the 1981 AWACS communication, the President shall notify the Congress promptly of any changes being considered by the United States in the arrangements described in that communication.

SEC. 127. COOPERATIVE AGREEMENTS ON AIR DEFENSE IN CENTRAL EUROPE.

(a) GENERAL AUTHORITIES.—The Secretary of Defense may carry out the European air defense agreements. In carrying out those agreements, the Secretary—

(1) may provide without monetary charge to the Federal Republic of Germany articles and services as specified in the agreements; and

(2) may accept from the Federal Republic of Germany (in return for the articles and services provided under paragraph (1)) articles and services as specified in the agreements.

(b) SPECIAL AUTHORITIES.—In connection with the administration of the European air defense agreements, the Secretary of Defense may—

(1) waive any surcharge for administrative services otherwise chargeable under section 21(e)(1)(A) of the Arms Export Control Act;

(2) waive any charge not otherwise waived for services associated with contract administration for the sale under the Arms Export Control Act of Patriot air defense missile fire units to the Federal Republic of Germany contemplated in the agreements;

(3) use, to the extent contemplated in the agreements, the NATO Maintenance and Supply Agency—

(A) for the supply of logistical support in Europe for the Patriot missile system, and

(B) for the acquisition of such logistical support,

to the extent that the Secretary determines that the procedures of that Agency governing such supply and acquisition are appropriate;

(4) share, to the extent contemplated in the agreements, the costs of set-up charges of facilities for use by that Agency to perform depot-level support of Patriot missile fire units in Europe; and

(5) deliver to the Federal Republic of Germany one Patriot missile fire unit config-

ured for training, to be purchased by the Federal Republic of Germany under the Arms Export Control Act as contemplated in the agreements, without regard to the requirement in section 22 of that Act for payment in advance of delivery for any purchase under that Act.

(c) RATE CHARGED FOR CERTAIN SERVICES.—Notwithstanding the rate required to be charged under section 21 of the Arms Export Control Act for services furnished by the United States, in the case of 14 Patriot missile fire units which the Federal Republic of Germany purchases from the United States under the Arms Export Control Act as contemplated in the European air defense agreements, the rate charged by the Secretary of Defense for packing, crating, handling, and transportation services associated with that purchase may not exceed the established Department of Defense rate for such services.

(d) LIMITATION ON CONTRACT AUTHORITY.—The authority of the Secretary of Defense to enter into contracts under the European air defense agreements is available only to the extent that appropriated funds, other than those made available under section 31 of the Arms Export Control Act, are available for that purpose.

(e) RELATION TO FY 1985 AUTHORIZATION.—The authorities provided by this section are an extension of, and not in addition to, the authorities provided by section 1007 of the Department of Defense Authorization Act, 1985 (98 Stat. 2579), relating to the authority of the Secretary of Defense to carry out the European air defense agreements during fiscal year 1985.

(f) DEFINITION OF EUROPEAN AIR DEFENSE AGREEMENTS.—For the purposes of this section, the term "European air defense agreements" means—

(1) the agreement entitled "Agreement between the Secretary of Defense of the United States of America and the Minister of Defense of the Federal Republic of Germany on Cooperative Measures for Enhancing Air Defense for Central Europe," signed on December 6, 1983; and

(2) the agreement entitled "Agreement between the Secretary of Defense of the United States of America and the Minister of Defense of the Federal Republic of Germany in implementation of the 6 December 1983 Agreement on Cooperative Measures for Enhancing Air Defense for Central Europe," signed on July 12, 1984.

SEC. 128. CEILING ON MILITARY ASSISTANCE FOR TURKEY.

For each of the fiscal years 1986 and 1987, the aggregate total of assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 and financing under the Arms Export Control Act provided for Turkey may not exceed $711,428,570.

TITLE II—ECONOMIC SUPPORT FUND

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATIONS.—Section 531(b)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(b)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter $3,830,400,000 for fiscal year 1986 and $3,830,400,000 for fiscal year 1987. In addition to the amount appropriated by Public Law 98-473, there are authorized to be appropriated to the President to carry out this chapter $1,500,000,000 for fiscal year 1985, which shall be available only for Israel.".

(b) REPEAL OF PRIOR YEAR PROVISIONS.—Chapter 4 of part II of such Act is amended by repealing existing sections 532, 533, 534, 536, 537, 538, 539, and 540.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act.

SEC. 202. EMERGENCY ASSISTANCE.

Section 535 of the Foreign Assistance Act of 1961 is amended—

(1) by striking out "1982" and "1983" inserting in lieu thereof "1986" and "1987", respectively; and

(2) by redesignating that section as section 532.

SEC. 203. ASSISTANCE FOR THE MIDDLE EAST.

(a) ISRAEL.—

(1) EARMARKINGS FOR ISRAEL.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $1,200,000,000 for fiscal year 1986 and not less than $1,200,000,000 for fiscal year 1987 shall be available only for Israel.

(2) CASH TRANSFERS TO ISRAEL.—The total amounts of funds allocated for Israel under chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 1986 and fiscal year 1987 shall be made available as a cash transfer on a grant basis. Such transfer shall be made on an expedited basis in the first 30 days of the respective fiscal year or within 30 days after the date of enactment of this Act, whichever date is later. In exercising the authority of this paragraph, the President shall ensure that the level of cash transfer made to Israel does not cause an adverse impact on the total level of nonmilitary exports from the United States to Israel.

(b) EGYPT.—

(1) EARMARKINGS FOR EGYPT.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $815,000,000 for fiscal year 1986 and not less than $815,000,000 for fiscal year 1987 shall be available only for Egypt.

(2) CASH TRANSFERS TO EGYPT.—Amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated for assistance for Egypt for fiscal year 1986 and fiscal year 1987 may be provided as a cash transfer only if—

(A) the President determines that Egypt will undertake economic reforms or development activities which are additional to those which would be undertaken in the absence of the cash transfer, and

(B) at least 15 days before the cash transfer occurs, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate in accordance with the procedures applicable to reprograming notifications pursuant to section 634A of the Foreign Assistance Act of 1961, such notification to include a description of the additional economic reforms or development activities Egypt will undertake.

(c) COOPERATIVE SCIENTIFIC AND TECHNOLOGICAL PROJECTS.—It is the sense of the Congress that, in order to continue to build the structure of peace in the Middle East, the United States should finance, and where appropriate participate in, cooperative projects of a scientific and technological nature involving Israel and Egypt and other Middle East countries wishing to participate. These cooperative projects should include projects in the fields of agriculture, health, energy, the environment, education, water resources, and the social sciences.

SEC. 204. ASSISTANCE FOR CYPRUS.

(a) FISCAL YEARS 1986 AND 1987.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $15,000,000 for fiscal year 1986 and not less than $15,000,000 for fiscal year 1987 shall be available only for Cyprus.

(b) CYPRUS PEACE AND RECONSTRUCTION FUND.—

(1) AUTHORIZATION.—In addition to amounts otherwise available for assistance for Cyprus under chapter 4 of part II of the Foreign Assistance Act of 1961, there is authorized to be appropriated $250,000,000 for fiscal year 1985 to provide assistance for Cyprus, subject to paragraph (2).

(2) CERTIFICATION REQUIRED.—The additional assistance for Cyprus authorized by paragraph (1) may be provided only if the President certifies to the Congress that an agreement has been concluded by the Greek and Turkish Cypriots which is supported by Greece and Turkey and which achieves substantial progress toward settlement of the Cyprus dispute. Such an agreement should include an agreement on Varosha/Famagusta, foreign troop levels in the Republic of Cyprus, the disposition of the international airport on Cyprus, or other significant steps which are evidence of substantial progress toward an overall settlement of the Cyprus dispute.

(3) EXTENDED AVAILABILITY OF FUNDS.—Funds authorized to be appropriated by paragraph (1) may be appropriated in subsequent fiscal years if not appropriated for fiscal year 1985, and when appropriated shall remain available until expended.

SEC. 205. RESTRICTION ON USE OF FUNDS FOR NUCLEAR FACILITIES.

Funds authorized to be appropriated to carry out chapter of part II of the Foreign Assistance Act of 1961 for fiscal year 1986 or fiscal year 1987 may not be used to finance the construction of, the operation or maintenance of, or the supplying of fuel for, any nuclear facility in a foreign country unless the President certifies to the Congress that such country is a party to the Treaty on the Non-Proliferation of Nuclear Weapons or the Treaty for the Prohibition of Nuclear Weapons in Latin America (the "Treaty of Tlatelolco"), cooperates fully with the International Atomic Energy Agency, and pursues nonproliferation policies consistent with those of the United States.

TITLE III—DEVELOPMENT ASSISTANCE

SEC. 301. DEVELOPMENT ASSISTANCE POLICY.

Section 102(b) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraphs:

"(13) United States encouragement of policy reforms is necessary if developing countries are to achieve economic growth with equity.

"(14) Development assistance should, as a fundamental objective, promote private sector activity in open and competitive markets in developing countries, recognizing such activity to be a productive and efficient means of achieving equitable and long term economic growth.

"(15) United States cooperation in development should recognize as essential the need of developing countries to have access to appropriate technology in order to improve food and water, health and housing, education and employment, and agriculture and industry.

"(16) United States assistance should focus on establishing and upgrading the in-

stitutional capacities of developing countries in order to promote long term development. An important component of institution building involves training to expand the human resource potential of people in developing countries.".

SEC. 302. AGRICULTURE, RURAL DEVELOPMENT, AND NUTRITION.

Section 103(a)(2) of the Foreign Assistance Act of 1961 is amended by striking out the first sentence and inserting in lieu thereof the following: "There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $760,551,000 for fiscal year 1986 and $760,551,000 for fiscal year 1987. Of these amounts, the President may use such amounts as he deems appropriate to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980.".

SEC. 303. POPULATION AND HEALTH.

Section 104(g) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(g) AUTHORIZATIONS OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the President, in addition to funds otherwise available for such purposes—

(A) $250,017,000 for fiscal year 1986 and $250,017,000 for fiscal year 1987 to carry out subsection (b) of this section; and

"(B) $146,427,000 for fiscal year 1986 and $146,427,000 for fiscal year 1987 to carry out subsection (c) of this section.

"(2) Funds appropriated under this subsection are authorized to remain available until expended.".

SEC. 304. LIMITATIONS ON USE OF POPULATION PLANNING FUNDS.

(a) LIMITATIONS.—Section 104(f) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following:

"(4)(A) In view of reports of infanticide and coerced abortion, none of the funds made available to carry out this part may be used to carry out population planning programs in the People's Republic of China, including through contribution to any international organization or any private and voluntary organization which would use those funds for population planning programs in that country.

"(B) The President shall instruct the United States representative to any international organization which receives population planning funds under subsection (b) to oppose the extension of assistance by that organization for population planning purposes to the People's Republic of China, so long as the President determines that there are valid reports of infanticide and coerced abortion in that country's population planning programs.".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act.

SEC. 305. CHILD SURVIVAL FUND.

Section 104(c)(2)(B) of the Foreign Assistance Act of 1961 is amended by striking out "$25,000,000" and inserting in lieu thereof "$45,000,000 for fiscal year 1986 and $45,000,000 for fiscal year 1987".

SEC. 306. EDUCATION AND HUMAN RESOURCES DEVELOPMENT.

The second sentence of section 105(a) of the Foreign Assistance Act of 1961 is amended to read as follows: "There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $183,533,000 for fiscal year 1986 and $183,533,000 for fiscal year 1987, which are authorized to remain available until expended.".

SEC. 307. ENERGY, PRIVATE VOLUNTARY ORGANIZATIONS, AND SELECTED DEVELOPMENT ACTIVITIES.

(a) AUTHORIZATIONS.—Section 106(e)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(e)(1) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $200,000,000 for fiscal year 1986 and $200,000,000 for fiscal year 1987.".

(b) COOPERATIVE DEVELOPMENT PROGRAM.—Section 106 of such Act is amended by adding at the end thereof the following new subsection:

"(f) Of the amounts authorized to be appropriated to carry out this chapter, $5,000,000 for fiscal year 1986 and $5,000,000 for fiscal year 1987 shall be used to finance cooperative projects among the United States, Israel, and developing countries.".

SEC. 308. PRIVATE SECTOR REVOLVING FUND.

Section 108(b) of the Foreign Assistance Act of 1961 is amended by striking out "fiscal year 1984" in the first sentence and inserting in lieu thereof "each of the fiscal years 1986 and 1987".

SEC. 309. PRIVATE AND VOLUNTARY ORGANIZATIONS AND COOPERATIVES IN OVERSEAS DEVELOPMENT.

(a) *Notification Date.*—Section 123(e) of the Foreign Assistance Act of 1961 is amended by striking out "thirty" in the third sentence and inserting in lieu thereof "ninety".

(b) *Earmarking for PVOs.*—Section 123(f) of such Act is amended by striking out "and 1984" and inserting in lieu thereof "1984, 1986, and 1987".

SEC. 310. PROMOTION OF DEMOCRATIC COOPERATIVES.

Section 123 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(h) The Congress recognizes that, in addition to their role in social and economic development, cooperatives provide an opportunity for people to participate directly in democratic decisionmaking. Therefore, assistance under this chapter shall be provided to rural and urban cooperatives which offer large numbers of low- and middle-income people in developing countries an opportunity to participate directly in democratic decisionmaking. Such assistance shall be designed to encourage the adoption of self-help, private sector cooperative techniques and practices which have been successful in the United States.".

SEC. 311. TARGETED ASSISTANCE.

(a) REQUIREMENTS.—Section 128 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 128. TARGETED ASSISTANCE.

"(a) DIRECTLY IMPROVING LIVES OF THE POOR MAJORITY.—The President shall use poverty measurement standards, such as those developed by the International Bank for Reconstruction and Development, and other appropriate measurements in determining target populations for United States development assistance, and shall strengthen United States efforts to assure that a substantial percentage of development assistance under this chapter directly improves the lives of the poor majority, with special emphasis on those individuals living in absolute poverty.

"(b) ENSURING THAT THE POOR MAJORITY BENEFIT.—To the maximum extent possible, activities under this chapter that attempt to increase the institutional capabilities of private organizations or governments, or that attempt to stimulate scientific and technological research, shall be designed and monitored to ensure that the ultimate beneficiaries of these activities are the poor majority.".

(b) ANNUAL REPORTS.—Section 634(a)(1)(B) of such Act is amended by inserting immediately before the semicolon the following: ", such assessment to include an evaluation of the extent to which programs under chapter 1 of part I directly benefit the poor majority".

SEC. 312. HOUSING AND OTHER GUARANTY PROGRAMS.

(a) INCREASING AUTHORIZED HIG PROGRAM LEVEL.—Section 222(a) of the Foreign Assistance Act of 1961 is amended by striking out "$1,958,000,000" in the second sentence and inserting in lieu thereof "$2,278,000,000".

(b) EXTENDING HIG PROGRAM AUTHORITY.—Such section is further amended by striking out "1986" in the third sentence and inserting in lieu thereof "1988".

(c) MINIMUM ANNUAL HIG PROGRAM LEVELS.—Section 222 of such Act is amended by adding at the end thereof the following:

"(k) The total principal amount of guaranties issued under this section for each of the fiscal years 1986 and 1987 shall be comparable to the total principal amount of such guaranties issued for fiscal year 1984.".

(d) AGRICULTURAL AND PRODUCTIVE CREDIT AND SELF-HELP COMMUNITY DEVELOPMENT PROGRAMS.—Section 222A(h) of such Act is amended by striking out "1986" and inserting in lieu thereof "1988".

SEC. 313. TRADE CREDIT INSURANCE PROGRAM.

Section 224(e) of the Foreign Assistance Act of 1961 is amended by striking out "not to exceed $300,000,000 in the fiscal year 1985" and inserting in lieu therof "except that the aggregate amount of outstanding commitments under subsection (a) may not exceed $500,000,000 of contingent liability for loan principal during fiscal years 1986 and 1987".

SEC. 314. DISADVANTAGED CHILDREN IN ASIA.

(a) AUTHORIZATION OF ADDITIONAL ASSISTANCE.—Section 241(b) of the Foreign Assistance Act of 1961 is amended by striking out "$2,000,000" and inserting in lieu thereof "$3,000,000".

(b) ADDITIONAL STEPS TO HELP AMERASIAN CHILDREN.—The Congress finds that Amerasian children are currently the object of discrimination in the countries in Asia where they now reside. Therefore the President shall report to the Congress on the quality of life of these children and on what additional steps, such as facilitating adoptions, the United States could take to enhance the lives of these children.

SEC. 315. MINORITY SET-ASIDE.

Except to the extent that the Administrator of the Agency for International Development determines otherwise, not less than 10 percent of the aggregate of the funds made available for each of the fiscal year 1986 and 1987 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be made available only for activities of economically and socially disadvantaged enterprises (within the meaning of section 133(c)(5) of the International Development and Food Assistance Act of 1977), historically Black colleges and universities, and private and voluntary organizations which are controlled by individuals who are Black Americans, Hispanic Americans, or Native Americans, or who are economically and socially disadvantaged (within the meaning of

section 133(c)(5)(B) and (C) of the International Development and Food Assistance Act of 1977). For purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

TITLE IV—OTHER FOREIGN ASSISTANCE ACT PROGRAMS

SEC. 401. AMERICAN SCHOOLS AND HOSPITALS ABROAD.

Section 214(c) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(c)(1) To carry out the purposes of this section, there are authorized to be appropriated to the President $30,000,000 for fiscal year 1986 and $30,000,000 for fiscal year 1987.

"(2) Amounts appropriated under paragraph (1) are authorized to remain available until expended.".

SEC. 402. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS AND PROGRAMS.

Section 302(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows: "(a)(1) There are authorized to be appropriated to the President $212,454,000 for fiscal year 1986 and $212,454,000 for fiscal year 1987 for grants to carry out the purposes of this chapter, in addition to funds available under other Acts for such purposes. Of these amounts—

"(A) $53,500,000 for fiscal year 1986 and $53,500,000 for fiscal year 1987 shall be for the United Nations Children's Fund;

"(B) funds for fiscal year 1986 and for fiscal year 1987 may be contributed to the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its rights to participate in the activities of that Agency; and

"(C) $343,000 for fiscal year 1986 and $343,000 for fiscal year 1987 shall be for the United Nations Trust Fund for South Africa.".

SEC. 403. PALESTINE LIBERATION ORGANIZATION.

Chapter 3 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 307. PALESTINE LIBERATION ORGANIZATION.

"(a) PROHIBITION ON FUNDING.—Funds authorized to be appropriated by this chapter may not be made available for the United States proportionate share for programs for the Palestine Liberation Organization or for projects whose primary purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it.

"(b) ANNUAL REVIEW.—The Secretary of State—

"(1) shall review, at least annually, the budgets and accounts of all international organizations receiving payments of any such funds; and

"(2) shall report to the appropriate committees of the Congress the amounts of funds expended by each such organization for the purposes described in subsection (a) and the amount contributed by the United States to each such organization.".

SEC. 404. SOUTH-WEST AFRICA PEOPLE'S ORGANIZATION.

Chapter 3 of part I of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof the following new section:

"SEC. 308. SOUTH-WEST AFRICA PEOPLE'S ORGANIZATION.

"(a) LIMITATION ON FUNDING.—Funds authorized to be appropriated by this chapter may not be made available for the United States proportionate share for programs for the South-West Africa People's Organization, except that funds may be made available for the United States proportionate share of programs for the South-West Africa People's Organization if the President certifies to the Congress that such funds would not be used to support the military or paramilitary activities of the South-West Africa People's Organization.

"(b) ANNUAL REVIEW.—The Secretary of State—

"(1) shall review, at least annually, the budgets and accounts of all international organizations receiving payments of any such funds; and

"(2) shall report to the appropriate committees of the Congress the amounts of funds expended by each such organization for the purposes described in subsection (a) and the amount contributed by the United States to each such organization.".

SEC. 405. INTERNATIONAL DISASTER ASSISTANCE.

The first sentence of section 492(a) of the Foreign Assistance Act of 1961 is amended to read as follows: "There are authorized to be appropriated to the President to carry out section 491, $25,000,000 for fiscal year 1986 and $25,000,000 for fiscal year 1987.".

SEC. 406. ANTI-TERRORISM ASSISTANCE PROGRAM.

(a) AUTHORIZATIONS.—Section 575 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 575. AUTHORIZATIONS OF APPROPRIATIONS.

"(a) AUTHORIZATIONS.—There are authorized to be appropriated to the President to carry out this chapter $5,000,000 for fiscal year 1986 and $5,000,000 for fiscal year 1987.

"(b) EXTENDED OBLIGATIONAL AVAILABILITY.—Amounts appropriated under this section are authorized to remain available until expended.".

(b) ITEMS ON THE MUNITIONS LIST.—Section 573(d)(4) of such Act is amended to read as follows:

"(4)(A) Except as provided in subparagraph (B), articles on the United States Munitions List established pursuant to the Arms Export Control Act may not be made available under this chapter.

"(B) For fiscal years 1986 and 1987, articles on the United States Munitions List may be made available under this chapter if—

"(i) they are small arms in category I (relating to firearms), ammunition in category III (relating to ammunition) for small arms in category I, or articles in category X (relating to protective personnel equipment), and they are directly related to anti-terrorism training being provided under this chapter;

"(ii) the recipient country is not prohibited by law from receiving assistance under one or more of the following provisions: chapter 2 of this part, chapter 5 of this part, or the Arms Export Control Act; and

"(iii) at least 15 days before the articles are made available to the foreign country, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the proposed transfer, in accordance with the procedures applicable to reprograming notifications pursuant to section 634A of this Act.

"(C) The value (in terms of original acquisition cost) of all equipment and commodities provided under subsection (a) of this section, including articles described in subparagraph (B)(i) of this paragraph, may not exceed $325,000 in fiscal year 1986 or $325,000 in fiscal year 1987.".

(c) Section 573 of such Act is amended by adding at the end thereof the following new subsection:

"(f) Funds made available to carry out this chapter may not be used for personnel compensation and benefits.".

(d) EXPIRATION OF AUTHORITY.—Section 577 of such Act is repealed.

SEC. 407. COORDINATION OF ALL U.S. ANTI-TERRORISM ASSISTANCE TO FOREIGN COUNTRIES.

(a) COORDINATION.—The Secretary of State shall be responsible for coordinating all anti-terrorism assistance to foreign countries provided by the United States Government.

(b) REPORTS.—Not later than February 1 each year, the Secretary of State, in consultation with appropriate United States Government agencies, shall report to the appropriate committees of the Congress on the anti-terrorism assistance provided by the United States Government during the preceding fiscal year. Such reports may be provided on a classified basis to the extent necessary, and shall specify the amount and nature of the assistance provided.

SEC. 408. TRADE AND DEVELOPMENT PROGRAM.

The first sentence of section 661(b) of the Foreign Assistance Act of 1961 is amended to read as follows: "There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $20,000,000 for fiscal year 1986 and $20,000,000 for fiscal year 1987.".

SEC. 409. OPERATING EXPENSES.

Section 667(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(1) $387,000,000 for fiscal year 1986 and $387,000,000 for fiscal year 1987 for necessary operating expenses of the agency primarily responsible for administering part I of this Act; and".

TITLE V—INTERNATIONAL NARCOTICS CONTROL

SEC. 501. AUTHORIZATIONS FOR INTERNATIONAL NARCOTICS CONTROL ASSISTANCE.

Subsection (a)(1) of section 482 of the Foreign Assistance Act of 1961 is amended to read as follows: "(a)(1) To carry out the purposes of section 481, there are authorized to be appropriated to the President $50,344,000 for fiscal year 1986 and $50,344,000 for fiscal year 1987,".

SEC. 502. DEVELOPMENT AND ILLICIT NARCOTICS PRODUCTION.

Section 126(b) of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "and under chapter 4 of part II" immediately after "this chapter"; and

(2) by inserting "(1)" after "(b)" and by adding at the end thereof the following new paragraph:

"(2) The agency primarily responsible for administering this part may utilize resources for activities aimed at increasing awareness of the effects of production and trafficking of illicit narcotics on source and transit countries.".

SEC. 503. REPORTS ON INTERNATIONAL NARCOTICS CONTROL ASSISTANCE.

Section 481(b) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(b)(1) Not later than 45 days after the end of each calendar quarter, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a report on the programming and obligation, on a calendar basis, of funds under this chapter prior to the end of that quarter. The last such report for each fiscal year shall include

the aggregate obligations and expenditures made, and the types and quantity of equipment provided, on a calendar quarter basis, prior to end of that fiscal year—

"(A) to carry out the purposes of this chapter with respect to each country and each international organization receiving assistance under this chapter, including the cost of the United States personnel engaged in carrying out such purposes in each such country and with each such international organization;

"(B) to carry out each program conducted under this chapter in each country and by each international organization, including the cost of United States personnel engaged in carrying out each such program; and

"(C) for administrative support services within the United States to carry out the purposes of this chapter, including the cost of United States personnel engaged in carrying out such purposes in the United States.

"(2) Not later than August 1 of each year, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a complete and detailed midyear report on the activities and operations carried out under this chapter prior to such date. Such midyear report shall include, but not be limited to, the status of each agreement concluded prior to such date with other countries carry out the purposes of this chapter.".

SEC. 504. EXEMPTION FROM BAN ON INVOLVEMENT OF UNITED STATES PERSONNEL IN ARREST ACTIONS IN NARCOTICS CONTROL EFFORTS ABROAD.

Section 481(c) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraph:

"(2) Paragraph (1) of this subsection shall not prohibit officers and employees of the United States from being present during direct police arrest actions with respect to narcotic control efforts in a foreign country to the extent that the Secretary of State and the government of that country agree to such an exemption. The Secretary of State shall report any such agreement to the Congress before the agreement takes effect.".

SEC. 505. ANNUAL REPORTS ON INVOLVEMENT OF OTHER COUNTRIES IN ILLICIT DRUG TRAFFIC.

Section 481(e) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraph:

"(6) Each report pursuant to this subsection shall describe the involvement, during the preceding fiscal year, of any foreign government in illicit drug trafficking, including—

"(A) the direct or indirect involvement of such government (or any official thereof) in the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, and

"(B) any other activities of such government (or any official thereof) which have facilitated illicit drug trafficking.".

SEC. 506. PROCUREMENT OF WEAPONS TO DEFEND AIRCRAFT INVOLVED IN NARCOTICS CONTROL EFFORTS.

Of the funds available to carry out chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to grant military assistance), not less than $1,000,000 for each of the fiscal years 1986 and 1987 shall be made available to arm, for defensive purposes, aircraft used in narcotic control eradication or interdiction efforts. The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate shall be notified of the use of any such funds for that purpose at least 15 days in advance in accordance with the reprogramming procedures applicable under section 634A of the Foreign Assistance Act of 1961.

SEC. 507. REQUIREMENT FOR COST-SHARING IN INTERNATIONAL NARCOTICS CONTROL ASSISTANCE PROGRAMS.

Section 482 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(d) Assistance may be provided under this chapter to a foreign country only if the country provides assurances to the President, and the President is satisfied, that the country will provide at least 25 percent of the costs of any narcotics control program, project, or activity for which such assistance is to be provided. The costs borne by the country may include 'in-kind' contributions.".

SEC. 508. PROHIBITION ON USE OF FOREIGN ASSISTANCE FOR REIMBURSEMENTS FOR DRUG CROP ERADICATIONS.

Chapter 8 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 483. PROHIBITION ON USE OF FOREIGN ASSISTANCE FOR REIMBURSEMENTS FOR DRUG CROP ERADICATIONS."

"Funds made available to carry out this Act may not be used to reimburse persons whose illicit drug crops are eradicated.".

SEC. 509. CONDITIONS ON ASSISTANCE TO BOLIVIA.

Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) may be provided to Bolivia for fiscal years 1986 and 1987 only under the following conditions:

(1) Of the amount of assistance allocated for Bolivia for fiscal year 1986—

(A) up to 25 percent may be provided at any time after the President certifies to the Congress that the Government of Bolivia has enacted legislation which prohibits more than two hectares of coca production per family; and

(B) the remaining 75 percent may be provided at any time subsequent to a certification pursuant to subparagraph (A) if the President certifies to the Congress that the Government of Bolivia achieved the eradication targets for the calendar year 1985 contained in its August 1983 narcotics control agreements with the United States.

(2) Of the amount of assistance allocated for Bolivia for fiscal year 1987—

(A) up to 50 percent may be provided at any time after the President certifies to the Congress that during the first six months of calendar year 1986 the Government of Bolivia achieved at least half of the eradication targets for the calendar year 1986 contained in its August 1983 narcotics control agreements with the United States; and

(B) the remaining 50 percent may be provided at any time after the President certifies to the Congress that the Government of Bolivia fully achieved the eradication targets for the calendar year 1986 contained in its August 1983 narcotics control agreements with the United States.

SEC. 510. UPPER HUALLAGA VALLEY PROJECT IN PERU.

Funds authorized to be appropriated for fiscal year 1987 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance) may be made available for the project of the Agency for International Development in the Upper Huallaga Valley of Peru only if the Administrator of that Agency, after consultation with the Congress, determines that a comprehensive review of that project has been completed which establishes the effectiveness of that project in reducing and eradicating coca leaf production, distribution, and marketing in the Upper Huallaga Valley.

SEC. 511. CONDITIONS ON ESF ASSISTANCE TO JAMAICA.

Of the funds allocated for Jamaica for fiscal year 1986 under chapter 4 of part II of the Foreign Assistance Act of 1961, $5,000,000 shall be withheld from obligation until the President certifies to the Congress that the Government of Jamaica has prepared, presented, and committed itself to a comprehensive plan or strategy for the control and reduction of illicit cultivation, production, processing, transportation, and distribution of marijuana within a specifically stated period of time.

SEC. 512. REALLOCATION OF FUNDS IF CONDITIONS NOT MET.

If any of the funds described in sections 509, 510, and 511 are not used for the country for which they were allocated because the conditions specified in those sections are not met, the President shall reprogram those funds in order to provide additional assistance to countries which have taken significant steps to halt illicit drug production or trafficking.

SEC. 513. CONDITIONS ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS FUND FOR DRUG ABUSE CONTROL.

Funds authorized to be appropriated by section 482(a) of the Foreign Assistance Act of 1961 (relating to international narcotics control assistance) for fiscal year 1986 and for fiscal year 1987 may be used for a contribution to the United Nations Fund for Drug Abuse Control only if that organization includes in its crop substitution projects a plan for cooperation with the law enforcement forces of the host country.

SEC. 514. NARCOTICS CONTROL EFFORTS IN BRAZIL.

It is the sense of the Congress that the Secretary of State should enter into negotiations with the Government of Brazil in order to establish a bilateral narcotics control agreement. Such agreement should have as a goal a 10 percent reduction in illicit coca production in Brazil in calendar year 1986.

SEC. 515. LATIN AMERICAN REGIONAL NARCOTICS CONTROL ORGANIZATION.

(a) FEASIBILITY STUDY.—The Secretary of State, acting through the Assistant Secretary of State for International Narcotics Matters, shall conduct a study of the feasibility of establishing a regional organization in Latin America which would combat narcotics production and trafficking through regional information-sharing and a regional enforcement unit.

(b) REPORT.—No later than six months after the date of enactment of this Act, the Secretary shall report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the advisability of encouraging the establishment of such an organization.

SEC. 516. GREATER EFFORT BY UNITED STATES ARMED FORCES TO SUPPORT NARCOTICS CONTROL EFFORTS ABROAD.

No later than 60 days after the date of enactment of this Act, the President shall report to the Congress on why the United States Armed Forces should not exert greater effort in facilitating and supporting interception of narcotics traffickers, and in gathering narcotics-related intelligence, outside the United States.

SEC. 517. CUBAN DRUG TRAFFICKING.

(a) FINDINGS.—The Congress finds that—

(1) the subject of the flow, use, and control of narcotic and psychotropic substances is a matter of great international importance;

(2) the problem of drug abuse and drug trafficking continues to worsen throughout most parts of the world;

(3) the concerns of the governments of many countries have become manifest in several bilateral and multilateral narcotics control projects;

(4) United Nations agencies monitor and apply controls on the flow and use of drugs and coordinate multilateral efforts to control production, trafficking, and abuse of drugs;

(5) the United Nations Fund for Drug Abuse Control funds narcotics projects throughout the world and has been a vehicle since 1971 for multilateral implementation of narcotics control and reduction programs;

(6) the International Narcotics Control Board is charged with monitoring compliance with the Single Convention on Narcotic Drugs, 1961, and the Convention on Psychotropic Substances, and Cuba is a party to both Conventions;

(7) the United Nations Commission on Narcotic Drugs is responsible for formulating policies, coordinating activities, supervising the implementation of international conventions, and making recommendations to governments for international drug control;

(8) the promotion of drug abuse and participation in drug trafficking is universally considered egregious criminal behavior wherever it occurs, whether it occurs locally, nationally, or internationally;

(9) a Federal grand jury of the United States has indicted four prominent Cuban officials on charges of conspiring to smuggle drugs into the United States;

(10) United States Government officials have testified at several congressional hearings that the Government of Cuba is facilitating the flow of illicit drugs into the United States in order to obtain hard currency, support guerrilla/terrorist activities, and undermine United States society; and

(11) such alleged conduct on the part of the Government of Cuba would be injurious to the world community and counter to the general principle of international law that no country has the right to use or permit the use of its territory in such a manner as to injure another country or persons therein.

(b) RECOMMENDED ACTIONS.—It is the sense of the Congress that the President should—

(1) acting through the Permanent Representative of the United States to the United Nations, take such steps as may be necessary to place the question of the involvement by the Government of Cuba in illicit drug trafficking on the agenda of the United Nations;

(2) acting through the Representative of the United States to the Organization of American States, request the Organization of American States to consider this question as soon as possible; and

(3) request other appropriate international organizations and international forums to consider this question.

(c) REPORT.—The President shall report to the Congress on the actions taken pursuant to this section.

TITLE VI—UNITED STATES SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES

SEC. 601. STATEMENT OF PURPOSE.

The purpose of this title is to establish an undergraduate scholarship program designed to bring students of limited financial means from developing countries to the United States for study at United States institutions of higher education.

SEC. 602. FINDINGS AND DECLARATIONS OF POLICY.

The Congress finds and declares that—

(1) it is in the national interest for the United States Government to provide a stable source of financial support to give students in developing countries the opportunity to study in the United States, in order to improve the range and quality of educational alternatives; increase mutual understanding, and build lasting links between those countries and the United States;

(2) providing scholarships to foreign students to study in the United States has proven over time to be an effective means of creating strong bonds between the United States and the future leadership of developing countries and, at the same time, assists countries substantially in their development efforts;

(3) study in United States institutions by foreign students enhances trade and economic relationships by providing strong English language skills and establishing professional and business contacts;

(4) students from families of limited financial means have, in the past, largely not had the opportunity to study in the United States, and scholarship programs sponsored by the United States have made no provision for identifying, preparing, or supporting such students for study in the United States;

(5) it is essential that the United States citizenry develop its knowledge and understanding of the developing countries and their languages, cultures, and socio-economic composition as these areas assume an ever larger role in the world community;

(6) the number of United States Government-sponsored scholarships for students in developing countries has been exceeded as much as twelve times in a given year by the number of scholarships offered by Soviet-bloc governments to students in developing countries, and this disparity entails the serious long-run cost of having so many of the potential future leaders of the developing world educated in Soviet-bloc countries;

(7) an undergraduate scholarship program for students of limited financial means from developing countries to study in the United States would complement current assistance efforts in the areas of advanced education and training of people of developing countries in such disciplines as are required for planning and implementation of public and private development activities; and

(8) the National Bipartisan Commission on Central America has recommended a program of 10,000 United States Government-sponsored scholarships to bring Central American students to the United States, which program would involve careful targeting to encourage participation by young people from all social and economic classes, would maintain existing admission standards by providing intensive English and other training, and would encourage graduates to return to their home countries after completing their education.

SEC. 603. SCHOLARSHIP PROGRAM AUTHORITY.

(a) IN GENERAL.—The President, acting through the United States Information Agency, shall provide scholarships (including partial assistance) for undergraduate study at United States institutions of higher education by citizens and nationals of developing countries who have completed their secondary education and who would not otherwise have an opportunity to study in the United States due to financial limitations.

(b) FORM OF SCHOLARSHIP: FORGIVENESS OF LOAN REPAYMENT.—Scholarships pursuant to this title shall be in the form of grants and loans. To encourage students to use their training in their countries of origin, half of each payment to a student shall be in the form of a loan with repayment to be forgiven upon the student's prompt return to his or her country of origin for a period which is at least one year longer than the period spent studying in the United States.

(c) CONSULTATION.—Before allocating any of the funds made available to carry out this title, the President shall consult with United States institutions of higher education, educational exchange organizations, United States missions in developing countries, and the governments of participating countries on how to implement the guidelines specified in section 604.

(d) DEFINITION.—For purposes of this title, the term "institution of higher education" has the same meaning as given to such term by section 1201(a) of the Higher Education Act of 1965.

SEC. 604. GUIDELINES.

The scholarship program under this title shall be carried out in accordance with the following guidelines:

(1) Consistent with section 112(b) of the Mutual Educational and Cultural Exchange Act of 1961, all programs created pursuant to this title shall be nonpolitical and balanced, and shall be administered in keeping with the highest standards of academic integrity.

(2) United States missions shall design ways to identify promising students who are in secondary educational institutions, or who have completed their secondary education, for study in the United States. In carrying out this paragraph, the United States mission in a country shall consult with Peace Corps volunteers and staff assigned to that country and with private and voluntary organizations with a proven record of providing development assistance to developing countries.

(3) United States missions shall develop and strictly implement specific economic need criteria. Scholarships under this title may only be provided to students who meet the economic need criteria.

(4) The program shall utilize educational institutions in the United States and in developing countries to help participants in the programs acquire necessary skills in English and other appropriate education training.

(5) Each participant from a developing country shall be selected on the basis of academic and leadership potential and the economic, political, and social development needs of such country. Such needs shall be determined by each United States mission in consultation with the government of the respective country. Scholarship opportunities shall emphasize fields that are critical to the development of the participant's country, including agriculture, civil engineering, communications, social science,

education, public and business administration, health, nutrition, environmental studies, population and family planning, and energy.

(6) The program shall be flexible in order to take advantage of different training and educational opportunities offered by universities, postsecondary vocational training schools, and community colleges in the United States.

(7) The program shall be flexible with respect to the number of years of undergraduate education financed but in no case shall students be brought to the United States for a period less than one year.

(8) Adequate allowance shall be made in the scholarship for the purchase of books and related educational material relevant to the program of study.

(9) Further allowance shall be made to provide adequate opportunities for professional, academic, and cultural enrichment for scholarship recipients.

(10) The program shall, to the maximum extent practicable, offer equal opportunities for both male and female students to study in the United States.

SEC. 605. AUTHORITY TO ENTER INTO AGREEMENTS.

The President may enter into agreements with foreign governments in furtherance of the purposes of this title. Such agreements may provide for the creation or continuation of binational or multinational educational and cultural foundations and commissions for the purposes of administering programs under this title.

SEC. 606. POLICY REGARDING OTHER INTERNATIONAL EDUCATIONAL PROGRAMS.

(a) AID-FUNDED PROGRAMS.—The Congress urges the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, in implementing programs authorized under that part, to increase assistance for undergraduate scholarships for students of limited financial means from developing countries to study in the United States at United States institutions of higher education. To the maximum extent practicable, such scholarship assistance shall be furnished in accordance with the guidelines contained in section 604 of this title.

(b) USIA-FUNDED POSTGRADUATE STUDY IN THE UNITED STATES.—The Congress urges the Director of the United States Information Agency to expand opportunities for students of limited financial means from developing countries to receive financial assistance for postgraduate study at United States institutions of higher education.

(c) STUDY BY AMERICANS IN DEVELOPING COUNTRIES.—The Congress urges the President to take such steps as are necessary to expand the opportunities for Americans from all economic classes to study in developing countries.

SEC. 607. ESTABLISHMENT AND MAINTENANCE OF COUNSELING SERVICES.

(a) COUNSELING SERVICES ABROAD.—From the purpose of assisting foreign students in choosing fields of study, selecting appropriate institutions of higher education, and preparing for their stay in the United States, the President may make suitable arrangements for counseling and orientation services abroad.

(b) COUNSELING SERVICES IN THE UNITED STATES.—For the purposes of assisting foreign students in making the best use of their opportunities while attending United States institutions of higher education, and assisting such students in directing their talents and initiative into channels which will make them more effective leaders upon return to their native lands, the President may make suitable arrangements (by contract or otherwise) for the establishment and maintenance of adequate counseling services at United States institutions of higher education which are attended by foreign students.

SEC. 608. BOARD OF FOREIGN SCHOLARSHIPS.

The Board of Foreign Scholarships shall advise and assist the President in the discharge of the scholarship program carried out pursuant to this title, in accordance with the guidelines set forth in section 604. The President may provide for such additional secretarial and staff assistance for the Board as may be required to carry out this title.

SEC. 609. GENERAL AUTHORITIES.

(a) PUBLIC AND PRIVATE SECTOR CONTRIBUTIONS.—The public and private sectors in the United States and in the developing countries shall be encourged to contribute to the costs of the scholarship program financed under this title.

(b) UTILIZATION OF RETURNING PROGRAM PARTICIPANTS.—The President shall seek to engage the public and private sectors of developing countries in programs to maximize the utilization of recipients of scholarships under this title upon their return to their own countries.

(c) PROMOTION ABROAD OF SCHOLARSHIP PROGRAM.—The President may provide for publicity and promotion abroad of the scholarship program provided for in this title.

(d) INCREASING UNITED STATES UNDERSTANDING OF DEVELOPING COUNTRIES.—The President shall encourage United States institutions of higher education, which are attended by students from developing countries who receive scholarships under this title, to provide opportunities for United States citizens attending those institutions to develop their knowledge and understanding of the developing countries, and the languages and cultures of those countries, represented by those foreign students.

(e) OTHER ACTIVITIES TO PROMOTE IMPROVED UNDERSTANDING.—Funds allocated by the United States Information Agency, or the agency primarily responsible for carrying out part I of the Foreign Assistance Act of 1961, for scholarships in accordance with this title shall be available to enhance the educational training and capabilities of the people of Latin America and the Caribbean and to promote better understanding between the United States and Latin America and the Caribbean through programs of cooperation, study, training, and research. Such funds may be used for programs and administrative costs for institutions carrying out such programs.

SEC. 610. ENGLISH TEACHING, TEXTBOOKS, AND OTHER TEACHING MATERIALS.

Wherever adequate facilities or materials are not available to carry out the purposes of paragraph (4) of section 604 in the participant's country and the President determines that the purposes of this title are best served by providing the preliminary training in the participant's country, the President may (by purchase, contract, or other appropriate means) provide the necessary materials and instructors to achieve such purpose.

SEC. 611. REPORTING REQUIREMENT.

Not later than February 1 each year, the President shall submit to the Congress a report on the activities carried on and expenditures made pursuant to this title during the preceding fiscal year.

SEC. 612. FUNDING OF SCHOLARSHIPS FOR FY 1986 AND FY 1987.

(a) CENTRAL AMERICAN UNDERGRADUATE SCHOLARSHIP PROGRAM.—The undergraduate scholarship program financed by the United States Information Agency for students from Central America for fiscal year 1986 and fiscal year 1987 shall be conducted in accordance with this title.

(b) SCHOLARSHIPS FOR STUDENTS FROM OTHER DEVELOPING COUNTRIES.—Any funds appropriated to the United States Information Agency for fiscal year 1986 or fiscal year 1987 for any purpose (other than funds appropriated for educational exchange programs under section 102(a)(1) of the Mutual Educational and Cultural Exchange Act of 1961) may be used to carry out this title with respect to students from developing countries outside Central America.

SEC. 613. COMPLIANCE WITH CONGRESSIONAL BUDGET ACT.

Any authority provided by this title to enter into contracts shall be effective only—

(1) to the extent that the budget authority for the obligation to make outlays, which is created by the contract, has been provided in advance by an appropriation Act; or

(2) to the extent or in such amounts as are provided in advance in appropriation Acts.

TITLE VII—LATIN AMERICA AND THE CARIBBEAN

SEC. 701. STATEMENTS OF POLICY CONCERNING CENTRAL AMERICA.

(a) FINDINGS.—The Congress finds that—

(1) the building of democracy, the restoration of peace, the improvement of living conditions, and the application of equal justice under law in Central America are important to the interests of the United States and the community of American States; and

(2) the interrelated issues of social and human progress, economic growth, political reform, and regional security must be effectively dealt with to assure a democratic and economically and politically secure Central America.

(b) PRIMARY ROLE OF THE PEOPLE AND GOVERNMENTS OF CENTRAL AMERICA.—The achievement of democracy, respect for human rights, peace, and equitable economic growth depends primarily on the cooperation and the human and economic resources of the people and governments of Central America.

(c) UNITED STATES POLICY.—The Congress recognizes that the United States can make a significant contribution to such peaceful and democratic development through a consistent and coherent policy which includes a long-term commitment of assistance. This policy should be designed to support actively—

(1) democracy and political reform, including opening the political process to all members of society;

(2) full observance of internationally recognized human rights, including free elections, freedom of the press, freedom of association, and the elimination of all human rights abuses;

(3) leadership development, including training and educational programs to improve public administration and the administration of justice;

(4) land reform, reform in tax systems, encouragement of private enterprise and individual initiative, creation of favorable investment climates, curbing corruption where it exists, and spurring balanced trade;

(5) the establishment of the rule of law and an effective judicial system; and

(6) the termination of extremist violence by both the left and the right, as well as vigorous action to prosecute those guilty of crimes and the prosecution to the extent possible of past offenders.

This policy should also promote equitable economic growth and development, including controlling the flight of capital and the effective use of foreign assistance and adhering to approved programs for economic stabilization and fiscal responsibility. Finally, this policy should foster dialogue and negotiations (A) to achieve peace based upon the objectives of democratization, reduction of armament, an end to subversion, and the withdrawal of foreign military forces and advisers, and (B) to provide a security shield against violence and intimidation.

(d) UNITED STATES ASSISTANCE PROGRAMS.—The Congress finds, therefore, that the people of the United States are willing to sustain and expand a program of economic and military assistance in Central America if the recipient countries can demonstrate progress toward and a commitment to these goals.

(e) PEACE PROCESS IN CENTRAL AMERICA.—The Congress—

(1) strongly supports the initiatives taken by the Contadora group and the resulting Document of Objectives which has been agreed to by Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua and which sets forth a framework for negotiating a peaceful settlement to the conflict and turmoil in the region;

(2) finds that the United States should provide such assistance and support as may be appropriate in helping to reach comprehensive and verifiable final agreements, based on the Document of Objectives, which will ensure peaceful and enduring solutions to the Central American conflicts;

(3) strongly supports national reconciliation in Nicaragua and the creation of a framework for negotiating a peaceful settlement to the Nicaraguan conflict; and

(4) finds that the United States should, in assisting efforts to reach comprehensive and verifiable final agreements based on the Contadora Document of Objectives, encourage the Government of Nicaragua to pursue a dialogue with the armed opposition forces and their political representatives for the purposes of achieving an equitable political settlement of the conflict, including free and fair elections.

SEC. 702. ASSISTANCE FOR EL SALVADOR.

(a) PRESIDENTIAL REPORTS.—The President may provide military assistance for El Salvador in accordance with subsection (c) if he reports to the Congress the extent to which:

(1) The Government of El Salvador is willing to pursue a dialogue with the armed opposition forces and their political representatives for the purposes of achieving an equitable political settlement of the conflict, including free and fair elections.

(2) The elected civilian government is in control of the Salvadoran military and security forces, and those forces are complying with applicable rules of international law and with Presidential directives pertaining to the protection of civilians during combat operations, including Presidential directive C-111-03-984 (relating to aerial fire support).

(3) The Government of El Salvador made demonstrated progress during the preceding 6 months in ending the activities of the death squads.

(4) The Government of El Salvador made demonstrated progress during the proceding 6 months in establishing an effective judicial system. Among the criteria the President shall use in making this determination are—

(A) whether the commission proposed by the President of El Salvador to investigate human rights cases has been established, funded, and given sufficient investigative powers, and whether the evidence that commission collects may be used in the Salvadoran judicial process; and

(B) whether that commission has issued a comprehensive report with regard to its investigation of all Americans murdered in El Salvador.

(5) The Government of El Salvador made demonstrated progress during the preceding 6 months in implementing the land reform program.

(b) REPORTING DATES.—The first report pursuant to subsection (a) shall be submitted on or after October 1, 1985, the second on or after April 1, 1986, the third on or after October 1, 1986, and the fourth on or after April 1, 1987. The reporting requirements pursuant to subsection (a) supersede the reporting requirements with respect to El Salvador contained in the last proviso in the paragraph under the heading "Military Assistance" in Public Law 98-332.

(c) ALLOCATIONS OF MILITARY ASSISTANCE.—Of the aggregate amount of military assistance allocated for El Salvador—

(1) half for fiscal year 1986 may be provided only after the first report pursuant to this section;

(2) the other half for the fiscal year 1986 may be provided only after the second such report;

(3) half for fiscal year 1987 may be provided only after the third such report; and

(4) the other half for fiscal year 1987 may be provided only after the fourth such report.

(d) PROVISION OF ASSISTANCE IN AN EMERGENCY.—Notwithstanding subsection (c), in the event of an emergency certified by the President, funds for military assistance for El Salvador for the second half of fiscal year 1986 or 1987 may be provided in the first half of that fiscal year only if the Congress is notified at least 15 days in advance of the proposed obligation of such funds.

(e) AIRCRAFT FOR AERIAL WARFARE.—

(1) NOTIFICATION TO THE CONGRESS.—The authorities of part II of the Foreign Assistance Act of 1961 and the Arms Export Control Act may not be used to make available to El Salvador any helicopters or other aircraft, and licenses may not be issued under section 38 of the Arms Export Control Act for the export to El Salvador of any such aircraft, unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of enactment of this Act and shall remain in effect until October 1, 1987.

(f) ECONOMIC SUPPORT ASSISTANCE.—

(1) CENTRAL RESERVE BANK REFORMS.—Before disbursing any assistance to the Government of El Salvador under chapter 4 of part II of the Foreign Assistance Act of 1981 for balance-of-payments support, the President shall be satisfied that the Central Reserve Bank of El Salvador has implemented or has taken appropriate steps toward implementing the major recommendations which are contained in the study entitled "Foreign Exchange: Policy and Management within the Central Reserve Bank of El Salvador", relating to management, allocation, and controls on the use of official foreign exchange.

(2) BALANCE-OF-PAYMENTS SUPPORT.—Funds authorized to be appropriated for fiscal years 1986 and 1987 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 which are provided to El Salvador for balance-of-payments support—

(A) shall be used solely for the purchase of materials essential for productive economic activity and development, with particular emphasis and priority on the import needs of agrarian reform and the agricultural sector; and

(B) shall be maintained in a separate account in the Central Reserve Bank of El Salvador and not commingled with any other funds.

Those funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the cash transfer nature of the assistance or which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 of the 98th Congress (House Report 98-1159).

(3) SPECIAL ACCOUNT FOR LOCAL CURRENCIES.—All local currencies generated with the funds described in paragraph (2) shall be deposited in accordance with section 609 of the Foreign Assistance Act of 1961 in a special account established by the Government of El Salvador. Those local currencies shall be used for projects assisting agrarian reform and the agricultural sector (and particular emphasis shall be placed on projects for these purposes); judicial reform; employment generation; health, education, and other social services; infrastructure repair; and credits and other support for the private sector (principally for small and medium sized businesses).

(g) SUSPENSION OF ASSISTANCE IF A MILITARY COUP OCCURS.—All assistance authorized by this Act which is allocated for El Salvador shall be suspended if the elected President of that country is deposed by military coup or decree.

(h) DEFINITIONS.—For purposes of this section—

(1) the term "military assistance" means any assistance under chapter 2 (relating to grant military assistance) or chapter 5 (relating to international military education and training) of part II of the Foreign Assistance Act of 1961 or under the Arms Export Control Act (relating to foreign military sales financing);

(2) the term "agrarian reform" means projects assisting or enhancing the abilities of agencies, cooperatives, and farms to implement land reform decrees in El Salvador, notwithstanding section 620(g) of the Foreign Assistance Act of 1961; and

(3) the term "judicial reform" means projects assisting or enhancing the abilities of agencies of the Salvadoran Government to investigate and prosecute politically motivated violence.

SEC. 703. ASSISTANCE FOR GUATEMALA.

(a) CONDITIONS ON MILITARY ASSISTANCE AND SALES.—For fiscal years 1986 and 1987, assistance may be provided for Guatemala under chapter 2 (relating to grant military assistance) or chapter 5 (relating to international military education and training) of part II of the Foreign Assistance Act of 1961 and sales may be made and financing may be provided for Guatemala under the Arms Export Control Act (relating to foreign mili-

tary sales) only if the President makes the following certifications to the Congress:

(1) For fiscal year 1986, an elected civilian government is in power in Guatemala and has submitted a formal written request to the United States for the assistance, sales, or financing to be provided.

(2) For both fiscal year 1986 and fiscal year 1987, the Government of Guatemala made demonstrated progress during the preceding year (A) in achieving control over its military and security forces, and (B) toward eliminating kidnapings and disappearances, forced recruitment into the civil defense patrols, and other abuses by such forces of internationally recognized human rights.

(b) CONTINUATION OF IMET PROGRAMS UPON ELECTION.—Notwithstanding subsection (a), up to 30 percent of the amount allocated for Guatemala for fiscal year 1986 for assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 may be provided, upon the election of a civilian government in Guatemala, for the continuation of existing programs under that chapter.

(c) CONSTRUCTION EQUIPMENT AND MOBILE MEDICAL FACILITIES AND RELATED TRAINING.—If the conditions specified in subsection (a) are met, Guatemala may be provided with the following for fiscal years 1986 and 1987 (in addition to such other assistance, sales, or financing as may be provided for Guatemala):

(1) Sales of construction equipment and mobile medical facilities to assist in development programs that will directly assist the poor in Guatemala.

(2) Sales of training, to be provided outside of Guatemala, which is related to the sales described in paragraph (1).

(3) A total for both fiscal years 1986 and 1987 of no more than $10,000,000 in credits under the Arms Export Control Act for sales described in paragraphs (1) and (2).

Such sales and credits shall be provided only to enable the military forces of Guatemala to obtain equipment and training for civilian engineering and construction projects and mobile medical teams, which would not be used in the rural resettlement program.

(d) PROHIBITION OF FURNISHING WEAPONS—Funds authorized to be appropriated by title I of this Act may not be used for the procurement by Guatemala of any weapons or ammunition.

(e) SUSPENSION OF ASSISTANCE IF A MILITARY COUP OCCURS—All assistance authorized by this Act which is allocated for Guatemala shall be suspended if the elected civilian government of that country is deposed by military coup or decree.

(f) RURAL RESETTLEMENT PROGRAM.—Assistance provided for Guatemala for the fiscal year 1986 and fiscal year 1987 under chapter 1 of part I (relating to development assistance) or under chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961—

(1) may not be provided to the Government of Guatemala for use in its rural resettlement program; and

(2) shall be provided through private and voluntary organizations to the maximum extent possible.

(g) INVITATION FOR ICRC TO VISIT GUATEMALA.—The Congress calls upon the President to urge the Government of Guatemala to allow the International Committee of the Red Cross—

(1) to conduct an unimpeded visit to Guatemala in order to investigate humanitarian needs in that country, and

(2) to investigate the possibilities of its providing humanitarian services in that country.

(h) RELATIONS BETWEEN BELIZE AND GUATEMALA.—It is the sense of the Congress that the United States should use its good offices and influence to encourage the Government of Guatemala to recognize the independence of Belize and to enter into a mutual nonaggression treaty with Belize.

SEC. 704. PROHIBITION RELATING TO MILITARY OR PARAMILITARY OPERATIONS IN NICARAGUA.

Funds authorized to be appropriated by this Act may not be obligated or expended for the purpose of supporting military or paramilitary operations in Nicaragua by any group, organization, movement, or individual.

SEC. 705. REFUGEES IN HONDURAS.

Funds authorized to be appropriated by this Act or authorized to be appropriated for "Migration and Refugee Assistance" by the Department of State Authorization Act, Fiscal Years 1986 and 1987—

(1) which are to be used for refugee assistance or other assistance for Nicaraguan Indian refugees in Honduras, shall be channelled through the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, the Intergovernmental Committee for Migration, or other established and recognized international refugee relief organizations; and

(2) may not be used to facilitate the involuntary repatriation of Salvadoran refugees who are in Honduras.

To ensure compliance with paragraph (2), any such funds used to assist in the repatriation of Salvadoran refugees in Honduras shall be made available only for voluntary repatriation activities which are administered or supervised by the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, the Intergovernmental Committee for Migration, or other established and recognized international refugee relief organizations.

SEC. 706. PROMOTING THE DEVELOPMENT OF THE HAITIAN PEOPLE AND PROVIDING FOR ORDERLY EMIGRATION FROM HAITI.

(a) USE OF PVO's.—To the maximum extent practicable, assistance for Haiti under chapter 1 of part I (relating to development assistance) and under chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961 should be provided through private and voluntary organizations.

(b) CONDITIONS ON ASSISTANCE.—Funds available for fiscal year 1986 and for fiscal year 1987 to carry out chapter 1 of part I (relating to development assistance), chapter 4 of part II (relating to the economic support fund), or chapter 5 of part II (relating to international military education and training) of the Foreign Assistance Act of 1961 may be obligated for Haiti only if the President determines that the Government of Haiti—

(1) is continuing to cooperate with the United States in halting illegal emigration to the United States from Haiti;

(2) is cooperating fully in implementing United States development, food, and other economic assistance programs in Haiti (including programs for prior fiscal years); and

(3) is making progress toward improving the human rights situation in Haiti and progress toward implementing political reforms which are essential to the development of democracy in Haiti, such as progress toward the establishment of political parties, free elections, free labor unions, and freedom of the press.

(c) REPORTS TO THE CONGRESS.—Not later than 6 months after the date of the enactment of this Act and each 6 months thereafter through fiscal year 1987, the President shall report to the Congress on the extent to which the actions of the Government of Haiti are consistent with each paragraph of subsection (b).

(d) ASSISTANCE IN HALTING ILLEGAL EMIGRATION FROM HAITI.—Notwithstanding the limitations of section 660 of the Foreign Assistance Act of 1961 (relating to police training), funds made available under such Act may be used for programs with Haiti, which shall be consistent with prevailing United States refugee policies, to assist in halting significant illegal emigration from Haiti to the United States.

(e) LIMITATION ON MAP AND FMS FINANCING.—Assistance may not be provided for Haiti for fiscal year 1986 or fiscal year 1987 under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to grant military assistance) or under the Arms Export Control Act (relating to foreign military sales financing), except for necessary transportation, maintenance, communications, and related articles and services to enable the continuation of migrant and narcotics interdiction operations.

(f) FUNDING FOR LITERACY PROGRAMS.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) which are allocated for Haiti, $1,000,000 for fiscal year 1986 and $1,000,000 for fiscal year 1987 shall be available only for literacy programs in Haiti.

SEC. 707. CONDITIONS ON MILITARY ASSISTANCE FOR PARAGUAY.

None of the funds authorized to be appropriated by title I of this Act may be used for assistance for Paraguay unless the President certifies to the Congress the following:

(1) The Government of Paraguay is cooperating with other governments to determine the whereabouts of Nazi criminal Doctor Joseph Mengele and bring him to justice.

(2) The Government of Paraguay has made demonstrated progress in ending the practice of torture and abuse of individuals held in detention by its military and security forces and has instituted procedures to ensure that those arrested are promptly charged and brought to trial.

SEC. 708. ASSISTANCE FOR PERU.

(a) REPORTS ON HUMAN RIGHTS CONDITIONS.—Upon obligating any funds for assistance for Peru for fiscal year 1986 and fiscal year 1987 under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to grant military assistance) or the Arms Export Control Act (relating to foreign military sales financing), the President shall report to the Congress on the steps that the Government of Peru has taken to—

(1) curtail killings, torture, and "disappearances" of civilian noncombatants by the the military and security forces of Peru;

(2) strengthen the ability of the judiciary to investigate such killings, torture, and disappearances;

(3) comply with established procedures to ensure that arrests and detentions by the military and security forces of Peru are immediately acknowledged; and

(4) account for "disappeared persons" in Peru.

(b) HUMAN RIGHTS TRAINING IN IMET PROGRAM.—Respect for internationally recognized human rights shall be an important component of the training provided for Peru under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training) for fiscal year 1986 and for fiscal year 1987.

(c) STRENGTHENING THE PERUVIAN JUDICIAL SYSTEM.—Of the amount authorized to be appropriated by this Act to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), $1,000,000 for fiscal year 1986 and $1,000,000 for fiscal year 1987 shall be used to strengthen the judicial system in Peru under section 534 of the Foreign Assistance Act of 1961 (relating to administration of justice).

SEC. 709. INTER-AMERICAN FOUNDATION.

The first sentence of section 401(s)(2) of the Foreign Assistance Act of 1969 is amended to read as follows: "There are authorized to be appropriated $12,000,000 for fiscal year 1986 and $12,000,000 for fiscal year 1987 to carry out the purposes of this section.".

SEC. 710. COMPREHENSIVE REPORTS ON ASSISTANCE FOR LATIN AMERICA AND THE CARIBBEAN.

(a) REQUIREMENT FOR COMPREHENSIVE ACCOUNTING OF ASSISTANCE.—In the annual reports required by section 634 of the Foreign Assistance Act of 1961, the President shall provide to the Congress a full, complete, and detailed accounting of all assistance provided during the fiscal years 1986 and 1987 for Latin America and the Caribbean under the Foreign Assistance Act of 1961 and the Arms Export Control Act.

(b) INFORMATION TO BE INCLUDED.—The report provided pursuant to subsection (a) shall include for each fiscal year, among other things, the following with respect to each authorization account:

(1) The specific projects and other activities carried out in each country.

(2) The number of persons from each country who were provided with training, and the types of training provided.

(3) The defense articles and defense services provided for each country.

(4) The types of goods and commodities provided to each country for economic stabilization purposes under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), and a copy of each agreement for the furnishing of any assistance under that chapter.

(5) The amounts of local currency generated by United States assistance to each country, the uses of those currencies, and the total amount of those currencies still available for use as of the time of the report.

(6) A report on any transfers or reprogrammings of funds, and a description of how transferred or reprogrammed funds modified the amounts requested for each account.

(7) A report on the funds which have been obligated but remain unexpended for each country in each account.

(8) An analysis of the amount of funds and programs provided through nongovernmental as contrasted to governmental channles.

SEC. 711. ASSISTANCE FOR LAW ENFORCEMENT AGENCIES.

Section 660 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(c) Subsection (a) shall not apply with respect to a country which has a long-standing democratic tradition, does not have standing armed forces, and does not engage in a consistent pattern of gross violations of internationally recognized human rights.".

SEC. 712. USE OF PRIVATE AND VOLUNTARY ORGANIZATIONS.

To the maximum extent practicable, assistance under chapter 1 of part I (relating to development assistance) and chapter 4 of Part II (relating to the economic support fund) of the Foreign Assistance Act of 1961 for countries in Latin America and the Caribbean should be provided through private and voluntary organizations which have a proven record of development assistance efforts overseas.

SEC. 713. ADMINISTRATION OF JUSTICE.

Chapter 4 of Part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), as amended by title II of this Act, is further amended by adding at the end thereof the following new section:

"SEC. 533. ADMINISTRATION OF JUSTICE.

"(a) AUTHORIZATION OF ASSISTANCE.—The President may furnish assistance under this chapter to countries and organizations, including national and regional institutions, in order to strengthen the administration of justice in countries in Latin America and the Caribbean.

"(b) LIMITATIONS ON TYPES OF ASSISTANCE.—Assistance under this section may only include—

"(1) support for specialized professional training, scholarships, and exchanges for continuing legal education;

"(2) programs to enhance prosecutorial and judicial capabilities and protection for participants in judicial cases;

"(3) notwithstanding section 660 of this Act, programs to enhance investigative capabilities, conducted under judicial or prosecutorial control;

"(4) strengthening professional organizations in order to promote services to members and the role of the bar in judicial selection, enforcement of ethical standards, and legal reform;

"(5) increasing the availability of legal materials and publications;

"(6) seminars, conferences, and training and educational programs to improve the administration of justice and to strenghen respect for the rule of law and internationally recognized human rights; and

"(7) revision and modernization of legal codes and procedures.

"(c) AMOUNTS AVAILABLE FOR ASSISTANCE.—Not more than $20,000,000 of the funds made available to carry out this chapter for any fiscal year shall be available to carry out this section, in addition to amounts otherwise available for such purposes."

(d) NOTIFICATION TO CONGRESS.—Funds may not be obligated for assistance under this section unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified of the amount and nature of the proposed assistance at least 15 days in advance in accordance with the procedures applicable to reprogrammings pursuant to section 634A of this Act.

"(e) EXPIRATION OF AUTHORITIES.—The authority of this section shall expire on September 30, 1987.".

SEC. 714. CENTRAL AMERICAN DEVELOPMENT ORGANIZATION.

(a) FINDINGS.—The Congress finds that participation by Central American countries in an effective forum for dialogue on, and the continuous review and advancement of, Central America's political, economic, and social development would foster cooperation between the United States and Central American countries.

(b) ESTABLISHMENT OF CADO.—It is the sense of the Congress that—

(1) the President should enter into negotiations with the countries of Central America to establish a Central American Development Organization (hereafter in this section referred to as the "Organization"); and

(2) the establishment of the Organization should be based upon the following principles:

(A) Participation in the Organization should be open to the United States, other donors, and those Central American countries that commit themselves to, among other things, respecting internationally recognized human rights, building democracy, and encouraging equitable economic growth through policy reforms.

(B) The Organization should be structured to include representatives from both the public and private sectors, including representatives from the labor, agriculture, and business communities.

(C) The Organization should meet periodically to carry out the functions described in subparagraphs (D) and (E) of this paragraph and should be supported by a limited professional secretariat.

(D) The Organization should make recommendations affecting Central American countries on such matters as—

(i) political, economic, and social development objectives, including the strengthening of democratic pluralism and the safeguarding of internationally recognized human rights;

(ii) mobilization of resources and external assistance needs; and

(iii) reform of economic policies and structures.

(E) The Organization should have the capacity for monitoring country performance on the recommendations issued in accordance with subparagraph (D) of this paragraph and for evaluating progress toward meeting such country objectives.

(F) To the maximum extent practicable, the United States should follow the recommendations of the Organization in disbursing bilateral economic assistance for any Central American country; and no more than 75 percent of such United States assistance in any fiscal year should be disbursed until the recommendations of the Organization for that fiscal year have been made final and communicated to the donor countries, but this limitation should apply only to recommendations made final and communicated prior to the fourth quarter of such fiscal year.

(G) The President should encourage other donors similarly to implement the recommendations of the Organization.

(H) The administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, or his designee, should be chairman of the Organization and should carry out his functions in that capacity under the continuous supervision and general direction of the Secretary of State.

(c) UNITED STATES PARTICIPATION IN CADO.—Subject to subsection (d)(3), the President is authorized to participate in the Organization.

(d) CONGRESSIONAL OVERSIGHT.—

(1) DEVELOPMENT OF PROPOSAL—The Administrator of the Agency for International Development, under the supervision and direction of the Secretary of State, shall prepare a detailed proposal to carry out this section and shall keep the Committee on

Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate fully and currently informed concerning the development of the proposal.

(2) FACILITATING CONGRESSIONAL INVOLVEMENT.—To facilitate full congresssional involvement in the establishment of the Organization, the Chairman of the Committee on Foreign Affairs of the House of Representatives shall designate at least three members of that committee, and the Chairman of the Committee on Foreign Relations of the Senate shall designate at least three members of that committee, who shall be kept fully and currently informed by the executive branch of all negotiations or discussions with donor countries and recipient countries concerning the establishment of the Organization.

(3) CONGRESSIONAL REVIEW OF AGREEMENT.—The President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a copy of the text of any agreement which he proposes to sign providing for the establishment of and United States participation in the Organization no less than 60 days prior to his signature. The United States shall not participate in the implementation of any such agreement for at least 60 days after such transmittal. During that 60-day period, there shall be full and formal consultations with and review by those committees in accordance with procedures applicable to reprogramming notifications pursuant to section 634A of the Foreign Assistance Act of 1961.

SEC. 715. LIMITATION ON INTRODUCTION OF ARMED FORCES INTO CENTRAL AMERICA FOR COMBAT.

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

(1) The President has stated that there is no need to introduce United States Armed Forces into Central America for combat and that he has no intention of doing so.

(2) The President of El Salvador has stated that there is no need for United States Armed Forces to conduct combat operations in El Salvador and that he has no intention of asking that they do so.

(3) The possibility of the introduction of United States Armed Forces into Central America for combat raises very grave concern in the Congress and the American people.

(b) POLICY.—It is the sense of Congress that—

(1) United States Armed Forces should not be introduced into or over the countries of Central America for combat; and

(2) if circumstances change from those present on the date of the enactment of this Act and the President believes that those changed circumstances require the introduction of United States Armed Forces into or over a country of Central America for combat, the President should consult with Congress before any decision to so introduce United States Armed Forces, and any such introduction of United States Armed Forces must comply with the War Powers Resolution.

SEC. 716. MILITARY EXERCISES IN CENTRAL AMERICA.

For fiscal years 1986 and 1987, the President shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate 30 days in advance of assigning or detailing members of the United States Armed Forces to, or otherwise introducing members of the United States Armed Forces into, any country in Central America for the purpose of commencing joint military exercises with the armed forces of any Central American country.

SEC. 717. INTERNATIONAL ADVISORY COMMISSION FOR THE CARIBBEAN REGION.

(a) FINDINGS.—The Congress finds that—

(1) many of the social, agricultural, educational, and economic problems which confront nations in the Caribbean Region result primarily from social and economic injustice and inadequate economic and agricultural development;

(2) such problems are not addressed sufficiently by current United States policies toward that region;

(3) the development of the Caribbean Region is of vital importance to the economic and strategic interests of the United States and its allies; and

(4) for purposes of defining development plans, providing an international forum for Caribbean Region development issues, and providing expert advice to donor-aid countries, an international commission is needed as the prime institution for promoting economic cooperation and development in the Caribbean Region.

(b) INVITATIONS TO PARTICIPATE IN COMMISSION.—

(1) INVITATION TO CARIBBEAN COUNTRIES.—The President is requested to invite the countries which comprise the Caribbean Region to participate with the United States in a commission to be known as the International Advisory Commission for the Caribbean Region (hereafter in this section referred to as the "Commission").

(2) INVITATION TO CERTAIN OTHER COUNTRIES.—The President is also requested to invite the Netherlands, the United Kingdom, France, Canada, the Commonwealth of Puerto Rico, and the Virgin Islands to participate in the Commission.

(c) FUNCTIONS OF COMMISSION.—It is the sense of the Congress that the Commission should—

(1) examine social, agricultural, educational, and economic issues which affect the Caribbean Region; and

(2) consult with leaders of the countries in the Caribbean Region and with representatives from public and private organizations involved in matters related to the Caribbean Region in order to evaluate the problems and needs of such countries.

(d) REQUEST TO CONGRESS RELATING TO UNITED STATES PARTICIPATION IN THE COMMISSION.—It is the sense of the Congress that, after conducting preliminary consultations with countries described in subsection (b), the President should provide cost estimates and request authorization from the Congress in order to—

(1) provide for the participation of the United States in the Commission,

(2) pay reasonable administrative expenses associated with the first meeting of the Commission, and

(3) pay reasonable travel and lodging expenses incurred by commissioners from other participant governments incident to their attendance at the first meeting.

(e) APPOINTMENT OF U.S. REPRESENTATIVE AND OBSERVERS.—Upon the creation of the Commission—

(1) the President should consider appointing one individual as the United States representative to the Commission;

(2) the Speaker of the House of Representatives should consider appointing two Members of the House, one from each major political party, as observers at the Commission; and

(3) the Majority Leader of the Senate should consider appointing two Members of the Senate, one for each major political party, as observers at the Commission.

SEC. 718. EXEMPTION OF CERTAIN SAFETY-RELATED EQUIPMENT FROM PROHIBITION ON MILITARY SALES TO CHILE.

Section 726 of the International Security and Development Cooperation Act of 1981 is amended by adding at the end thereof the following new subsection:

"(c) The prohibition contained in subsection (b) does not prohibit the sale, or the licensing for export, of cartridge actuated devices, propellant actuated devices, and technical manuals for the F-5E/F and A/T-37 aircraft supplied to the Chilean Air Force by the United States before 1974, so long as the items are provided only for purposes of enhancing the safety of the aircraft crew.".

SEC. 719. RURAL ELECTRIFICATION.

It is the sense of the Congress that funds appropriated for the fiscal years 1986 and 1987 under section 103(a)(2) of the Foreign Assistance Act of 1961 should be used for a comprehensive rural electrification program in Central America in order to establish conditions of stability and a foundation for economic development.

SEC. 720. FACILITATING INTERNATIONAL COMMERCE THROUGH MEXICO.

(a) FINDING.—Recognizing that increased levels of balanced international trade are an essential component in an economic development program for the region and that the United States has traditionally been the most important trading partner for each of the nations of Latin America, it is the sense of the Congress that current procedures and laws of the Government of Mexico, and practices of its officials, constitute a significant impediment to the transit of vehicles carrying the commodities of international trade through Mexican territory.

(b) NEGOTIATIONS AND COOPERATIVE STEPS CONCERNING TRANSIT.—As the Government of Mexico has played a valuable role in assisting and encouraging the economic and political development of the region, and in offering advice to the United States as to constructive policies this nation might pursue with respect to peace and prosperity in the area, it is the sense of the Congress that the Secretary of State, acting independently or with representatives of other Latin America nations, should initiate negotiations with the Government of Mexico aimed at eliminating or reducing those impediments to international trade. The agenda for such negotiation should include discussions to encourage the Government of Mexico to accede to existing international custom conventions on international in-transit shipments. Such actions are to be taken in concert with the institution by the United States, and the nations of the region where the transiting shipments originate, of appropriate and cooperative steps to make sealed-truck, no-inspection transit administratively acceptable to the Government of Mexico and other transited countries. Similar bilateral or multilateral negotiations by the Secretary of State with nations respecting the same international customs conventions is also encouraged.

(c) REPORT.—Not later than January 1, 1986, the Secretary of State shall report to the Congress the status of actions taken to carry out the sense of the Congress expressed in subsection (b).

TITLE VIII—AFRICA

SEC. 801. BALANCE-OF-PAYMENTS SUPPORT FOR COUNTRIES IN AFRICA.

(a) ESF COMMODITY IMPORT AND SECTOR PROGRAMS.—Agreements with countries in Africa which provide for the use of funds made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for the fiscal years 1986 and 1987 to finance imports by those countries (under commodity import programs or sector programs) shall require, to the maximum extent practicable, that those imports be used to meet long-term development needs in those countries in accordance with the following criteria:

(1) Spare parts and other imports shall be allocated on the basis of evaluations, by the agency primarily responsible for administering part I of that Act, of the ability of likely recipients to use such spare parts and imports in a maximally productive, employment generating, and cost effective way.

(2) Imports shall be coordinated with investments in accordance with the recipient country's plans for promoting economic development. The agency primarily responsible for administering part I of that Act shall asssess such plans to determine whether they will effectively promote economic development.

(3) Emphasis shall be placed on imports for agricultural activities which will expand agricultural production, particularly activities which expand production for export or to reduce reliance on imported agricultural products.

(4) Emphasis shall also be placed on a distribution of imports having a broad development impact in terms of economic sectors and geographic regions.

(5) In order to maximize the likelihood that the imports financed by the United States under such chapter are in addition to imports which would otherwise occur, consideration shall be given to historical patterns of foreign exchange uses.

(6)(A) Foreign currencies generated by the sale of such imports by the government of the country shall be deposited in a special account established by that government and, except as provided in subparagraph (B), shall be available only for use in accordance with the agreement for economic development activities which are consistent with the policy directions of section 102 of the Foreign Assistance Act of 1961 and which are the types of activities for which asssitance may be provided under section 103 through 106 of that Act.

(B) The agreement shall require that the government of the country make available to the United States Government such portion of the amount deposited in the special account as may be determined by the President to be necessary for requirements of the United States Government.

(b) ANNUAL EVALUATIONS.—The agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 shall conduct annual evaluations of the extent to which the criteria set forth in this subsection have been met.

SEC. 802. ECONOMIC SUPPORT ASSISTANCE FOR SOUTHERN AFRICA.

(a) SOUTHERN AFRICA REGIONAL PROGRAM.—

(1) FUNDS FOR REGIONAL PROGRAMS.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, $40,000,000 for fiscal year 1986 and $40,000,000 for fiscal year 1987 shall be available only for regional programs in southern Africa. Not less than 50 percent of each of these amounts shall be allocated to assist sector projects supported by the Southern Africa Development Coordination Conference (SADCC) to enhance the economic development of the nine member states forming this important regional institution, especially in the following sectors: transportation, agricultural research and training, manpower development, and institutional support for the SADCC secretariat.

(2) STUDIES.—

(A) EVALUATION OF ASSISTANCE.—The administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 shall conduct a study which evaluates (i) the assistance which that agency provides to the Southern Africa Development Coordination Conference and other African regional institutions and economic development organizations, and (ii) ways to improve such assistance.

(B) COORDINATING MECHANISM IN AID FOR ASSISTANCE.—The administrator shall also conduct a study which assesses what type of bureaucratic mechanism within that agency might be established to coordinate assistance to all African regional institutions.

(C) SUBMISSION TO CONGRESS.—The administrator shall submit the results of the studies conducted pursuant to this paragraph to the Congress within 3 months after the date of enactment of this Act.

(b) SOUTH AFRICA EDUCATIONAL TRAINING PROGRAMS.—Funds available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 1986 and fiscal year 1987 which are used for education or training programs in South Africa may not be used for programs conducted by or through organizations in South Africa which are financed or controlled by the Government of South Africa, such as the "homeland" and "urban council" authorities. Such funds may only be used for programs which in both their character and organizational sponsorship in South Africa clearly reflect the objective of a majority of South Africans for an end to the apartheid system of separate development. Nothing in this subsection shall be construed to prohibit programs which are consistent with this subsection and which award university scholarships to students who choose to attend a South African-supported university.

(c) HUMAN RIGHTS FUND FOR SOUTH AFRICA.—Of the amount allocated for the Human Rights Fund for South Africa under chapter 4 of part II of the Foreign Assistance Act of 1961 for each of the fiscal years 1986 and 1987, a significant proportion shall be used for assistance for the benefit of political detainees and prisoners and their families and for support for actions of black-led community organizations to resist the implementation of apartheid policies such as—

(1) removal of black populations from certain geographic areas on account of race or ethnic origin,

(2) denationalization of blacks, including any distinctions between the South African citizenships of blacks and whites,

(3) residence restrictions based on race or ethnic origin,

(4) restrictions on the rights of blacks to seek employment in South Africa and to live wherever they find employment in South Africa, and

(5) restrictions which make it impossible for black employees and their families to be housed in family accommodations near their place of employment.

SEC. 803. ECONOMIC ASSISTANCE FOR ZAIRE.

Funds allocated for assistance for Zaire under chapter 4 of part II of the Foreign Assistance Act of 1961 for each of the fiscal years 1986 and 1987 shall be used only for assistance which is provided in accordance with the provisions applicable to assistance under chapter 1 of part I of the Foreign Assistance Act of 1961. Such assistance shall be provided, to the maximum extent practicable, through private and voluntary organizations.

SEC. 804. ASSISTANCE FOR TUNISIA.

(a) POLICY CONCERNING SECURITY ASSISTANCE.—The United States provides security assistance to Tunisia in recognition of the traditional friendship between the United States and Tunisia and our common interests in the region. The provision of such assistance is also based on the expectation that political stability and development in Tunisia will be best advanced through continued growth of democratic institutions.

(b) EARMARKING OF ESF.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, $20,000,000 for fiscal year 1986 and $20,000,000 for fiscal year 1987 shall be available only for Tunisia.

SEC. 805. POLITICAL SETTLEMENT IN SUDAN.

(a) FINDINGS.—The Congress finds that—

(1) friendship and mutual interests bind the United States and Sudan; and

(2) the peace, security, and economic development of Sudan depend in large part on addressing the problems associated with the traditional north-south division in that country through political rather than military means.

(b) UNITED STATES POLICY.—It is, therefore, the policy of the United States that the provision of security assistance to Sudan shall be based on the expectation that the Government of Sudan will make progress toward reaching a political settlement with all parties to the conflict in the south of Sudan.

SEC. 806. ELECTIONS IN LIBERIA.

In recognition of the special relationship that the United States has with Liberia and of the wide variety of interests that the United States has in Liberia, security assistance for Liberia for fiscal years 1986 and 1987 is based on the expectation of a successful completion of free and fair elections, on a multiparty basis, in October 1985 as proposed by the Government of Liberia and on a return to full civilian, constitutional rule as a consequence of those elections.

SEC. 807. WESTERN SAHARA.

(a) UNITED STATES POLICY.—The policy of the United States shall be to support a negotiated political solution to the conflict in the Western Sahara taking into account the principle of self-determination as outlined in the 1981 Nairobi resolution, to encourage a peaceful internationally recognized settlement, and to maintain direct contacts with all the parties to the conflict. As part of this policy, the United States should carefully consider each type of military assistance it furnishes to any of the parties to the conflict and should seek to insure that the furnishing of such military assistance is consistent with United States policy which seeks a negotiated settlement.

(b) FURTHER STATEMENT OF POLICY.—It is the further policy of the United States to support Morocco's legitimate defense needs and to discourage aggression by any country in North Africa against another.

(c) LIMITATION ON ACTIVITIES OF U.S. MILITARY PERSONNEL IN THE WESTERN

SAHARA.—Members of the United States Armed Forces may not perform defense services under the Foreign Assistance Act of 1961 or the Arms Export Control Act or conduct international military education and training activities under chapter 5 of part II of the Foreign Assistance Act of 1961 in the Western Sahara so long as there is not an internationally recognized settlement in the Western Sahara.

SEC. 808. SAHEL DEVELOPMENT PROGRAM.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—The third sentence of section 121(c) of the Foreign Assistance Act of 1961 is amended to read as follows: "In addition to the amounts authorized in the preceding sentences and to funds otherwise available for such purposes, there are authorized to be appropriated to the President for purposes of this section $80,500,000 for fiscal year 1986 and $80,500,000 for fiscal year 1987.".

(b) IMPROVING ADMINISTRATIVE CAPABILITIES OF HOST GOVERNMENTS.—Section 121 of such Act is amended by adding at the end thereof the following new subsection:

"(e) Grants shall be made under this section to Sahel Development Program host governments in order to help them enhance their administrative capabilities to meet the administrative requirements resulting from donor country projects and activities.".

SEC. 809. AFRICAN DEVELOPMENT FOUNDATION.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—Section 510 of the African Development Foundation Act is amended to read as follows:

"SEC. 510. AUTHORIZATIONS OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title, in addition to amounts otherwise available for that purpose, $1,000,000 for fiscal year 1986 and $1,000,000 for fiscal year 1987. Funds appropriated under this section are authorized to remain available until expended.".

(b) EXTENSION OF AUTHORITIES.—Section 511 of such Act is amended by striking out "1985" and inserting in lieu thereof "1990".

TITLE IX—FOOD AND AGRICULTURAL ASSISTANCE

SEC. 901. INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT.

Section 103(g) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(g)(1) In order to carry out the purposes of this section, the President may continue United States participation in and make contributions to the International Fund for Agricultural Development.

"(2) There are authorized to be appropriated such sums as may be necessary to meet the United States pledge for the second replenishment for the International Fund for Agricultural Development.

"(3) Amounts appropriated under this subsection are authorized to remain available until expended.".

SEC. 902. PUBLIC LAW 480 TITLE II MINIMUMS.

(a) MINIMUM AND SUBMINIMUM DISTRIBUTION REQUIREMENTS.—Section 201(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by striking out paragraphs (1) through (3) and inserting in lieu thereof the following:

"(1) for fiscal year 1987 shall be 1,800,000 metric tons, of which not less than 1,300,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program;

"(2) for fiscal year 1988 shall be 1,900,000 metric tons, of which not less than 1,400,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program; and

"(3) for fiscal year 1989 and each fiscal year thereafter shall be 2,000,000 metric tons, of which not less than 1,500,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program;".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1986.

SEC. 903. EXPRESS AUTHORITY FOR TITLE II DIRECT DISTRIBUTION, SALE, AND BARTER.

Section 202(a) of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting after the first sentence the following new sentence: "Such commodities may be furnished for direct distribution, sale, barter, or other appropriate disposition in carrying out the purposes set forth in section 201.".

SEC. 904. ROLE OF PRIVATE VOLUNTARY ORGANIZATIONS AND COOPERATIVES.

(a) NUTRITIONAL AND DEVELOPMENT OBJECTIVES.—Section 202(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new paragraph:

"(4) In the case of commodities distributed under this title by nonprofit voluntary agencies, consideration shall be given to nutritional and development objectives as established by those agencies in light of their assessment of the needs of the people assisted.".

(b) FOOD FOR DEVELOPMENT PROGRAMS.—Section 302(c)(4) of such Act is amended by inserting "and of United States nonprofit voluntary agencies and cooperatives" immediately after "agriculture".

SEC. 905. MULTI-YEAR AGREEMENTS WITH PVOS.

Section 202 of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following:

"(c)(1) In agreements with nonprofit voluntary agencies for nonemergency assistance under this title, the President is encouraged, if requested by the nonprofit voluntary agency, to approve multi-year commitments to make agricultural commodities available for distribution by that agency. Such commitment shall be subject to the availability each fiscal year of the necessary appropriations and agricultural commodities.

"(2) Paragraph (1) does not apply to an agreement which the President determines should be limited to a single year because of the past performance of the nonprofit voluntary agency or because the agreement involves a new program of assistance.

"(3) In carrying out a multi-year agreement pursuant to this subsection, a nonprofit voluntary agency shall not be required to obtain annual approval from the United States Government in order to continue its assistance program pursuant to the agreement, unless exceptional and unforeseen circumstances have occurred which the President determines require such approval.".

SEC. 906. CHILD IMMUNIZATION.

(a) AMENDMENTS TO PUBLIC LAW 480.—The Agricultural Trade Development and Assistance Act of 1954 is amended—

(1) in paragraph (11) of section 109 by inserting immediately before the period at the end thereof ", including the immunization of children";

(2) in the first sentence of section 206 by striking out "or" before "(B)", and by inserting immediately before the period at the end thereof ", or (C) health programs and projects, including immunization of children"; and

(3) in the second sentence of section 301(b) by inserting "(including immunization of children)" immediately after "health services".

(b) IMMUNIZATION TARGET.—In the implementation of health programs undertaken in relation to assistance provided under the Agricultural Trade Development and Assistance Act of 1954, it shall be the target for the organizations and agencies involved to provide for the immunization by fiscal year 1987 of at least three million more children annually than receive immunizations under such programs in fiscal year 1985. Such increased immunization activities should be taken in coordination with similar efforts of other organizations and in keeping with any national plans for expanded programs of immunization. The President shall include information concerning such immunization activities in the annual reports required by section 634 of the Foreign Assistance Act of 1961, including a report on the estimated number of immunizations provided each year pursuant to this subsection.

SEC. 907. USE OF LOCAL CURRENCIES FOR EDUCATION PROGRAMS UNDER TITLE III.

Section 301(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting "education," immediately after "nutrition," in the second sentence.

SEC. 908. FARMER-TO-FARMER PROGRAM.

(a) MINIMUM FUNDING LEVEL.—Notwithstanding any other provision of law, not less than one-tenth of 1 percent of the funds available for each of the fiscal years 1986 and 1987 to carry out the Agricultural Trade Development and Assistance Act of 1954 shall be used to carry out paragraphs (1) and (2) of section 406(a) of that Act. Any such funds used to carry out paragraph (2) of such section 406(a) shall not constitute more than one-fourth of the funds used pursuant to this subsection, shall be used for activities in direct support of the farmer-to-farmer program under paragraph (1) of such section, and shall be administered wherever possible in conjunction with programs under title XII of chapter 2 of part I of the Foreign Assistance Act of 1961.

(b) REPORT.—Not later than 120 days after the enactment of this Act, the Administrator of the agency for International Development, in conjunction with the Secretary of Agriculture, shall submit to the Congress a report indicating the manner in which the Agency intends to implement the provisions of section 406(a) (1) and (2) of the Agricultural Trade Development and Assistance Act of 1954 with the funds made available pursuant to subsection (a) of this section.

SEC. 909. TITLE II PROGRAMMING REPORTS.

Section 408(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by striking ot "title I" both places it appears and inserting in lieu thereof "titles I and II".

TITLE X—PEACE CORPS

SEC. 1001 AUTHORIZATIONS OF APPROPRIATIONS.

Section 3(b) of the Peace Corps Act is amended by amending the first sentence to read as follows: "There are authorized to be appropriated to carry out the purposes of this Act $124,400,000 for fiscal year 1986 and $124,400,000 for fiscal year 1987.".

SEC. 1002. INCREASE IN NUMBER OF PEACE CORPS VOLUNTEERS.

(a) STATEMENT OF POLICY.—Section 2 of the Peace Corps Act (22 U.S.C. 2501) is amended—

(1) by inserting "(a)" immediately after "SEC. 2."; and

(2) by adding at the end thereof the following new subsection:

"(b) The Congress declares that it is the policy of the United States and a purpose of the Peace Corps to provide, to the maximum extent possible, opportunities for service in the Peace Corps to at least 10,000 individuals by the end of the fiscal year 1989 and thereafter.".

(b) ANNUAL REPORT.—Section 11 of the Peace Corps Act (22 U.S.C. 2510) is amended by adding at the end thereof the following new sentence: "The President shall also include in the report a description of the plans developed and implemented to carry out the policy set forth in section 2(b) of this Act.".

SEC. 1003. LIMITATION ON SERVICE.

Section 7(a)(2) of the Peace Corps Act (22 U.S.C. 2506(a)(2)) is amended

(1) in subparagraph (A) by striking out "five" and inserting in lieu thereof "seven and a half"; and

(2) in the third sentence by inserting "(other than the provisions of section 309)" after "1980".

SEC. 1004. PEACE CORPS PUBLICATIONS.

Section 15 of the Peace Corps Act is amended by adding at the end thereof the following new subsection:

"(e) Technical publications produced by the Peace Corps may be sold at cost in furtherance of the purposes of this Act. Up to $200,000 of the proceeds of such sales in each fiscal year may, to such extent as may be provided in advance in appropriation Acts, be credited to the currently applicable appropriation of the Peace Corps, notwithstanding section 3302(b) of title 31, United States Code.".

TITLE XI—OTHER POLICY PROVISIONS RELATING TO UNITED STATES ASSISTANCE

SEC. 1101. NOTICE TO CONGRESS OF USE OF CERTAIN AUTHORITIES RELATING TO HUMAN RIGHTS CONDITIONS.

Section 502B of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(g) Whenever the provisions of subsection (e) or (f) of this section are applied, the President shall report to the Congress before making any funds available pursuant to those subsections. The report shall specify the country involved, the amount and kinds of assistance to be provided, and the justification for providing the assistance, including a description of the significant improvements which have occurred in the country's human rights record.".

SEC. 1102. PROHIBITIONS AGAINST ASSISTANCE.

Section 620(f) of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(1)" immediately after "(f)";

(2) by redesignating clauses (1), (2), and (3) as clauses (A), (B), and (C), respectively; and

(3) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, the President may remove a country, for such period as the President determines, from the application of this subsection, and other provisions which reference this subsection, if the President determines and reports to the Congress that such action is important to the national interest of the United States. It is the sense of the Congress that when consideration is given to authorizing assistance to a country removed from the application of this subsection, one of the factors to be weighed, among others, is whether the country in question is giving evidence of fostering the establishment of a genuinely democratic system, with respect for internationally recognized human rights.".

SEC. 1103. LAND REFORM PROGRAMS.

Section 620(g) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following sentence: "This prohibition shall not apply to monetary assistance made available for use by a government (or a political subdivision or agency of a government) to compensate nationals of that country in accordance with a land reform program, if the President determines that monetary assistance for such land reform program will further the national interests of the United States.".

SEC. 1104. NUCLEAR NON-PROLIFERATION CONDITIONS ON ASSISTANCE FOR PAKISTAN.

Section 620E of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(e) No assistance shall be furnished to Pakistan and no military equipment or technology shall be sold or transferred to Pakistan, pursuant to the authorities contained in this Act or any other Act, unless the President certifies in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance is to be furnished or military equipment or technology is to be sold or transferred, that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.".

SEC. 1105. SUSPENSION OF ASSISTANCE TO COUNTRIES VIOLATING U.S. EXPORT LAWS IN ORDER TO MANUFACTURE A NUCLEAR EXPLOSIVE DEVICE.

(a) SUSPENSION OF ASSISTANCE BECAUSE OF ILLEGAL EXPORTS.—Subsection (a)(1) of section 670 of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(A)" after "country which";

(2) by inserting immediately before the period at the end thereof ", or (B) is a non-nuclear-weapon state which, on or after the date of enactment of the International Security and Development Cooperation Act of 1985, exports illegally (or attempts to export illegally) from the United States any material, equipment, or technology which would contribute significantly to the ability of such country to manufacture a nuclear explosive device, if the President determines that the material, equipment, or technology was to be used by such country in the manufacture of a nuclear explosive device"; and

(3) by adding at the end thereof the following: "For purposes of clause (B), an export (or attempted export) by a person who is an agent of, or is otherwise acting on behalf of or in the interests of, a country shall be considered to be an export (or attempted export) by that country.".

(b) CONFORMING AMENDMENTS.—Such section 670 is amended—

(1) in the section caption by inserting "ILLEGAL EXPORTS FOR NUCLEAR EXPLOSIVE DEVICES," after "TRANSFERS,"; and

(2) by striking out "(5) As used in this subsection" and inserting in lieu thereof "(c) As used in this section".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 1106. REPORTS ON ECONOMIC CONDITIONS IN CERTAIN COUNTRIES.

(a) EXTERNAL DEBT BURDEN OF CERTAIN COUNTRIES RECEIVING U.S. ASSISTANCE.—The Congress finds that the Governments of Egypt, Israel, Turkey, and Portugal each have an enormous external debt burden which may be made more difficult by virtue of financing provided for those governments under various United States assistance programs.

(b) ANNUAL REPORTS ON ECONOMIC CONDITIONS.—

(1) REQUIREMENT FOR REPORTS.—In order to assist the Congress in examining United States assistance for these countries, the President shall report to the Congress annually regarding economic conditions prevailing in Egypt, Israel, Turkey, and Portugal which may affect their respective ability to meet their international debt obligations and to stabilize their economies.

(2) SUBMISSION OF REPORTS.—The reports required by paragraph (1) shall be submitted to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate not later than January 15 of each year.

SEC. 1107. EGYPTIAN-ISRAELI RELATIONS.

The Congress notes the recent effort of Egypt to move the peace process forward. However, the Congress continues to be concerned about the less than normal relations between Eygpt and Israel. It is the sense of the Congress that all United States foreign assistance to Egypt is provided in the expectation that the Egyptian Government will continue in its efforts to bring peace to the region and that it will continue to support and fulfill the provisions of the Camp David Accords and the Egyptian-Israeli Peace Treaty, including the return of the Egyptian ambassador to Israel.

SEC. 1108. UNITED STATES POLICY TOWARD THE REPUBLIC OF KOREA.

(a) FINDINGS.—The Congress finds that—

(1) the Government of the Republic of Korea has taken several significant and encouraging steps in liberalizing the political system in that country;

(2) among the steps which have facilitated a more democratic environment are the release of hundreds of student demonstrators, the lifting of a political ban on more than 300 opposition leaders, and the holding of a vigorously contested election for the National Assembly in which the opposition made substantial gains;

(3) despite these steps, the people of the Republic of Korea, who have become increasingly better educated and prosperous as a result of Korea's extraordinarily rapid economic development, have the desire and the capability to participate more fully and effectively in the government of their own country; and

(4) while internationally recognized human rights are clearly respected much more in the Republic of Korea than in the Democratic People's Republic of Korea, continued progress toward democratization in the south is in the interests of both the Republic of Korea and the United States, inasmuch as long-term political stability cannot be assured in the absence of further progress toward democratic government.

(b) UNITED STATES POLICY.—It is the policy of the United States to provide assistance to the Republic of Korea in order to help that country defend itself against external aggression. It is the hope of the United States that the continuing close relations between our two countries, including such assistance, will encourage the establishment of a genuinely democratic system in the Republic of Korea, in which internationally recognized human rights, including freedom of the press, freedom of association, and freedom of assembly are observed.

SEC. 1109. ASSISTANCE FOR THE PHILIPPINES.

(a) UNITED STATES POLICY.—It is the sense of the Congress that the United States should use all appropriate means to ensure that the people of the Philippines and the entire East Asia region understand that United States assistance to the Philippines—

(1) is provided to support democracy, to encourage an effective effort against the communist insurgency, and to maintain and foster friendly relations between the people of the United States and the people of the Philippines; and

(2) is not intended to imply support for any particular Philippine regime.

(b) OBJECTIVES.—To that end, United States foreign assistance furnished to the Philippines each fiscal year should be used to encourage and promote objectives such as—

(1) full observance of internationally recognized human rights in accordance with sections 116 and 502B of the Foreign Assistance Act of 1961, including an end to "salvagings" and torture, as well as full respect for other fundamental human rights, including freedom of speech, freedom of the press, and freedom of assembly;

(2) the revitalization of democratic institutions in the Philippines, including—

(A) the process of free, fair, and open elections, one element of such process being the existence of a genuinely independent and respected electoral commission, and

(B) limiting the use of the President's emergency decree-making power to genuine emergencies;

(3) maintenance of an independent judiciary and legal due process;

(4) accountability and a fair judicial process in the Aquino assassination trial;

(5) progress toward implementation of structural economic reforms and a strengthening of the private sector, including the elimination of corruption and monopolies and an improvement in the social conditions of the poorest Filipinos and in the distribution of income and wealth;

(6) the increased professional capability of the Philippine armed forces in order to instill a greater respect for human rights on their part, to enhance the military effectiveness of these forces in dealing with the growing communist insurgency, and to facilitate a process of peaceful national reconciliation;

(7) efforts of Filipinos to deal with the political, economic, and social root causes of the growing communist movement and insurgency, as well as the appropriate military measures to stem the insurgency; and

(8) the maintenance of the common security objectives of the United States and the Philippines, including United States access to the facilities at Clark Field and Subic Bay.

(c) REPORTS TO THE CONGRESS.—

(1) PROGRESS TOWARDS OBJECTIVES.—The President shall report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the extent to which the Government of the Philippines has made progress in the objectives identified in subsection (b), including the extent to which those objectives have been agreed to by the Government of the Philippines and concrete steps taken to achieve those objectives.

(2) ASSISTANCE TRANSFERRED.—Each report pursuant to this subsection shall also describe the amount of assistance actually transferred by the United States to the Philippines during the preceding 6 months, the purposes for which it is to be used, the beneficiaries of the assistance, and the specific steps the United States has taken to publicize the various programs and projects for which our assistance has been utilized. Such reports shall also include the text of any memorandum or agreement between the United States Government and the Government of the Philippines regarding the use of local currencies generated from assistance furnished to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) or generated from the sale of agricutural commodities under the Agricultural Trade Development and Assistance Act of 1954.

(3) DISTRIBUTION OF ASSISTANCE THROUGH THE CATHOLIC CHURCH, PVOS, AND COOPERATIVES.—The first report pursuant to this subsection shall include an analysis of the feasibility of distributing as much United States economic assistance to the Philippines as possible through the Catholic Church, private and voluntary organizations, and cooperatives, rather than through government agencies.

(4) TIME FOR SUBMISSION OF REPORTS.—Reports pursuant to this subsection shall be submitted semi-annually, beginning on October 1, 1985, and every six months thereafter until October 1, 1987.

SEC. 1110. POLITICAL SETTLEMENT IN SRI LANKA.

(a) FINDINGS.—The Congress finds that—

(1) the Government and people of Sri Lanka and the Government and people of the United States share a common devotion to independence, democracy, and human rights;

(2) the United States is concerned over the armed clashes between the security forces of the Government of Sri Lanka and some Sri Lankans who seek through violent means, including terrorist attacks, to divide that nation;

(3) there have been acts of terrorism committed against members of the Sri Lankan security forces, as well as against civilians, and there have been human rights abuses by members of the security forces against civilians, particularly Tamils, despite the efforts of the Government to put an end to those abuses;

(4) the differences and grievances in Sri Lanka cannot be resolved through the use of force; and

(5) the United States is a proud participant through its economic assistance programs in Sri Lanka's highly regarded development efforts and looks forward to enhanced cooperation and assistance in the context of a political settlement in Sri Lanka leading to the kind of peaceful climate in which additional aid could be effectively utilized.

(b) POLITICAL SETTLEMENT.—It is, therefore, the sense of the Congress that—

(1) all parties in Sri Lanka, from all communities in and out of government, should renew their efforts to achieve a joint political settlement which meets the legitimate concerns of all the people of Sri Lanka, while preserving the territorial integrity of Sri Lanka; and

(2) all parties outside Sri Lanka should do nothing which would impede progress toward such a settlement.

SEC. 1111. ASSISTANCE FOR AFGHANISTAN.

(a) AUTHORIZATION.—The President may make a available funds authorized to be appropriated to carry out the provisions of chapter 1 of part I (relating to development assistance) and chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961 for the provision of food, medicine, or other humanitarian assistance to the Afghan people, notwithstanding any other provision of law.

(b) FUNDING TARGET.—It is the sense of the Congress that the President is strongly urged to use not less than $15,000,000 in fiscal years 1985 and 1986 for the purpose of carrying out the provisions of this section.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

SEC. 1112. ASSISTANCE FOR THE CAMBODIAN PEOPLE.

The President may make available to the noncommunist resistance forces in Cambodia up to $5,000,000 for fiscal year 1986 and up to $5,000,000 for fiscal year 1987 of the funds authorized to be appropriated to carry out chapter 2 or chapter 4 of part II of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

TITLE XII—MISCELLANEOUS PROVISIONS

SEC. 1201. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act shall take effect on October 1, 1985.

SEC. 1202. PROCUREMENT OF CONSTRUCTION AND ENGINEERING SERVICES.

Section 604(g) of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(1)" after "(g)"; and

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

"(2) Paragraph (1) does not apply with respect to an advanced developing country which—

"(A) is receiving direct economic assistance under chapter 1 of part I or chapter 4 of part II of this Act, and

"(B) if the country has its own foreign assistance programs which finance the procurement of construction or engineering services, permits United States firms to compete for those services.".

SEC. 1203. COMPLETION OF PLANS AND COST ESTIMATES.

Section 611 of the Foreign Assistance Act of 1961 is amended—

(1) in subsection (a) by striking out "$100,000" and inserting in lieu thereof "$500,000"; and

(2) in subsection (b) by striking out "the procedures set forth in the Principles and Standards for Planning Water and Related Land Resources, dated October 25, 1973, with respect to such computations" and inserting in lieu thereof "the principles standards, and procedures established pursuant to the Water Resources Planning Act (42 U.S.C. 1962, et seq.) or acts amendatory or supplementary thereto".

SEC. 1204. REPROGRAMING NOTIFICATIONS TO CONGRESS.

Section 634A of the Foreign Assistance Act of 1961, as amended by title I of this Act, is further amended by adding at the end thereof the following new subsection:

"(c) The President shall notify the chairman of the Committee on Foreign Relations of the Senate and the chairman of the Committee on Foreign Affairs of the House of Representatives concerning any reprograming of funds in the International Affairs Budget Function, the authorizations of appropriations for which are in their respective jurisdictions, to the same degree and with the same conditions as the President notifies the Committees on Appropriations. The requirements of this subsection are in addition to, and not in lieu of, other notification requirements.".

SEC. 1205. REPEAL OF OBSOLETE PROVISIONS AND CORRECTION OF TECHNICAL REFERENCES.

(a) REPEALS.—The Foreign Assistance Act of 1961 is amended as follows:

(1) The third sentence of section 105(a) is repealed.

(2) Section 106(b)(1) is amended by striking out "(A)" and by striking out subparagraph (B).

(3) Section 110 is amended by striking out "(a) and by striking out subsection (b).

(4) Chapter 10 of part I is repealed.

(b) CORRECTION OF CROSS-REFERENCES.

(1) FOREIGN SERVICE ACT.—Section 636(a)(14) of such Act is amended by striking out "the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.)" and inserting in lieu thereof "the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.)".

(2) TITLE 31 OF THE U.S. CODE.—Section 611(a) of such Act is amended by striking out "section 1311 of the Supplemental Appropriation Act, 1955, as amended (31 U.S.C. 200)" and inserting in lieu thereof "section 1501 of title 31, United States Code".

(3) ITAR REGULATIONS.—Section 47(6) of the Arms Export Control Act is amended by striking out "combat" and inserting in lieu thereof "military".

SEC. 1206. CODIFICATION OF POLICY PROHIBITING NEGOTIATIONS WITH THE PALESTINE LIBERATION ORGANIZATION.

(a) UNITED STATES POLICY.—The United States in 1975 declared in a memorandum of agreement with Israel, and has reaffirmed since, that "The United States will continue to adhere to its present policy with respect to the Palestine Liberation Organization, whereby it will not recognize or negotiate with the Palestine Liberation Organization so long as the Palestine Liberation Organization does not recognize Israel's right to exist and does not accept Security Council Resolutions 242 and 338.".

(b) REAFFIRMATION AND CODIFICATION OF POLICY.—The United States hereby reaffirms that policy. In accordance with that policy—

(1) no officer or employee of the United States Government, and no agent or other individual acting on behalf of the United States Government, shall negotiate with the Palestine Liberation Organization or any representatives thereof, and

(2) the United States shall not recognize the Palestine Liberation Organization, unless and until the Palestine Liberation Organization recognizes Israel's right to exist, accepts United Nations Security Council Resolutions 242 and 338, and renounces the use of terrorism.

SEC. 1207. COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD.

(a) PURPOSE.—Because the fabric of a society is strengthened by visible reminders of the historical roots of the society, it is in the national interest of the United States to encourage the preservation and protection of the cemeteries, monuments, and historic buildings associated with the foreign heritage of United States citizens.

(b) ESTABLISHMENT.—There is established a commission to be known as the Commission for the Preservation of America's Heritage Abroad (hereafter in this section referred to as the "Commission").

(c) DUTIES.—The Commission shall—

(1) identify and publish a list of those cemeteries, monuments, and historic buildings located abroad which are associated with the foreign heritage of United States citizens from eastern and central Europe, particularly those cemeteries, monuments, and buildings which are in danger of deterioration or destruction;

(2) encourage the preservation and protection of such cemeteries, monuments, and historic buildings by obtaining, in cooperation with the Department of State, assurances from foreign governments that the cemeteries, monuments, and buildings will be preserved and protected; and

(3) prepare and disseminate reports on the condition of and the progress toward preserving and protecting such cemeteries, monuments, and historic buildings.

(d) MEMBERSHIP.—

(1) The Commission shall consist of 21 members, of whom 7 shall be appointed by the President, 7 shall be appointed by the Speaker of the House of Representatives, and 7 shall be appointed by the President pro tempore of the Senate.

(2)(A) Except as provided in subparagraphs (B), (C), and (D), members shall be appointed for terms of 3 years.

(B) Of the members first appointed by the Speaker of the House of Representatives, 5 shall be appointed for a term of 2 years. Of the members first appointed by the President pro tempore of the Senate, 5 shall be appointed for 2 years.

(C) A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the member's predecessor was appointed.

(D) A member may retain membership on the Commission until the member's successor has been appointed.

(3) The President shall designate the Chairman of the Commission from among its members.

(e) MEETINGS.—The Commission shall meet at least once every three months.

(f) COMPENSATION AND PER DIEM.—

(1) Members of the Commission shall receive no pay on account of their service on the Commission.

(2) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(g) AUTHORITIES.—

(1) The Commission or any member it authorizes may, for the purposes of carrying out this section, hold such hearings, sit and act at such times and places, request such attendance, take such testimony, and receive such evidence, as the Commission considers appropriate.

(2) The Commission may appoint such personnel (subject to the provisions of title 5 of the United States Code which govern appointments in the competitive service) and may fix the pay of such personnel (subject to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates) as the Commission deems desirable.

(3) The Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay then in effect for grade GS-18 of the General Schedule (5 U.S.C. 5332(a)).

(4) Upon request of the Commission, the head of any Federal department or agency, including the Secretary of State, may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this section.

(5) The Commission may secure directly from any department or agency of the United States, including the Department of State, any information necessary to enable it to carry out this section. Upon the request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(6) The Commission may accept, use, and dispose of gifts or donations of money or property.

(7) The Commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(8) The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(h) REPORT.—The Commission shall transmit an annual report to the President and to each House of Congress as soon as practicable after the end of each fiscal year. Each report shall include a detailed statement of the activities and accomplishment of the Commission during the preceding fiscal year and any recommendations by the Commission for legislation and administrative actions.

The CHAIRMAN. Pursuant to House Resolution 140, the amendment in the nature of a substitute is considered as having been read.

The gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 1 hour, and the gentleman from Florida [Mr. FASCELL] will be recognized for 1 hour.

The Chair recognizes the gentleman from Michigan [Mr. BROOMFIELD].

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

Mr. Chairman, first I want to congratulate the House for its thoughtful and constructive deliberations on this important bill during the past 3 days.

Given the budget problems we are facing and the size of the deficit, I am certainly pleased at the action we took to reduce the committee bill below the 1985 freeze level.

Over the years, I can't recall when I have seen this body work in a more responsible, bipartisan manner to give the administration the flexibility it needs to conduct an effective foreign policy. I am thinking particularly of the repeal of the Clark amendment and other important amendments which have been adopted.

At the same time, I regret that the administration has not fully appreciated the need to work together to develop a workable compromise and has been more concerned with merely achieving the funding level it seeks through a continuing appropriation.

In view of the present funding levels and the number of constructive amendments that have been added to this bill, we have accomplished most of the objectives that I sought to achieve with my substitute. Therefore, I will not offer it and will vote enthusiastically for the committee bill as amended.

I want to thank the chairman of the Rules Committee [Mr. PEPPER] for allowing me the opportunity to offer my substitute, which was a way of bridging the gap between the original committee bill and the administration position.

Finally, I would like to pay tribute to Chairman FASCELL for the skill and consideration he has displayed as manager of the bill. Not only has he worked cooperatively with the Members of both sides, but he has been especially considerate of the minority in our efforts to work out acceptable, bipartisan amendments.

Without his leadership, we could never have arrived at this juncture.

While there are still some remaining areas of major concern to the White House, I believe it is important that, notwithstanding those concerns, we pass the bill before us and send it to conference.

In view of the progress we have made in the last few days, I am optimistic that the conferees, continuing to work in a constructive, bipartisan manner, will be able to resolve those remaining concerns in a way that will be acceptable to the President and in the best interests of our country.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from California.

Mr. LAGOMARSINO. Mr. Chairman, first of all, I would like to commend the gentleman from Michigan [Mr. BROOMFIELD] for all his efforts in trying to arrive at a position that would gain bipartisan support. I submit that the Foreign Affairs Committee bill as it came out of the committee lacked the balance needed to pass in this House.

I also, of course, compliment the chairman of the full committee, the gentleman from Florida [Mr. FASCELL] for the fine work that he has done here in the last 3 days.

I know that some problems still remain, and as everyone is well aware, the administration is not satisfied with the bill as it stands, even with the considerable improvements that have been made; but as most everyone would admit, it is probably the best that can be achieved in this year of fiscal restraint and with the political realities that exist.

I find it regrettable, Mr. Chairman, that the administration did not support the substitute of the gentleman from Michigan [Mr. BROOMFIELD] earlier on. I think we could have done even better had they done so.

One of my concerns with the language in the committee bill, and it was a concern not just with the Western Hemisphere provisions, but also with other titles, was the restrictions and conditions which were added to the President's authority in conducting foreign policy. These had the effect of inhibiting the President's flexibility in dealing with serious and complex issues in many parts of the world. Given those increased restrictions and conditions, it did not make sense to pass the committee's version, particularly when the administration was not getting what it was asking for in the way of funding. As a matter of fact, it seemed in some ways that we would have been better off with simply another continuing resolution.

In some respects, the committee's bill seemed to take notice of the dramatic changes and the improvements in Central America, and the advances in strengthening the democratic process in El Salvador, Guatemala, and Honduras, much more so than ever before, but I believe that in too many ways the bill did not give enough credit for what was already accomplished and does not allow the United States to encourage continued, substantive progress.

For that reason, I urged the minor changes that were to be found in the substitute; however, I might say that the changes that have been made in the bill here today, yesterday, and the day before that, together with the assurance that we have from the chairman of the committee that further changes will be made in some of these titles, I think means that our concern has been resolved to a great extent and will be further resolved in the conference.

I was also concerned about some of the provisions in the committee bill that unduly restricted the authority of the President and raised serious constitutional questions or seemed to contradict the provisions of the War Powers Act.

They also raised serious questions about the strength and reliability of the U.S. commitment to the security of our allies. Those provisions are not acceptable to the majority of those on our side and have the potential for ultimately defeating the entire bill; however, once again, that problem has been largely resolved by amendments to the bill.

I sincerely hope that this House will act in such a way as to ensure the possibility of strong, bipartisan support for foreign assistance legislation that is responsible and responsive to the needs of our Nation and reflect the requests of the executive branch which is charged with carrying out a foreign policy that preserves and protects our national interest.

The bill does still suffer the defect of improper allocation of military and economic assistance. I hope that can be cleared up.

The gentleman from Michigan [Mr. BROOMFIELD] served a real purpose in offering his substitute. The funding in the bill has been cut, but not in the right way between military and economic aid, and many restrictions on the President have been eliminated or watered down. In fact, in some ways the bill in this regard, if I do say so to the gentleman who offered the substitute, is better than the substitute.

Mr. Chairman, the bill is a long way from what it should be, but it can be improved further in conference.

□ 1530

I think on balance the bill is worthy of our support, of our strong support, and I urge our colleagues to vote for it, as I will do.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield briefly to the gentleman from New York.

Mr. GILMAN. I thank the gentleman for yielding and want to commend our distinguished chairman, the gentleman from Florida [Mr. FASCELL] and our distinguished ranking members, the gentleman from Michigan [Mr. BROOMFIELD] for bringing this measure to the floor in such an expeditious and comprehensive manner, and for skillfully guiding it through the maze of 3 days of debate and the multitude of amendments in this measure. I also join in commending our committee staff for their outstanding work on this measure.

I want to extend to my colleagues our committees thanks for their patience as we made our way through the numerous, critical amendments. This is a measure that few of us will find wholly satisfactory. There have been a number of constructive amendments added to the measure. And I know that many of us will find one portion or another in this measure that we are unhappy with in this omnibus foreign assistance bill.

But I do urge my colleagues, let us be cautious and not throw out the baby with the bathwater as we consider those aspects of this bill that we do not agree with.

Please also bear in mind that this bill is below budget. It includes some very constructive passages with regard to some very important areas, particularly in attacking narcotics, helping us to fight terrorism, providing airport security, and adopting some significant anti-Communist initiatives.

Accordingly, I urge my colleagues to fully support the measure, and I thank the gentleman for yielding.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the distinguished gentleman from Michigan [Mr. BROOMFIELD] for yielding.

Some of my colleagues have asked me today, as they have previously, why we should vote for this foreign aid bill. I think there is one very important reason why the answer should be yes.

We hear considerable criticism about the State Department, the way our foreign policy is run. But we have not passed a foreign assistance bill for many years, and it is about time that the Members realized that the product of our efforts here really means something. We really get no alternative advice and direction to the running of our foreign policy in this country unless the legislative body of the Congress of the United States passes a foreign assistance bill in both bodies.

This is the opportunity for my colleagues who are critical of our foreign policy to have a part in having the Congress of the United States help set this foreign policy. For this reason and for many that have previously been mentioned, I urge my colleagues to take this opportunity to support this legislation, and to pass it, and to help set foreign policy in the United States.

I thank the gentleman for yielding.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Illinois.

Mr. HYDE. I thank my friend for yielding.

I do not know when I started out disliking a bill as much as I did this one, and ending up with an almost sentimental attachment to it. This bill goes a long way toward accommodating a world view that I think is in touch with reality, and I do intend to vote for it.

But I want to say at this point that a word of tribute is due to DANTE FASCELL. If there was a bill I wanted desperately to get through this body, I would plead with DANTE FASCELL to be its chief sponsor and manager, and then I would ask BILL BROOMFIELD to take the lead in supporting it on our side.

When any Member of Congress sounds quasi-intelligible, not to say intelligent, the blame or praise goes to the staff. The majority and the minority staff have done a great job in answering the tough questions instantly, helping provide the guidance that is indispensable to making this a worthy piece of legislation, and I want to commend them. When we sound good it is their fault. When we sound dumb it is our fault. And so praise and commendation to the majority and the minority staff. If I knew all of their names and could pronounce them, then I would recite them here, and perhaps I will get that in the RECORD.

But I do want to commend the gentleman from Michigan [Mr. BROOMFIELD] for his leadership. This committee is one of the blue-ribbon committees in this Congress, in my chauvinistic view. We have almost become superfluous because we have not accomplished anything for some years in terms of an end product, a legislative product, although I do think the debate, even if legislation does not emanate from the debate, still is very useful in educating ourselves as well as the country.

But this year is different. We have a bill. It is worthy of support. It is not perfect. The perfect is the enemy of the good. But it is a very good product, and I will support it, and I am proud to have been associated in some miniscule way with this effort.

I thank the gentleman.

Mr. PURSELL. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield briefly to the gentleman from Michigan.

Mr. PURSELL. I am not a member of this committee, but I too want to congratulate both leaders in terms of the debate here today.

But I want to be mindful also in a period of history that we should be very careful as we legislate foreign policy here in the House and the Senate. I think we need closer consultation with the State Department and the President of the United States.

I am mindful of the era in history of Senator Arthur Vandenberg who was the genesis of bipartisan foreign policy back after the war under Harry Truman, and so I just suggest that we be careful that each one of us not play a major role in deciding foreign policy here. I think we have a historic effort of putting a bill together, legislating with great debate, but I think there is a balance here and we should be mindful of that in the future.

I too want to congratulate the committee.

Mr. DORNAN of California. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield briefly to the gentleman from California.

Mr. DORNAN of California. Mr. Chairman, I thank our Republican leader of this important committee. I am going to support this bill for several reasons. It is below budget, and ever since they computerized the printing of money at the Bureau of Engraving, anything under budget in this body is an absolute miracle.

This bill has made stronger statements against communism than any bill to come out of this House in a decade. It also hits hard the racism of apartheid.

It attacks narcotics trafficking in as tough a way as I have ever seen. It helps our fight against terrorism although we are barely starting the counterattack against that horror.

But there are three additional reasons, equally important, why I am supporting this bill, and I will leave the most important reason until last.

One is our chairman, the gentleman from Florida [Mr. FASCELL]. I have served under some great majority chairman in this House. The beloved former chairman of this committee Clem Zablocki, comes to mind immediately. So does Chairman Tiger Teague of the Science and Technology Committee, and although Chairman DON FUQUA is not yet beloved, he is heading in that direction. But I have never served under a fairer chairman than I have here on this committee; but with all due respect to the majority, I am as proud as I have ever been in 7 years of House service to serve under the gentleman from Michigan [Mr. BROOMFIELD]. What he has crafted here in this bill with the help of his Republican colleagues, and without any help from the outside, I think is a masterful achievement. And he has done it while reenforcing that comity and good will so necessary to bipartisan efforts in this House.

The third reason, I think is the most important. It is very simply this—that this bill ensures the survival, at least for 1 more year, of our finest ally in the United Nations, the only and still very strong democracy in the Middle East, the small nation of Israel. To be sure, we have to take a hard look at those areas still in the bill, and they are buried very deeply in some of the aid programs, where Israel's security is placed in jeopardy. The borders of the State of Israel still are the key to its survival.

I wish to thank the Members on both sides of the aisle for vigorous but fair debates. This area of foreign aid is every bit as sensitive and delicate as the defense of our country. We have managed to move with incredible speed today, and at the end of yesterday's session, and yet have really crafted something to support. I think this is a bill that the House can be well satisfied with, and I will be at the door strongly urging Members on our side to see if we cannot send solid advice and counsel to the conference committee.

In closing I observe that the near fatal fever of the Vietnam syndrome, which has plagued us for 10 years, was lowered at least 10 degrees through what we have accomplished in this bill this year, particularly the acceptance of my amendment, introduced by my good friend Mr. STRATTON, to remove the infamous Clark amendment which crushed the freedom fighters in Angola.

Again I thank my leader, Mr. BROOMFIELD. Well done.

Mr. BROOMFIELD. I thank the gentleman very much. I want to conclude by paying tribute to the staff on both sides of the aisle. We worked very closely together, and I think it has produced an excellent bill.

I also want to say thanks, DANTE, for all of your help in bringing this about. And to the chairman of the committee, I again want to congratulate him on the excellent job of presiding. You have been most fair in your conduct in performing your duties.

□ 1540

I appreciate it. I know all the Members do. This has been a great debate and I think it is one of the most important bills that we have had before Congress in a long time. Again I am very proud to be a part of it. Thank you very much.

Mr. FASCELL. Mr. Chairman, I will not take too much time on this. First I want to express my appreciation to you for the way that you performed as chairman of the committee over the last 3 days. It was a difficult job and you did an outstanding job. You were eminently fair and expedited the work that had to be done. Likewise, I extend to my colleagues on both sides of the aisle my appreciation to them for all of the hard work, the seriousness, and sensitivity with which they have approached consideration of this bill and the hard work that has been put in by both sides.

We have been at this bill now for 6 months, Mr. Chairman. I just want the members of this committee to understand that we take this matter very seriously. I cannot begin to describe the amount of work that has been done by staff, by subcommittees, by individual members, and by many others on both the majority and the minority side of the Foreign Affairs Committee.

We all had sincere and very deeply held opinions and feelings running the entire spectrum of the political system of the United States. We resolved our differences in the best tradition of any democratic body. We worked to bring together some kind of a consensus to achieve the will of the House on this bill, and we succeeded.

Now that does not mean, of course, that we could have satisfied everyone. That is not possible. I could do anything I want if I had all the votes. I do not. Anybody else could do it, there is no trick to it at all if they have the votes. But all of us, whether we are Republicans, Democrats, left or right, must give each other credit for sincerity and intelligence and a willingness to grapple with the issues. There has been a willingness to understand the views of the other person. That is what these last 6 months and these 3 days have demonstrated to the American people. In my judgment, all of us, regardless of our positions on an issue, have grappled directly with the issue trying to do something that we sincerely believe is in the best interests of the country. Out of that we have forged a good piece of legislation to guide us. After 6 months the work is still not yet finished. So we will continue our work.

I am grateful to all those people who have labored so hard to help shape this bill. And I say to my colleagues that I trust we will continue to support the legislative process, regardless of any frustrations or disappointments because a particular idea or policy or amendment was not agreed to by the Committee of the Whole. And I say that, if we do not sustain the legislative process, what we do, is to turn the whole issue of policy formulation and its implementation to a negotiation between the Appropriations Committee and the administration. We remove the authorizing committees from the legislative process.

I do not think that that is a good way for us to do it. We have climbed more pillars and obstacles in getting this legislation to the floor and possibly getting it adopted than the Perils of Pauline. And it is primarily in the interest of preserving the legislative prerogatives of the House of Representatives that we have worked so hard to do that. It would be so easy to get frustrated and throw our hands up in disgust and say, "Let them go ahead and do it, they deserve it, and just let them negotiate something out." I am glad we have not done that. I urge my colleagues on both sides to support this bill.

We have given it our best effort. It has been an honest and thorough debate. Everybody has had an opportunity to be heard. We have had fair discussion and decisionmaking and I want to thank my Republican colleague, the ranking member, Mr. BROOMFIELD, for working with me, the subcommittee chairmen, the ranking members, all of you for doing this job.

Now I yield to the distinguished chairman of the Intelligence Committee, the ranking member of the Committee on Foreign Affairs, Mr. HAMILTON of Indiana.

Mr. HAMILTON. I thank the gentleman for yielding.

Let me add a word of commendation to the chairman, Mr. FASCELL, and the ranking member, Mr. BROOMFIELD. We have seen an example of legislative craftsmanship and virtuosity by these two gentlemen and all of us who are interested in this bill are deeply grateful to them for their work.

In view of the concerns that have been expressed, primarily on this side of the aisle, about the repeal in this bill of section 118 of the International Security and Development Cooperation Act of 1980, commonly referred to as the Clark amendment, I just wanted to state my own view that the repeal should not be construed as an endorsement by the Congress of the provision of assistance for military or paramilitary assistance or paramilitary operations in Angola.

Whether or not we provide that assistance is a separate and a future question. And whether or not that assistance is provided will depend upon normal legislative procedures, the authorization and appropriation bills or presentment by the President of a finding to the Select Committee on Intelligence. I think it is quite important to make a distinction between repealing of the Clark amendment and the separate question of providing some assistance in that area.

Mr. Chairman, may I extend my congratulations to you, to Mr. BROOMFIELD, to the staff, and to Members who have worked on the bill, and urge Members to vote for the bill.

Mr. FASCELL. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, I thank our chairman for yielding.

I rise in strong support of the bill that we will be voting on shortly. There are undoubtedly people on my own side of the aisle who are asking, after seeing the array of legislative supporters from the minority side who have spoken in favor of the bill, and after seeing what has happened to this legislation on the floor in recent days, is this a bill that should still be supported? And I say to those colleagues, whom I respect and whose views I share that there is no question that on balance this is a piece of legislation that deserves your strong support.

There is no doubt that just as the amendments that have been passed have enhanced the enthusiasm of the minority, they have diminished my own enthusiasm. But we are voting on a total piece of legislation, a piece of legislation that though it comes in below a freeze, below last year's continuing resolution level, significantly below the administration's proposed level still makes important changes. It increases the very critical area of development assistance and deemphasizes the area of military assistance, provides critical assistance to Israel, and codifies important language with respect to U.S. policy on negotiations with the PLO, increases economic aid and reduces military aid to the Philippines, provides meaningful human rights restrictions on aid to a number of countries, and most particularly in Central America, and significantly increases population assistance, all in the context of a total package that comes in at or below the freeze level.

□ 1550

Perhaps most importantly, this bill will be going to a conference committee, and I think my colleagues on this side of the aisle can have confidence in the fact that that will be a conference committee headed by our distinguished chairman, DANTE FASCELL, and will contain experts and people coming from a perspective that I think represents the view of our party; people like Mr. HAMILTON, Mr. WOLPE, Mr. SOLARZ, and Mr. BARNES, and a number of the other conferees from the different geographical subcommittees of Foreign Affairs. In that conference committee, they will be fighting to enhance and support our positions and the committee's positions on these issues.

I believe that this is a bill which should be supported; I think institutionally it is wrong to simply rely on the continuing resolution process, and I suggest to the colleagues on my side of the aisle that nothing that you are concerned about will be treated any better in the continuing resolution process. You will simply be abandoning and abdicating a congressional role in this legislation, and giving the administration a freer hand, and I join the chairman, who has done such a fabulous job of shepherding this bill in and urging an "aye" vote.

Mr. SOLARZ. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. I yield to the gentleman from New York.

Mr. SOLARZ. I thank the gentleman for yielding. I think he has made an extraordinarily skillful summation of the reasons why this legislation deserves the support of Members on both sides of the aisle.

I want to join in the tribute that was paid to our very distinguished chairman, who in my judgment and I think the judgment of virtually everyone here, is one of the most skillful, one of the most able, one of the most dedicated and clearly one of the most respected Members of the House, for the leadership he has provided in facilitating the consideration of this legislation.

When one looks at what has happened during the 3 days of debate that we have had on this bill, one notices that our friends on the other side won on Angola and on Mozambique. On this side of the aisle, we won on the Philippines and on South Africa.

All Americans won when we included substantial aid for Israel and for hundreds of millions of starving people around the world who depend on our humanitarian assistance.

Let me just say to those who may have some reservations about voting for the bill because of a provision here or there they do not like. There is not a single authorization bill which, in the history of this Republic, has ever been adopted which did not have some provisions which some of the Members did not find objectionable, but if at the end of the day we were to reject authorization bills simply because there were some elements we did not like, the machinery of government would grind to a halt.

I think we have done some good work on this bill; there are some provisions which nobody likes, but there are many provisions which all of us support, and I think we ought to join hands on behalf of America.

We cannot have a credible foreign policy without a foreign aid authorization bill, and I urge support for this measure.

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

Mr. BROOMFIELD. Mr. Chairman, at this time I ask unanimous consent to withdraw my amendment in the nature of a substitute.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MURTHA] having assumed the chair, Mr. AUCOIN, 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. 1555) to amend the Foreign Assistance Act of 1961, the Arms Export Control Act, and the Agricultural Trade Development and Assistance Act of 1954, to authorize development and security assistance programs for fiscal year 1986, and for other purposes, pursuant to House Resolution 140, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I offer a motion to recommit with instructions.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SOLOMON. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SOLOMON moves to recommit the bill, H.R. 1555, to the Committee on Foreign Affairs with instructions to report it back forthwith with the following amendment:

Page 8, line 13, strike out "$736,648,000" and in lieu thereof insert "$805,100,000"; and

Page 8, line 14, strike out "$736,648,000" and in lieu thereof insert "$805,100,000".

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, let me be as brief as possible. First, since I did not have time to compliment the chairman of the committee, I would like to do so.

You know, it is a pleasure to be a Member of this Congress and I am very proud to be a Member of this Congress; to see the Congress, on this floor, work its will. It could not have done it without the gentleman from Oregon [Mr. AUCOIN], who was an outstanding committee chairman; it could not have done it without DANTE FASCELL and without BILL BROOMFIELD, and it certainly could not have done it without all of the staffs.

The committee has worked its will, and we have a bill that many of us can live with.

However, I still have a very major concern. I was a part of the agreement to freeze the spending levels at last year's continuing resolution; and in doing so, I think that we have really jeopardized much of our defense treaty obligations to many countries.

What this motion does is to recommit with instructions to restore about $68.5 million to the Military Assistance Program account, to bring that account back to the fiscal year 1985 enacted appropriations freeze level of $805 million. This committee bill is far too low, in my opinion, in this account to really meet our minimum security commitments, and adoption of this motion to recommit would still lead the total dollar amount of the bill nearly $74 million below the enacted fiscal year 1985 appropriations freeze level, including supplements, and far below the administration request.

I think the restored military assistance will help American friends and allies throughout the world to obtain the necessary military equipment and training that they need to strengthen their own defense as well as protect our own national security.

This assistance would be provided to such countries as Portugal and Turkey which allow U.S. armed forces the use of important military facilities, and more importantly, it would allow us to

meet our defense treaty obligations with those countries.

There are such other assistances that would also be valuable in helping friends in Africa, which we have all been very much concerned about; in Morocco, in Tunisia, in Kenya, and Somalia; and finally, the restored military assistance that I propose would be important to our friends in Central America such as El Salvador and Honduras, all of which were severely frozen at levels that are far beyond our defense authorization and military treaty obligations.

So with that, Mr. Speaker, I would ask that the committee support this motion to recommit, which would bring up the levels but keep it at the freeze level that was proposed earlier in the day.

Mr. FASCELL. Mr. Speaker, I rise in opposition to the motion to recommit. I just do not think we ought to add any money to the bill.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to authorize international development and security assistance programs and Peace Corps programs for fiscal years 1986 and 1987, and for other purposes.".

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 99, AMERICAN CONSERVATION CORPS ACT

Mrs. BURTON of California. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 195 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 195

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 99) to provide for the conservation, rehabilitation, and improvement of natural and cultural resources located on public or Indian lands, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against the consideration of the bill for failure to comply with the provisions of section 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs and thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Interior and Insular Affairs, it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill in boldface roman as an original bill for the purpose of amendment under the five-minute rule. Each section of said substitute shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 5(a) of rule XXI are hereby waived. At the conclusion of the 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, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute made in order as original text by this resolution. 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.

□ 1600

The SPEAKER pro tempore. (Mr. MURTHA). The gentlewoman from California [Mrs. BURTON] is recognized for 1 hour.

Mrs. BURTON of California. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. LATTA], pending which I yield myself such time as I may consume.

Mr. FASCELL. Mr. Speaker, will the gentlewoman yield?

Mrs. BURTON of California. I yield to the gentleman from Florida.

AUTHORIZING THE CLERK TO CORRECT SECTION NUMBERS, PUNCTUATION, AND CROSS REFERENCES IN ENGROSSMENT OF H.R. 1555, INTERNAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1985

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill H.R. 1555, the Clerk be authorized to correct section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1555, the bill previously passed.

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

There was no objection.

Mrs. BURTON of California. Mr. Speaker, House Resolution 195 is an open rule providing for the consideration of H.R. 99, the American Conservation Corps Act of 1985. That rule allows 1 hour of general debate with 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs and 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor.

The rule also makes in order consideration of the Education and Labor Committee amendment in the nature of a substitute now printed in the bill as the original text for the purposes of amendment, in lieu of the Interior and Insular Affairs Committee amendment. Each section of that substitute shall be considered as read.

This rule waives section 402(a) of the Congressional Budget Act of 1974 against consideration of the bill. Section 402(a) prohibits consideration of legislation authorizing appropriations not reported on or before May 15 prior to the fiscal year in which the authorization becomes effective. That waiver is necessary because the bill, as introduced, authorized appropriations for fiscal year 1985. The substitute made in order by this rule cures the Budget Act violation by deleting the authorization for fiscal year 1985, but a waiver is still necessary to allow consideration of this bill.

In addition, the rule waives clause 5(a) of Rule XXI, which prohibits appropriations in a legislative bill, against the substitute made in order by the rule. This waiver is necessary since a provision of that substitute provides that funds collected from conservation corps enrollees to defray the costs of room and board shall be expended for that purpose.

Finally, Mr. Speaker, this rule provides for one motion to recommit, with or without instructions.

H.R. 99 supplies an important piece of the whole fabric that prepares our young people for the future—especially at a time when youth and young adult employment, most noticeably among minorities, has declined and left many without hope for acquiring needed training and employment. Even at this modest level of funding, the door is opened for many.

San Francisco is the home of the first municipal conservation corps in the Nation. For years, this program has served to enhance the quality of our city's environment and at the same time it has created opportunities for disadvantaged youth in our area to cultivate basic work skills. This measure would complement similar State and local programs across the Nation and allow young people to benefit from this type of practical, cost-effective training.

I urge my colleagues to support this rule and the passage of H.R. 99.

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

Mr. Speaker, we have spent months in the Budget Committee this spring trying to figure out ways to cut spending. The bottom line is that we can't afford to fund all the programs we now have on the books.

And so what are we being asked to consider today? A new program to spend more money we don't have.

Mr. Speaker, we have got to make up our minds. Either we want to reduce the deficit or we don't. If we are serious about cutting the deficit, then we are going to have to have the courage to forego new spending programs regardless of their merit.

The bill made in order by this rule would establish a youth conservation work program.

Mr. Speaker, the version of this bill reported by the Committee on Interior and Insular Affairs would cost $225 million over 3 years. The Education and Labor Committee amendment provides such sums as may be necessary. The Congressional Budget Office has noted that because the Education and Labor Committee amendment does not mandate a particular size or scope for the program. It is not possible to determine its costs to Federal, State, or local governments.

Mr. Speaker, there are also a couple of points about this rule which should be noted.

First, like so many rules in recent years, this rule includes a waiver of the Budget Act. In this case it is a waiver of the requirement that authorization bills be reported by May 15. The introduced version of this bill contains fiscal year 1985 authorization and since it was not reported by May 15, 1984, it would be subject to a point of order. It is true that the offending portions of the bill are supposed to be taken out by amendment, Mr. Speaker. But it seems to me that it would be much better to report bills which do not violate Budget Act requirements in the first place.

Mr. Speaker, this rule also includes a waiver of the rule prohibiting appropriations on a legislative bill. There is one provision which technically constitutes an appropriation in this bill.

Mr. Speaker, the bill made in order by this rule is very similar to H.R. 999 of the 98th Congress, which the President pocket-vetoed on October 30, 1984.

According to information provided by the administration at the time of the Rules Committee meeting, if this bill reaches the President's desk, a veto will be recommended.

Mr. Speaker, if we are serious about reducing deficits, then this bill will be defeated.

Mr. CONTE. Mr. Speaker, will the gentleman yield so that our chairman can submit a privileged report.

Mr. LATTA. I yield to the gentleman from Iowa [Mr. SMITH].

REPORT ON H.R. 2965, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FISCAL YEAR 1986

Mr. SMITH of Iowa, from the Committee on Appropriations, submitted a privileged report (Rept. No. 99-197) on the bill (H.R. 2965) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year 1986, which was referred to the Union Calendar and ordered to be printed.

Mr. CONTE reserved all points of order on the bill.

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

Mrs. BURTON of California. Mr. Speaker, for the purposes of debate only, I yield 5 minutes to the gentleman from Ohio [Mr. SEIBERLING], the distinguished chairman of the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs, a major author of this bill.

□ 1610

Mr. SEIBERLING. I thank the gentlewoman from California for yielding to me.

Mr. Chairman, I will reserve my general comments on this legislation for the general debate on the bill. Let me simply say that I rise in strong support of the rule; it is an open rule, and anybody who feels that this bill has not been worked over sufficiently after passing the House twice in two successive Congresses, I am sure will have that opportunity and make use of it.

This bill, however, addresses a problem, which, despite the increase in employment in recent years in our country, is still a very serious one, and that is the unemployment that is very widespread among youth in the United States. More than 8.4 million Americans are still unemployed as of June 1985. Over 37 percent of them are under 25 years old. The technical unemployment rate for 16- to 19-year olds dropped between May and June from 18.9 percent to 18.3 percent. Eighteen point three-percent unemployment for teenagers. However, there were 590,000 fewer people working in June, and 72 percent of them or 423,000 of them were teenagers.

We worry about crime in the streets and dropouts from school, and yet we are told that we cannot afford to do something about it. Do something at a time when we just have reported out a defense appropriations bill for almost $300 billion.

This very modest bill would provide authority, no appropriation, authority for the United States to undertake a program geared at solving two problems. One is the unemployment problem among youth, and the other is the shortage of workers to work in conservation work in our Federal lands, on State lands, on private lands where there is a public interest, and in our local communities.

Unemployment is particularly serious among minorities. The percentage of employed teenagers actually dropped last year among all teenagers to only 42 percent. And for whites, the drop was to 46 percent; for blacks, a drop to 23.8 percent. Only 23.8 percent of black teenagers are employed. Only 46 percent of white teenages are employed.

The unemployment rate of black teenagers is 38 percent. That is, those who are looking for work and are not employed. The unemployment rate among white teenagers is 16 percent, which indicates a substantial gap between these two groups. This bill would require special efforts to be made to employ economically disadvantaged youths, and certainly many of them are found in our inner cities, as well as in our smaller communities.

I think I said enough, my colleagues, to indicate the importance of this legislation and to indicate why the rule, which is an open rule, should be supported.

Mrs. BURTON of California. Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from California [Mr. MARTINEZ] the chairman of the Education and Labor Subcommittee on Employment Opportunities.

[Mr. MARTINEZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. LATTA. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, let me say to the House that this might be a good bill if we could pay for it. The question is how are we going to pay for it. Talk about our young people, we are saddling them with this debt.

In another day, perhaps we could afford it; but today, we cannot.

Mrs. BURTON of California. Mr. Speaker, I have no further requests for time; I hope the rule is supported.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTERNATIONAL SECURITY AND DEVELOPMENT COOPERATION ACT OF 1985

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 960) to amend the Foreign Assistance Act of 1961, the Arms Exports Control Act, and other Acts to authorize appropriations for the fiscal year 1986 for international security and development assistance, the Peace Corps, the Inter-American Foundation, and the African Development Foundation, and

for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The text of the Senate bill is as follows:

S. 960

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

SHORT TITLE

SECTION 1. This Act may be cited as the "International Security and Development Cooperation Act of 1985".

TITLE I—MILITARY SALES AND RELATED PROGRAMS

FOREIGN MILITARY SALES CREDIT AUTHORIZATION AND AGGREGATE CEILINGS

SEC. 101. (a) The first sentence of section 31(a) of the Arms Export Control Act (22 U.S.C. 2771(a)) is amended to read as follows: "There are authorized to be appropriated to the President to carry out section 23 of this Act $5,464,500,000 for the fiscal year 1986.".

(b) Section 31(b)(1) of such Act (22 U.S.C. 2771(b)(1)) is amended to read as follows:

"(b)(1) The total amount of credits extended under section 23 of this Act shall not exceed $5,464,500,000 for the fiscal year 1986.".

(c) Section 31(b)(3) of such Act (22 U.S.C. 2771(b)(3)) is amended to read as follows:

"(3)(A) Of the total amount of credits extended under section 23 of this Act, not less than $1,800,000,000 for the fiscal year 1986 shall be available only for Israel, and Israel shall be released from its contractual liability to repay the United States Government with respect to such credits.

"(B) If the Government of Israel requests that funds be used for such purposes, up to $150,000,000 of the amount of credits available only for Israel under subparagraph (A) shall be available for research and development activities in the United States for the Lavi program and not less than $250,000,000 of such credits shall be available for the procurement in Israel of defense articles and defense services, including research and development.".

(d) Section 31(b)(5) of such Act (22 U.S.C. 2771(b)(5)) is amended to read as follows:

"(5) The principal amount of credits provided under section 23 at interest rates equivalent to the current average interest rate for United States Government obligations of comparable maturity, or under section 24(a) if provided by the Federal Financing Bank, with respect to Greece, Korea, the Philippines, Portugal, Spain, Thailand, and Turkey, shall (if and to the extent each country so desires) be repaid in not more than twenty years, following a grace period of ten years on repayment of principal.".

(e) Section 31(b)(6) of such Act (22 U.S.C. 2771(b)(6)) is amended to read as follows:

"(6) Of the total amount of credits extended under section 23 of this Act, not less than $1,300,000,000 for the fiscal year 1986 shall be available only for Egypt, and Egypt shall be released from its contractual liability to repay the United States Government with respect to such credits.".

(f) Sections 31(b)(7) and 31(c) of such Act (22 U.S.C. 2771 (b)(7) and (c)) are repealed.

VALUATION OF CERTAIN DEFENSE ARTICLES

SEC. 102. (a) Section 21(a) of the Arms Export Control Act (22 U.S.C. 2761(a)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as clauses (A), (B), and (C), respectively;

(2) by inserting "(1)" immediately after "(a)"; and

(3) by adding at the end thereof the following new paragraph:

"(2) For purposes of clause (A) of paragraph (1), the actual value of a naval vessel of 3,000 tons or less and 20 years or more of age shall be considered to be not less than the greater of the scrap value or fair value (including conversion costs) of such vessel, as determined by the Secretary of Defense.".

(b) Section 47 of such Act (22 U.S.C. 2794) is amended in paragraph (2) by inserting "except as otherwise provided in section 21(a)" after "excess defense articles".

ADMINISTRATIVE SURCHARGE

SEC. 103. Clause (A) of section 21(e)(1) of the Arms Export Control Act (22 U.S.C. 2761(e)(1)) is amended by inserting "(excluding a pro rata share of fixed base operation costs)" immediately after "full estimated costs".

CATALOG DATA AND SERVICES

SEC. 104. Section 21(h) of the Arms Export Control Act (22 U.S.C. 2761(h)) is amended—

(1) by inserting "(1)" immediately after "(h)";

(2) by redesignating clauses (1) and (2) as clauses (A) and (B), respectively; and

(3) by adding at the end thereof the following:

"(2) In carrying out the objectives of this section, the President is authorized to provide cataloging data and cataloging services, without charge, to the North Atlantic Treaty Organization or to any member government thereof, if such Organization or member government provides such data and services in accordance with an agreement on a reciprocal basis, without charge, to the United States Government.".

CONTRACT ADMINISTRATION SERVICES

SEC. 105. Section 21(h)(1) of the Arms Export Control Act (22 U.S.C. 2761(h)(1)) is amended by inserting "contract administration services," immediately after "inspection," in the text above clause (A).

SALES CREDITS

SEC. 106. Section 23 of the Arms Export Control Act (22 U.S.C. 2763) is amended to read as follows:

"SEC. 23. SALES CREDITS.—The President is authorized to finance procurement of defense articles, defense services, and design and construction services by friendly foreign countries and international organizations, on such terms and conditions as he may determine. The President shall charge interest at a rate determined by the Secretary of the Treasury taking into consideration the current market yields on outstanding marketable obligations of the United States of comparable maturities. Notwithstanding the preceding sentence, the President may charge a lesser rate of interest if he determines that the national interest requires a lesser rate. Loan agreements under this section shall require repayment in United States dollars within a period of not to exceed twelve years after the loan agreement is signed on behalf of the United States Government, unless a longer period is specifically authorized by law for such country or international organization.".

REPORT ON REPLENISHMENT OF THE GUARANTY RESERVE FUND

SEC. 107. (a) For the purpose of providing recommendations for improving the security interests of the United States and the friends and allies of the United States, the President shall prepare and transmit to the Congress within ninety days of the date of enactment of this Act a report which sets forth the history of United States financing under the Foreign Assistance Act and the Arms Export Control Act. Such report shall include recommendations on replenishing the Guaranty Reserve Fund under section 24 of the Arms Export Control Act and recommendations on other matters agreed to in consultation with the chairman and ranking minority member of the Committee on Foreign Relations of the Senate.

(b) Section 24(c) of the Arms Export Control Act (22 U.S.C. 2764(c)) is amended by adding at the end thereof the following: "The single reserve described in this subsection may, on and after the date of enactment of the International Security and Development Cooperation Act of 1985, be referred to as the 'Guaranty Reserve Fund'.".

REPORTING REQUIREMENT

SEC. 108. (a) Section 25(a) of the Arms Export Control Act (22 U.S.C. 2765(a)) is amended in the text preceding paragraph (1) by inserting "or, in the case of paragraph (4), no later than April 1 of each year" immediately after "each year".

(b) Section 25(a) of such Act (22 U.S.C. 2765(a)) is amended by amending paragraph (4) to read as follows:

"(4) an estimate of the amount of sales and deliveries of weapons and weapons-related defense equipment by all major arms suppliers to all major recipient countries in the developing world during the preceding calendar year;".

REPORT ON CASH FLOW FINANCING

SEC. 109. Section 25(a) of the Arms Export Control Act (22 U.S.C. 2765(a)), as amended by section 108, is further amended by—

(1) inserting "(A)" immediately after "(5)";

(2) adding "and" after the semicolon in paragraph (5); and

(3) adding at the end of paragraph (5) the following new subparagraphs:

"(B) for each country that is proposed to be furnished credits or guaranties under this Act in the next fiscal year and that has been approved for cash flow financing, as defined in subparagraph (C) of this paragraph, in excess of $100,000,000 as of October 1 of the current fiscal year—

"(i) the amount of such approved cash flow financing;

"(ii) a description of administrative ceilings and controls applied; and

"(iii) a description of the financial resources otherwise available to such country to pay such approved cash flow financing; and

"(C) the term 'cash flow financing' means, for the purposes of subparagraph (B) of this paragraph, the dollar amount of the difference between the total estimated price of a Letter of Offer and Acceptance or other purchase agreement that has been approved for financing under this Act or under section 503(a)(3) of the Foreign Assistance Act of 1961 and the amount of the financing that has been approved therefor;".

COOPERATIVE AGREEMENTS ON AIR DEFENSE IN CENTRAL EUROPE

SEC. 110. (a) The Secretary of Defense is authorized to carry out the European air de-

fense agreements. In carrying out those agreements, the Secretary—

(1) may provide, without monetary charge, to the Federal Republic of Germany articles and services as specified in the agreements; and

(2) may accept from the Federal Republic of Germany (in return for the articles and services provided under paragraph (1)) articles and services as specified in the agreements.

(b) In connection with the administration of the European air defense agreements, the Secretary of Defense may—

(1) waive any surcharge for administrative services otherwise chargeable under section 21(e)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(e)(1)(A));

(2) waive any charge not otherwise waived for services associated with contract administration for the sale under the Arms Export Control Act of Patriot air defense missile fire units to the Federal Republic of Germany contemplated in the agreements;

(3) use, to the extent contemplated in the agreements, the NATO Maintenance and Supply Agency—

(A) for the supply of logistical support in Europe for the Patriot missile system; and

(B) for the acquisition of such logistical support, to the extent that the Secretary determines that the procedures of that Agency governing such supply and acquisition are appropriate;

(4) share, to the extent contemplated in the agreements, the costs of set-up charges of facilities for use by that Agency to perform depot-level support of Patriot missile fire units in Europe; and

(5) deliver to the Federal Republic of Germany one Patriot missile fire unit configured for training, to be purchased by the Federal Republic of Germany under the Arms Export Control Act as contemplated in the agreements, without regard to the requirement in section 22 of that Act for payment in advance of delivery for any purchase under that Act.

(c) Notwithstanding the rate required to be charged under section 21 of the Arms Export Control Act (22 U.S.C. 2761) for services furnished by the United States, in the case of 14 Patriot missile fire units which the Federal Republic of Germany purchases from the United States under the Arms Export Control Act as contemplated in the European air defense agreements, the rate charged by the Secretary of Defense for packing, crating, handling, and transportation services associated with that purchase may not exceed the established Department of Defense rate for such services.

(d) For the purposes of this section, the term "European air defense agreements" means—

(1) the agreement entitled "Agreement between the Secretary of Defense of the United States of America and the Minister of Defense of the Federal Republic of Germany on Cooperative Measures for Enhancing Air Defense for Central Europe", signed on December 6, 1983; and

(2) the agreement entitled "Agreement between the Secretary of Defense of the United States of America and the Minister of Defense of the Federal Republic of Germany in implementation of the 6 December 1983 Agreement on Cooperative Measures for Enhancing Air Defense for Central Europe", signed on July 12, 1984.

(e) The authority of the Secretary of Defense to enter into contracts under the European air defense agreements is available only to the extent that appropriated funds, other than those made available under section 31 of the Arms Export Control Act (22 U.S.C. 2771), are available for that purpose.

INCREASE IN CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE ARMS EXPORT CONTROL ACT

SEC. 111. (a) Section 38(c) of the Arms Export Control Act (22 U.S.C. 2778(c)) is amended by striking out "not more than $100,000 or imprisoned not more than two years, or both" and inserting in lieu thereof "for each violation not more than $1,000,000 or imprisoned not more than ten years, or both".

(b) Section 38(e) of such Act (22 U.S.C. 2778(e)) is amended by adding at the end thereof the following: "Notwithstanding section 11(c) of the Export Administration Act of 1979, the civil penalty for each violation involving controls imposed on the export of defense articles and defense services under this section may not exceed $500,000.".

(c) This section shall take effect upon the date of enactment of this Act or October 1, 1985, whichever is later. The amendments made by this section shall apply to violations occurring after the effective date of this section.

OFFICIAL RECEPTION AND REPRESENTATION EXPENSES

SEC. 112. Section 43 of the Arms Export Control Act (22 U.S.C. 2792) is amended—

(1) in subsection (b) by inserting "and official reception and representation expenses" immediately after "administrative expenses"; and

(2) by adding at the end thereof the following new subsection:

"(c) Not more than $72,500 of the funds derived from charges for administrative services pursuant to section 21(e)(1)(A) of this Act may be used each fiscal year for official reception and representation expenses.".

SPECIAL DEFENSE ACQUISITION FUND

SEC. 113. Section 51(a) of the Arms Export Control Act (22 U.S.C. 2795(a)) is amended by adding at the end thereof the following new paragraphs:

"(3) In order to maintain the readiness of the Armed Forces of the United States while facilitating the transfer of less advanced weapons systems in the inventory of the Department of Defense to foreign countries and international organizations in accordance with the provisions of this Act, the Foreign Assistance Act of 1961, or as otherwise authorized by law, instead of the transfer of more advanced weapons systems from procurement, the Fund may be used to acquire defense articles and defense services in anticipation of their transfer, on a reimbursable basis, to the Department of Defense to replace items transferred from the inventory of that Department to foreign countries and international organizations if such items are no longer in production for use by the Armed Forces of the United States.

"(4) The Fund may be used to keep on continuous order such defense articles and defense services as are assigned by the Department of Defense for integrated management by a single agency thereof for the common use of all military departments in anticipation of the transfer of similar defense articles and defense services to foreign countries and international organizations authorized by this Act, the Foreign Assistance Act of 1961, or other law.".

MILITARY ASSISTANCE COSTS

SEC. 114. Section 503(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2311(a)) is amended by adding the following sentence at the end of paragraph (3) thereof: "Sales which are wholly paid from funds so transferred shall be priced to exclude the costs of salaries of members of the Armed Forces of the United States.".

MILITARY ASSISTANCE

SEC. 115. Section 504(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2312(a)(1)) is amended to read as follows:

"(a)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter $805,100,000 for the fiscal year 1986, of which amount not less than $15,000,000 shall be available only for Tunisia.".

STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

SEC. 116. Section 514(b)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)) is amended to read as follows:

"(2) The value of such additions to stockpiles in foreign countries shall not exceed $360,000,000 for the fiscal year 1986.".

SECURITY ASSISTANCE ORGANIZATIONS

SEC. 117. Section 515(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i(c)(1)) is amended by striking out "For the fiscal year 1982 and the fiscal year 1983" and inserting in lieu thereof "For the fiscal year 1986, Pakistan, Tunisia, Sudan, El Salvador, Honduras".

INTERNATIONAL MILITARY EDUCATION AND TRAINING

SEC. 118. Section 542 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347a) is amended to read as follows:

"SEC. 542. AUTHORIZATION.—There are authorized to be appropriated to the President to carry out the purposes of this chapter $56,221,000 for the fiscal year 1986.".

EXCHANGE TRAINING

SEC. 119. Chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 544. EXCHANGE TRAINING.—In carrying out this chapter, the President is authorized to provide for attendance of foreign military personnel at professional military education institutions in the United States (other than Service academies) without charge, and without charge to funds available to carry out this chapter (notwithstanding section 632(d) of this Act), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one, reciprocal basis each fiscal year between those United States professional military education institutions and comparable institutions of foreign countries and international organizations.".

TRAINING IN MARITIME SKILLS

SEC. 120. (a) Chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.), as amended by section 119, is further amended by adding at the end thereof the following new section:

"SEC. 545. TRAINING IN MARITIME SKILLS.—The President is encouraged to allocate a portion of the funds made available each fiscal year to carry out this chapter for use in providing education and training in maritime search and rescue, operation and maintenance of aids to navigation, port security, at-sea law enforcement, international maritime law, and general maritime skills."

(b) Section 660(b) of such Act (22 U.S.C. 2420(b)) is amended—

(1) by striking out "or" at the end of clause (1);

(2) by striking out the period at the end of clause (2) and inserting in lieu thereof "; or"; and

(3) by adding the following new clause after clause (2);

"(3) with respect to assistance, including training, in maritime law enforcement.".

AUTHORIZATION FOR PEACEKEEPING OPERATIONS

SEC. 121. Section 552(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a) is amended to read as follows:

"(a) There are authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to amounts otherwise available for such purposes, $37,000,000 for the fiscal year 1986.".

PEACEKEEPING OPERATIONS EMERGENCIES

SEC. 122. (a) Section 552 of the Foreign Assistance Act of 1961 (22 U.S.C. 2348), as amended by section 121, is further amended—

(1) by inserting in subsection (c) "(1)" immediately after "the President may";

(2) by inserting in subsection (c) immediately before the period at the end of the subsection "; and (2) in the event the President also determines that such unforeseen emergency requires the immediate provision of assistance under this chapter, direct the drawdown of commodities and services from the inventory and resources of any agency of the United States Government of an aggregate value not to exceed $25,000,000 in any fiscal year"; and

(3) by inserting at the end thereof the following new subsection:

"(d) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for commodities and services provided under subsection (c)(2).".

(b) Section 652 of such Act (22 U.S.C. 2411) is amended by inserting ", 552(c)(2)," immediately after "under section 506(a)".

SECURITY ASSISTANCE FOR TURKEY AND GREECE

SEC. 123. (a) Of the amounts provided to carry out chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) for the fiscal year 1986, up to $215,000,000 may be made available for Turkey with the understanding that the United States Government is acting with urgency and determination to oppose any actions aimed at effecting a permanent bifurcation of Cyprus.

(b) Of the amounts provided for credits under section 23 of the Arms Export Control Act (22 U.S.C. 2763) for the fiscal year 1986, up to $500,000,000 may be extended to Turkey, and $500,000,000 shall be available only for Greece.

(c)(1) The amount of credits under the Arms Export Control Act for Greece for the fiscal year 1986 which shall be extended at a rate described in paragraph (2) is the amount which bears the same proportion to the aggregate amount of credits extended under such Act for Greece for such fiscal year as the amount of credits extended under such Act at such a rate for Turkey for such fiscal year bears to the aggregate amount of credits extended under such Act for Turkey for such fiscal year.

(2) The rate described in paragraph (1) is any rate less than the current average interest rate (as of the last day of the month preceding the financing of the procurement) that the United States pays on outstanding marketable obligations of comparable maturity.

PROHIBITION ON THE PROVISION OF FOREIGN MILITARY SALES CREDITS FOR LEBANON

SEC. 124. For the fiscal year 1986, no credits may be extended under section 23 of the Arms Export Control Act (22 U.S.C. 2763) with respect to Lebanon.

EXEMPTION OF CERTAIN SAFETY-RELATED EQUIPMENT FROM PROHIBITION ON MILITARY SALES TO CHILE

SEC. 125. Section 726 of the International Security and Development Cooperation Act of 1981 is amended by adding at the end thereof the following new subsection:

"(c) The prohibition contained in subsection (b) does not prohibit the sale, or the licensing for export, of cartridge-actuated devices, propellant-actuated devices, or technical manuals for aircraft of the F-5E/F or A/T-37 type which were sold to the Chilean Air Force by the United States before January 1, 1976, so long as the devices or manuals are provided only for purposes of enhancing the safety of the aircraft crew.".

LEASING AUTHORITY

SEC. 126. Section 7307(b)(1) of title 10, United States Code, is amended by inserting before the period at the end thereof a comma and the following: "except that any lease or loan of such a vessel under such a law shall be made only in accordance with the provisions of chapter 6 of the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961".

CERTIFICATION CONCERNING AWACS SOLD TO SAUDI ARABIA

SEC. 127. (a)(1) The Congress finds that in his October 28, 1981, communication to the Senate concerning the proposed sale of AWACS aircraft and F-15 enhancement items to Saudi Arabia which was then being reviewed by the Congress (hereafter in this section referred to as the "1981 AWACS communication"), the President stated the following:

"Transfer of the AWACS will take place . . . only after the Congress has received in writing a Presidential certification, containing agreements with Saudi Arabia, that the following conditions have been met:

"1. SECURITY OF TECHNOLOGY

"A. That a detailed plan for the security of equipment, technology, information, and supporting documentation has been agreed to by the United States and Saudi Arabia and is in place; and

"B. The security provisions are no less stringent than measures employed by the United States for protection and control of its equipment of like kind outside the continental United States; and

"C. The United States has the right of continual on-site inspection and surveillance by United States personnel of security arrangements for all operations during the useful life of the AWACS. It is further provided that security arrangements will be supplemented by additional United States personnel if it is deemed necessary by the two parties; and

"D. Saudi Arabia will not permit citizens of third nations either to perform maintenance on the AWACS or to modify any such equipment without prior, explicit mutual consent of the two governments; and

"E. Computer software, as designated by the United States Government, will remain the property of the United States Government.

"2. ACCESS TO INFORMATION

"That Saudi Arabia has agreed to share with the United States continuously and completely the information that it acquires from use of the AWACS.

"3. CONTROL OVER THIRD-COUNTRY PARTICIPATION

"A. That Saudi Arabia has agreed not to share access to AWACS equipment, technology, documentation, or any information developed from such equipment or technology with any nation other than the United States without the prior, explicit mutual consent of both governments; and

"B. There are in place adequate and effective procedures requiring the screening and security clearance of citizens of Saudi Arabia and that only cleared Saudi citizens and cleared United States nationals will have access to AWACS equipment, technology, or documentation, or information derived therefrom, without the prior, explicit mutual consent of the two governments.

"4. AWACS FLIGHT OPERATIONS

"That the Saudi AWACS will be operated solely within the boundaries of Saudi Arabia, except with the prior, explicit mutual consent of the two governments, and solely for defensive purposes as defined by the United States, in order to maintain security and regional stability.

"5. COMMAND STRUCTURED

"That agreements as they concern organizational command and control structure for the operation of AWACS are of such a nature to guarantee that the commitments above will be honored.

"6. REGIONAL PEACE AND SECURITY

"That the sale contributes directly to the stability and security of the area, enhances the atmosphere and prospects for progress toward peace, and that initiatives toward the peaceful resolution of disputes in the region have either been successfully completed or that significant progress toward that goal has been accomplished with the substantial assistance of Saudi Arabia.".

(2) The Congress finds that the President also stated in the 1981 AWACS communication that should circumstances arise that might require changes in the arrangements described in that communication "they would be made only with Congressional participation".

(b) As provided in the 1981 AWACS communication, before the E-3A airborne warning and control system (AWACS) aircraft which were the subject of that communication are transferred to Saudi Arabia, the President shall submit to the Congress a written Presidential certification, containing agreements with Saudi Arabia, that the conditions set forth in that communication have been met.

(c) In order to facilitate the congressional participation provided for in the 1981 AWACS communication, the President shall notify the Congress promptly of any changes being considered by the United States in the arrangements described in that communication.

SENSITIVE TECHNOLOGY

SEC. 128. Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended—

(1) by inserting before the period at the end of the second sentence of paragraph (1) the following: "and a detailed justification of the reasons necessitating the sale of such articles or services in view of the sensitivity of such technology"; and

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

"(5)(A) If, before the delivery of any major defense article or major defense equipment, or the furnishing of any defense service or design and construction service, sold pursuant to a letter of offer described

in paragraph (1), the sensitivity of technology or the capability of the article, equipment, or service is enhanced or upgraded from the level of sensitivity or capability described in the numbered certification with respect to an offer to sell such article, equipment, or service, then, at least forty-five days before the delivery of such article or equipment or the furnishing of such service, the President shall prepare and transmit to the chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report—

"(i) describing the manner in which the technology or capability has been enhanced or upgraded and describing the significance of such enhancement or upgrade; and

"(ii) setting forth a detailed justification for such enhancement or upgrade.

"(B) The provisions of subparagraph (A) apply to an article or equipment delivered, or a service furnished, within ten years of the transmittal to the Congress of a numbered certification with respect to the sale of such article, equipment, or service.

"(C) If the enhancement or upgrade in the sensitivity of technology or the capability of major defense equipment, defense articles, defense services, or design and construction services described in a numbered certification submitted under this subsection costs $14,000,000 or more in the case of any major defense equipment, $50,000,000 or more in the case of defense articles or defense services, or $200,000,000 or more in the case of design or construction services, then the President shall submit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a new numbered certification which relates to such enhancement or upgrade and which shall be considered for purposes of this subsection as if it were a separate letter of offer to sell defense equipment, articles, or services, subject to all of the requirements, restrictions, and conditions set forth in this subsection. For purposes of this subparagraph, references in this subsection to sales shall be deemed to be references to enhancements or upgrades in the sensitivity of technology or the capability of major defense equipment, articles, or services, as the case may be.

"(D) For the purposes of subsection (b)(5)(A), major defense article shall be construed to include electronic devices, which if upgraded, will enhance the mission capability of a weapons system.".

TITLE II—ECONOMIC SUPPORT FUND

AUTHORIZATION OF APPROPRIATIONS

SEC. 201. (a) Section 531 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346) is amended to read as follows:

"SEC. 531. AUTHORITY.—(a)(1) The Congress recognizes that under special economic, political, or security conditions the national interests of the United States may require economic support for countries or in amounts which could not be justified solely under chapter 1 of part I. In such cases, the President is authorized to furnish assistance to countries and organizations, on such terms and conditions, as he may determine, in order to promote economic or political stability. To the maximum extent feasible, the President shall provide assistance under this chapter consistent with the policy directions, purposes, and programs of part I of this Act.

"(2) To the maximum extent feasible, funds made available pursuant to this chapter for commodity import programs or other program assistance shall be used to generate local currencies, not less than 50 per centum of which shall be available to support activities consistent with the objectives of sections 103 through 106 of this Act, and administered by the agency primarily responsible for administering part I of this Act.

"(3) The Secretary of State shall be responsible for policy decisions and justifications for economic support programs under this chapter, including determinations of whether there will be an economic support program for a country and the amount of the program for each country. The Secretary shall exercise this responsibility in cooperation with the Administrator of the agency primarily responsible for administering part I.

"(4) As part of the annual presentation materials for foreign assistance submitted to the Congress, the agency primarily responsible for administering this chapter shall provide a detailed justification for the uses and the purposes of the funds provided under this chapter. Such material shall include, but not be limited to, information concerning the amounts and kinds of cash grant transfers, the amounts and kinds of budgetary and balance-of-payments support provided, and the amounts and kinds of projectized assistance provided with funds made available under this chapter.

"(b)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter—

"(A) $2,015,000,000 for the fiscal year 1986 for the following countries signing the Camp David agreement: Israel and Egypt, of which amount $1,200,000,000 shall be available only for Israel and $815,000,000 shall be available only for Egypt; and

"(B) $1,826,000,000 for the fiscal year 1986 for countries other than the countries referred to in clause (A), of which amount—

"(i) $15,000,000 shall be available only for Cyprus;

"(ii) not less than $20,000,000 shall be available only for Tunisia; and

"(iii) $80,000,000 shall be available only for Portugal.".

"(2) Amounts appropriated to carry out this chapter are authorized to remain available until expended.

"(c)(1) All of the funds made available to Israel and to Egypt under this chapter for the fiscal year 1986 shall be provided on a grant basis.

"(2) The total amount of funds allocated for Israel under this chapter for the fiscal year 1986 shall be made available as a cash transfer on an expedited basis within the first thirty days of the fiscal year.

"(3) Of the total amount of funds made available for Egypt under this chapter, up to $200,000,000 of such funds may be obligated, but not less than $165,000,000 shall be obligated, in the form of a cash transfer to help and encourage economic reforms and Egypt's own developmental efforts.

"(d) Amounts appropriated to carry out this chapter shall be available for economic programs only and may not be used for military or paramilitary purposes.

"(e) The President shall use an amount equal to not less than 20 percent of the funds which are appropriated to carry out this chapter and which are made available for commodity import programs for the purchase of agricultural commodities which are of United States origin.".

(b) Section 535(a) of such Act (22 U.S.C. 2346d(a)) is amended—

(1) by striking out "1982" and inserting in lieu thereof "1986"; and

(2) by striking out "and up to $75,000,000 for the fiscal year 1983".

(c) Chapter 4 of part II of such Act (22 U.S.C. 2346 et seq.) is amended—

(1) by striking out sections 532, 533, 534, 536, 537, 538, 539, and 540; and

(2) by redesignating section 535, as amended by subsection (b), as section 532.

(d) Chapter 4 of part II of such Act (22 U.S.C. 2346 et seq.), as amended by this section, is further amended by adding at the end thereof the following new sections:

"SEC. 533. PROHIBITION ON USE OF FUNDS FOR NUCLEAR FACILITIES.—Funds available to carry out this chapter for the fiscal year 1986 may not be used to finance the construction of, the operation or maintenance of, or the supplying of fuel for, any nuclear facility in a foreign country unless the President certifies to the Congress that the country in question is a party to the Non-Proliferation Treaty, cooperates fully with the International Atomic Energy Agency, and pursues nuclear non-proliferation policies consistent with those of the United States.

"SEC. 534. PROHIBITION ON USE OF FUNDS FOR LEBANON.—None of the funds authorized to be appropriated to carry out this chapter for the fiscal year 1986 may be available for Lebanon.".

SUPPLEMENTAL AUTHORIZATION OF APPROPRIATIONS

SEC. 202. (a) In addition to amounts otherwise authorized to be appropriated for the fiscal year 1985 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, there are authorized to be appropriated $2,008,000,000, of which $1,500,000,000 shall be available only for Israel, $500,000,000 shall be available only for Egypt, and $8,000,000 shall be available only for the Middle East Regional Program.

(b) Amounts appropriated to carry out this section are authorized to remain available until September 30, 1986.

TITLE III—DEVELOPMENT ASSISTANCE

DEVELOPMENT ASSISTANCE POLICY

SEC. 301. Section 102(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151-1(b)) is amended by adding at the end thereof the following new paragraphs:

"(13) United States encouragement of policy reforms is necessary if developing countries are to achieve economic growth with equity.

"(14) Development assistance should, as a fundamental objective, promote private sector activity in open and competitive markets in developing countries, recognizing such activity to be a productive and efficient means of achieving equitable and long-term economic growth.

"(15) United States cooperation in development should recognize as essential the need of developing countries to have access to appropriate technology in order to improve food and water, health and housing, education and employment, and agriculture and industry.

"(16) United States assistance should focus on establishing and upgrading the institutional capacities of developing countries in order to promote long-term development. An important component of institution building involves training to expand the human resource potential of people in developing countries.".

AGRICULTURE, RURAL DEVELOPMENT, AND NUTRITION

SEC. 302. (a) The first sentence of section 103(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a(a)(2)) is amended to

read as follows: "There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $755,551,000 for the fiscal year 1986, of which the President may use such amounts as he deems appropriate to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980.".

(b) Section 103(g) of such Act (22 U.S.C. 2151a(g)) is amended to read as follows:

"(g) It is the sense of the Congress that—

"(1) the President should continue United States participation in the International Fund for Agricultural Development, and that funds for the Second Replenishment for that organization will be authorized to be appropriated upon receipt of a recommendation from the President;

"(2) the United States should provide a special contribution to the International Fund for Agricultural Development for a special fund for Sub-Saharan African Countries affected by drought and decertification, and the United States should take a leadership role in the creation of such a special fund and should make a substantial contribution to this fund; and

"(3) such objectives should be accomplished through a reprogramming of existing appropriations or through some other such procedure designed to guarantee that overall funding levels for programs within the international affairs function of the budget are consistent with targets set by the applicable congressional budget resolution.".

POPULATION AND HEALTH

SEC. 303. (a)(1) Section 104(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(g)) is amended to read as follows:

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President, in addition to funds otherwise available for such purposes—

"(1) $270,017,000 for the fiscal year 1986 to carry out subsection (b) of this section; and

"(2) $186,427,000 for the fiscal year 1986 to carry out subsection (c) of this section.

Funds appropriated under this subsection are authorized to remain available until expended.".

(2) Section 104(c)(2)(B) of such Act (22 U.S.C. 2151b(c)(2)(B)) is amended in the first sentence by inserting "for the fiscal year 1986" after "$25,000,000".

(b) Section 104(b) of such Act (22 U.S.C. 2151b(b)) is amended by adding at the end thereof the following: "In determining eligibility for assistance under this subsection, the Administrator of the agency primarily responsible for administering this part shall not subject any nongovernmental or multilateral organization to any requirement more restrictive than any requirement applicable to a foreign government for such assistance.".

(c) Section 104(f) of such Act (22 U.S.C. 2151b(f)) is amended by adding at the end thereof the following:

"(4) None of the funds made available to carry out subsection (b) may be used, directly or indirectly—

"(A) in any country which permits, officially or in practice, infanticide or coerced abortion; or

"(B) by any organization which provides funds, directly or indirectly, with respect to such a country.".

(d) None of the funds made available to carry out part I of the Foreign Assistance Act of 1961 may be available to carry out any program for population planning in the People's Republic of China, including any of those funds provided for such a program through any private and voluntary organization or any international organization.

(e) The President shall instruct each United States representative to an international organization to which the United States makes a financial contribution to oppose the extension of assistance by such organization for any program for population planning in the People's Republic of China.

EDUCATION AND HUMAN RESOURCES DEVELOPMENT

SEC. 304. (a) The second sentence of section 105(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151c(a)) is amended to read as follows: "There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $177,100,000 for the fiscal year 1986, which are authorized to remain available until expended.".

(b) The third sentence of such section is repealed.

ENERGY, PRIVATE VOLUNTARY ORGANIZATIONS, AND SELECTED DEVELOPMENT ACTIVITIES

SEC. 305. Section 106(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151d(e)(1)) is amended to read as follows:

"(e)(1) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $200,000,000 for the fiscal year 1986.".

PRIVATE SECTOR REVOLVING FUND

SEC. 306. The first sentence of section 108(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151f(b)) is amended by striking out "1984, up to $20,000,000" and inserting in lieu thereof "1986, up to $16,000,000".

SAHEL DEVELOPMENT PROGRAM

SEC. 307. The third sentence of section 121(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151s(c)) is amended to read as follows: "In addition to the amounts authorized to be appropriated by the preceding sentences and to funds otherwise available for such purposes, there are authorized to be appropriated to the President for purposes of this section $80,500,000 for the fiscal year 1986.".

AFRICA FAMINE RECOVERY AND DEVELOPMENT FUND

SEC. 308. Chapter 1 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 129. AFRICA FAMINE RECOVERY AND DEVELOPMENT FUND.—(a) The Congress reaffirms the commitment of the American people to assist the countries of Sub-Saharan Africa in dealing with drought and famine conditions which threaten the lives of millions of its people. The Congress reaffirms the commitment of the United States Government to continue its support, in concert with other nations and in cooperation with the affected nations in Africa, of the international relief, rehabilitation, and recovery program to assist these nations in dealing more effectively with drought and achieving self-sufficiency in agricultural production, eliminating forever the threat of famine.

"(b) The President is authorized to furnish assistance, on such terms and conditions as he may determine, for the long-term agricultural recovery and development of the Sub-Saharan Africa region, particularly for support of policy reform and agricultural support and research for small farmers. Assistance furnished under this section shall be in accordance with a long-term, multidonor development plan which calls for equitable burdensharing with other donors and shall be furnished, whenever appropriate, in cooperation with an international coordinating mechanism or international agency.

"(c)(1) There are authorized to be appropriated to the President up to $100,000,000, which sums shall be derived from any funds authorized by this Act, to carry out the purposes of this section.

"(2) Amounts appropriated under this section are authorized to remain available until expended.".

PRIVATE AND VOLUNTARY ORGANIZATIONS AND COOPERATIVES IN OVERSEAS DEVELOPMENT

SEC. 309. (a) Section 123(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151u(e)) is amended—

(1) in the first sentence by inserting "on which it is determined" immediately after "prior to the date"; and

(2) in the third sentence by striking out "such date" wherever it occurs and inserting in lieu thereof "the date on which a decision is made to continue such support".

(b) Section 123 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151u) is amended by amending subsection (f) to read as follows:

"(f) In addition to funds otherwise available for such purposes, not less than 15 percent of the aggregate amount appropriated for any fiscal year to carry out sections 103(a), 104(b), 104(c), 105, 106, 121, and 491 of this Act shall be made available for the activities of private and voluntary organizations. Funds made available under section 531 of this Act for the activities of private and voluntary organizations may be considered in determining compliance with the requirements of the previous sentence.".

PROMOTION OF DEMOCRATIC COOPERATIVES

SEC. 310. Section 123 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151u), as amended by section 309, is further amended by adding at the end thereof the following new subsection:

"(h) The Congress recognizes that, in addition to their role in social and economic development, cooperatives provide an opportunity for people to participate directly in democratic decision-making. Therefore, assistance under this chapter may be provided to rural and urban cooperatives which offer large numbers of low and middle income people in developing countries an opportunity to participate directly in democratic decision-making. Such assistance shall be designed to encourage the adoption of self-help, private sector cooperative techniques and practices which have been successful in the United States.".

DEVELOPMENT AND ILLICIT NARCOTICS PRODUCTION

SEC. 311. Section 126(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151x(b)) is amended—

(1) by inserting "and under chapter 4 of part II" immediately after "this chapter"; and

(2) by adding at the end thereof the following:

"The agency primarily responsible for administering this part may utilize resources for activities aimed at increasing awareness of the effects of production and trafficking of illicit narcotics on source and transit countries.".

HOUSING GUARANTY PROGRAM

SEC. 312. (a) Section 222(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2182(a)) is amended—

(1) in the second sentence, by striking out "$1,958,000,000" and inserting in lieu thereof "$2,003,000,000"; and

(2) in the third sentence, by striking out "1986" and inserting in lieu thereof "1987".

(b) Section 223(j) of such Act (22 U.S.C. 2183(j)) is amended in the third sentence by striking out ", and the average face value of guaranties issued in any fiscal year shall not exceed $15,000,000".

TRADE CREDIT INSURANCE PROGRAM

SEC. 313. Section 224(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2184(e)) is amended by striking out "fiscal year 1985" and inserting in lieu thereof "fiscal years 1985 and 1986".

DISADVANTAGED CHILDREN IN ASIA

SEC. 314. Section 241(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2201(b)) is amended by striking out "$2,000,000" and inserting in lieu thereof "$3,000,000".

PROMOTION OF IMMUNIZATION AND ORAL REHYDRATION

SEC. 315. (a) Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is amended—

(1) by inserting "(1)" before "In order"; and

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

"(2) The Congress recognizes that the promotion of primary health care is a major objective of the foreign assistance program. The Congress further recognizes that simple, relatively low cost means already exist to reduce incidence of communicable diseases among children, mothers, and infants. The promotion of vaccines for immunization, and salts for oral rehydration, therefore, is an essential feature of the health assistance program. To this end, the Congress expects the agency primarily responsible for carrying out the provisions of this part to set as a goal the protection of not less than 80 percent of all children, in those countries in which such agency has established development programs, from immunizable diseases by January 1, 1991.".

(b) Not later than twelve months after the date of enactment of this section, and at intervals of twelve months thereafter, the Administrator of the agency primarily responsible for carrying out part I of the Foreign Assistance Act of 1961 shall prepare and transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations a report describing the progress achieved during the preceding twelve months in carrying out section 104(c)(2) of such Act.

TITLE IV—CENTRAL AMERICA DEMOCRACY, PEACE, AND DEVELOPMENT INITIATIVE

SEC. 401. Part I of the Foreign Assistance Act of 1961 is amended by adding after chapter 5 the following new chapter:

"CHAPTER 6—CENTRAL AMERICA DEMOCRACY, PEACE, AND DEVELOPMENT INITIATIVE

"SEC. 461. STATEMENT OF POLICY.—(a) The Congress finds that the building of democracy, the restoration of peace, the improvement of living conditions, and the application of equal justice under law in Central America are important to the interests of the United States and the community of American States. The Congress further finds that the interrelated issues of social and human progress, economic growth, political reform, and regional security must be effectively dealt with to assure a democratic and economically and politically secure Central America.

"(b)(1) The achievement of democracy, human rights, peace, and equitable economic growth depends primarily on the cooperation and the human and economic resources of the people and governments of Central America. The Congress recognizes that the United States can make a significant contribution to such peaceful and democratic development through a consistent and coherent policy which includes a long-term commitment of assistance. This policy should be designed to support actively—

"(A) democracy and political reform, including opening the political process to all members of society;

"(B) human rights, including free elections, freedom of the press, freedom of association, and the elimination of the violent abuse of human rights;

"(C) leadership development, including training and educational programs to improve public administration and the administration of justice;

"(D) land reform;

"(E) the establishment of the rule of law and an effective judicial system; and

"(F) the termination of extremist violence by both the left and the right as well as vigorous action to prosecute those guilty of crimes and the prosecution to the extent possible of past offenders.

"(2) The policy referred to in paragraph (1) should also promote equitable economic growth and development, including controlling the flight of capital and the effective use of foreign assistance and adherence to approved programs for economic stabilization and fiscal responsibility. Finally, this policy should foster dialog and negotiations to achieve peace based upon the objectives of democratization, reduction of armament, an end to subversion, and the withdrawal of foreign military forces and advisers; and to provide a security shield against violence and intimidation. It is the purpose of this chapter to establish the statutory framework and to authorize the appropriations and financing necessary to carry out the policy described in this section.

"(c) The Congress finds therefore that the people of the United States are willing to sustain and expand a program of economic and military assistance in Central America if the recipient countries can demonstrate progress toward and a commitment to these goals.

"SEC. 462. CONDITIONS ON FURNISHING ASSISTANCE.—(a) The President shall ensure that assistance authorized by this Act and the Arms Export Control Act to Central American countries is furnished in a manner which fosters demonstrated progress toward and commitment to the objectives set forth in section 461. Where necessary to achieve this purpose, the President shall impose conditions on the furnishing of such assistance. In carrying out this section, the President shall consult with the Congress in regard to progress toward the objectives set forth in section 461, and any conditions imposed on the furnishing of assistance in furtherance of those objectives.

"(b) The reporting requirements with respect to El Salvador contained in—

"(1) the last proviso of the paragraph under the heading 'MILITARY ASSISTANCE' contained in the joint resolution entitled 'Joint resolution making an urgent supplemental appropriation for the fiscal year ending September 30, 1984, for the Department of Agriculture', approved July 2, 1984 (Public Law 98-332); and

"(2) section 533 of the Foreign Assistance and Related Programs Appropriations Act, 1985, as enacted by the joint resolution entitled 'Joint resolution making continuing appropriations for the fiscal year 1985, and for other purposes', approved October 12, 1984 (Public Law 98-473; 98 Stat. 1837),

shall not apply after the date of enactment of this section.

"SEC. 463. PEACE PROCESS IN CENTRAL AMERICA.—The Congress—

"(1) strongly supports the initiatives taken by the Contadora group and the resulting Document of Objectives which has been agreed to by Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua and which sets forth a framework for negotiating a peaceful settlement to the conflict and turmoil in the region; and

"(2) finds that the United States should provide such assistance and support as may be appropriate in helping to reach comprehensive and verifiable final agreements, based on the Document of Objectives, which will ensure peaceful and enduring solutions to the Central American conflicts.

"SEC. 464. ECONOMIC ASSISTANCE COORDINATION.—(a) The Congress finds that participation by Central American countries in an effective forum for dialog on, and the continuous review and advancement of, Central America's political, economic, and social development would foster cooperation between the United States and Central American countries.

"(b) It is the sense of the Congress that—

"(1) the President should enter into negotiations with the countries of Central America to establish a Central American Development Organization (hereafter in this section referred to as the 'Organization') to help provide a continuous and coherent approach to the development of the Central American region; and

"(2) the establishment of the Central American Development Organization should be based upon the following principles:

"(A) that participation in the Organization be open to the United States, other donors, and those Central American countries that commit themselves to, among other things, progress on human rights, building democracy, and encouraging equitable economic growth through policy reforms;

"(B) that the Organization be structured to include representatives from both the public and private sectors, including representatives from the labor, agriculture, and business communities;

"(C) that the Organization meet periodically to carry out the functions described in subparagraphs (D) and (E) of this paragraph and should be supported by a limited professional secretariat;

"(D) that the Organization make recommendations affecting Central American countries on such matters as—

"(i) political, economic, and social development objectives, including the strengthening of democratic pluralism and the safeguarding of human rights;

"(ii) mobilization of resources and external assistance needs; and

"(iii) reform of economic policies and structures;

"(E) that the Organization have the capacity for monitoring country performance on recommendations issued in accordance with subparagraph (D) of this paragraph

and for evaluating progress toward meeting such country objectives;

"(F) that to the maximum extent practicable, the United States follow the recommendations of the Organization in disbursing bilateral economic assistance for any Central American country. No more than 75 per centum of such United States assistance in any fiscal year should be disbursed until the recommendations of the Organization for that fiscal year have been made final and communicated to the donor countries. The limitation on disbursements contained in the preceding sentence should apply only to recommendations made final and communicated to donor countries prior to the fourth quarter of such fiscal year. The United States representative to the Organization should urge other donor countries to similarly implement the recommendations of the Organization; and

"(G) that the administrator of the agency primarily responsible for administering part I of this Act, or his designee, represent the United States Government in the Organization and should carry out his functions in that capacity under the continuous supervision and general direction of the Secretary of State.

"(c) Subject to subsection (d)(2), the President is authorized to participate in the Organization.

"(d)(1) The administrator of the agency primarily responsible for administering part I of this Act, under the supervision and direction of the Secretary of State, shall prepare a detailed proposal to carry out this section and shall keep the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate fully and currently informed concerning the development of this proposal.

"(2) The President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a copy of the text of any agreement which he proposes to sign providing for the establishment of and United States participation in the Organization no less than sixty days prior to his signature. During that sixty-day period there shall be full and formal consultations with and review by those committees in accordance with procedures applicable to reprogramming notifications pursuant to section 634A of this Act.

"SEC. 465. AUTHORIZATIONS FOR FISCAL YEARS 1987 THROUGH 1989.—In addition to amounts otherwise available for such purposes, there are authorized to be appropriated to the President, for the purpose of furnishing nonmilitary assistance for Central American countries, $1,200,000,000 for each of the fiscal years 1987 through 1989, to remain available until expended. For the purpose of providing the assistance described in the preceding sentence, funds appropriated under this section are authorized to be transferred by the President for obligation in accordance with the authorities of part I of this Act (including chapter 4 of part II of such Act), the Peace Corps Act, the Migration and Refugee Assistance Act of 1962, the United States Information and Education Exchange Act of 1984, the Mutual Educational and Cultural Exchange Act of 1961, the National Endowment for Democracy Act, and the State Department Basic Authorities Act of 1956.

"SEC. 466. DEFINITIONS.—For the purposes of this chapter, the term 'Central American countries' shall be deemed to include Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama, and regional programs which benefit such countries.".

ADMINISTRATION OF JUSTICE

SEC. 402. Chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.), as amended by section 201 of this Act, is further amended by adding at the end thereof the following new section:

"SEC. 535. ADMINISTRATION OF JUSTICE.—(a) The President may furnish assistance to countries and organizations, including national and regional institutions, in order to strengthen the administration of justice in Latin America and the Caribbean. Assistance under this section may include—

"(1) support for specialized professional training, scholarships, and exchanges for continuing legal education;

"(2) programs to enhance judicial, prosecutorial, investigative and enforcement capabilities, and to provide protection for participants in judicial cases;

"(3) strengthening professional organizations to promote services to members and the role of the bar in judicial selection, enforcement of ethical standards, and legal reform;

"(4) increasing the availability of legal materials and publications;

"(5) seminars, conferences, training and educational programs to improve the administration of justice and to strengthen respect for the rule of law and human rights; and

"(6) revision and modernization of legal codes and procedures.

"(b) The assistance specified in this section may be provided notwithstanding section 660 of this Act. The President shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate not less than fifteen days in advance of obligating funds pursuant to this section for programs or activities under this section which would otherwise be subject to section 660 of this Act.".

LAND REFORM

SEC. 403. Section 620(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(g)) is amended by adding at the end thereof the following sentence: "The prohibition contained in this subsection shall not apply to monetary assistance made available for use by a government or political subdivision or agency of such government to compensate nationals of that country in accordance with a land reform program, if the President determines that monetary assistance for such land reform program will further the national interests of the United States.".

USE OF EMPLOYEE STOCK OWNERSHIP PLANS IN DEVELOPMENT EFFORTS

SEC. 404. (a) The Congress declares that—

(1) employee stock ownership plans in industrial, farming, banking, and other enterprises in Central America and the Caribbean can be an important component in achieving United States goals in Central America and the Caribbean; and

(2) employee stock ownership plans should be used as an instrument in financing growth and transfers of equity in the region, in reorganizing State-owned enterprises into viable employee-owned businesses, in expanding political and economic pluralism, and in strengthening democratic institutions in the region.

(b) The President is urged to develop a plan for the expanded use of employee stock ownership plans in development efforts of the United States in Central America and the Caribbean, with an emphasis on policy and infrastructural changes needed to encourage voluntary employee stock ownership initiatives by multinational corporations and other private sector enterprises which have investments, are considering making new investments, or are interested in management contracts and joint ventures in the region.

(c)(1) To assist in this effort, there is established a Presidential Task Force on Project Economic Justice (hereafter in this subsection referred to as the "Task Force"), which shall consist of individuals appointed by the President who are distinguished leaders of the private sector of the United States, including significant representation of union representatives of workers in successful companies with employee stock ownership plans and of nationally recognized experts in all phases of design, implementation, and operation of employee stock ownership plans. The President shall designate one of the members of the Task Force to serve as Chairman. The Chairman of the Task Force shall appoint a volunteer fundraising committee, and all the expenses of the Task Force shall be paid without the use of public funds.

(2) Not later than December 31, 1985, the Task Force shall prepare and transmit to the President and the Congress a report on the expanded use of employee stock ownership plans in the development efforts of the United States in Central America and the Caribbean, including specific recommendations on strategies for using employee stock ownership plans as a means of accelerating the rate of private sector capital formation in Central America and the Caribbean that is systematically linked to expanding ownership and profit-sharing opportunities for all employees.

PROHIBITIONS RELATING TO MILITARY OR PARAMILITARY OPERATIONS IN NICARAGUA

SEC. 405. Notwithstanding any other provision of law, no funds authorized to be appropriated or otherwise made available by this Act, by the Foreign Assistance Act of 1961, as amended, or by the Arms Export Control Act, as amended, shall be used to provide assistance of any kind, either directly or indirectly, to any person or group engaging in an insurgency or other act of rebellion against the government of Nicaragua. The United States shall make no agreement and shall enter into no understanding, either formal or informal, under which a recipient of United States economic or military assistance or a purchaser of United States military equipment shall provide assistance of any kind to persons or groups engaging in an insurgency or other act of rebellion against the government of Nicaragua.

TITLE V—OTHER ASSISTANCE PROGRAMS

AMERICAN SCHOOLS AND HOSPITALS ABROAD

SEC. 501. Section 214(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2174(c)) is amended to read as follows:

"(c) To carry out the purposes of this section, there are authorized to be appropriated to the President $30,000,000 for the fiscal year 1986, which are authorized to remain available until expended.".

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 502. (a) Section 302(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2222(a)(1)) is amended to read as follows:

"(a)(1) There are authorized to be appropriated to the President for grants to carry

out the purposes of this chapter, in addition to funds available under any other Acts for such purposes, $267,675,500 for the fiscal year 1986. Of the funds authorized to be appropriated under this paragraph for the fiscal year 1986—

"(A) $165,000,000 shall be available only for the United Nations Development Program;

"(B) $53,500,000 shall be available only for the United Nations Children's Fund (UNICEF); and

"(C) $10,000,000 shall be available only for the United Nations Environment Program.".

(b) Section 302 of such Act (22 U.S.C. 2222), as amended by subsection (a), is further amended by inserting after subsection (c) the following new subsection:

"(d) Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this section shall be available for the United States proportionate share for any programs for the Palestine Liberation Organization, the Southwest Africa Peoples Organization, Libya, Iran, or Cuba.".

(c)(1) Notwithstanding section 614 of the Foreign Assistance Act of 1961 (22 U.S.C. 2364) or any other provision of law, of the funds appropriated to carry out chapter 3 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2221 et seq.) for the fiscal year 1985, $10,000,000 shall be available only for the United Nations Environment Program.

(2) The provisions of paragraph (1) shall take effect on the date of enactment of this Act.

NARCOTICS REPORTING REQUIREMENT

SEC. 503. Section 481(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(b)) is amended to read as follows:

"(b)(1) Not later than forty-five days after the end of each calendar quarter, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a report on the programming and obligation, on a calendar basis, of funds under this chapter prior to the end of that quarter. The last such report for each fiscal year shall include the aggregate obligations and expenditures made, and the types and quantity of equipment provided, on a calendar quarter basis, prior to the end of that fiscal year—

"(A) to carry out the purposes of this chapter with respect to each country and each international organization receiving assistance under this chapter, including the cost of the United States personnel engaged in carrying out such purposes in each such country and with each such international organization;

"(B) to carry out each program conducted under this chapter in each country and by each international organization, including the cost of United States personnel engaged in carrying out each such program; and

"(C) for administrative support services within the United States to carry out the purposes of this chapter, including the cost of United States personnel engaged in carrying out such purposes in the United States.

"(2) Not later than August 1 of each year, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a complete and detailed midyear report on the activities and operations carried out under this chapter prior to such date. Such midyear report shall include, but not be limited to, the status of each agreement concluded prior to such date with other countries to carry out the purposes of this chapter.".

INTERNATIONAL NARCOTICS CONTROL

SEC. 504. Section 482(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291a(a)(1)) is amended to read as follows:

"(a)(1) To carry out the purposes of section 481, there are authorized to be appropriated to the President $50,217,000 for the fiscal year 1986.".

INTERNATIONAL DISASTER ASSISTANCE

SEC. 505. The first sentence of section 492(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2292a(a)) is amended to read as follows: "There are authorized to be appropriated to the President to carry out section 491, $25,000,000 for the fiscal year 1986.".

ANTI-TERRORISM ASSISTANCE PROGRAM

SEC. 506. (a) The first sentence of section 575 of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa-4) is amended to read as follows: "There are authorized to be appropriated to the President to carry out this chapter $5,000,000 for the fiscal year 1986.".

(b) Section 577 of such Act (22 U.S.C. 2349aa-6) is amended by striking out "1985" and inserting in lieu thereof "1987".

TRADE AND DEVELOPMENT PROGRAM

SEC. 507. The first sentence of section 661(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(b)) is amended to read as follows: "There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $20,000,000 for the fiscal year 1986.".

OPERATING EXPENSES

SEC. 508. Section 667(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2427(a)(1)) is amended to read as follows:

"(1) $387,000,000 for the fiscal year 1986 for necessary operating expenses of the agency primarily responsible for administering part I of this Act; and".

PARTICIPATION IN FOREIGN POLICE ARREST ACTION AND INTERROGATION

SEC. 509. Section 481(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(c)(1)) is amended to read as follows:

"(c) The head of any department or agency of the United States employing individuals who are authorized to engage or participate in any direct police arrest action in any foreign country with respect to narcotics control efforts, or any interrogation in connection with such efforts, shall prescribe regulations for the conduct of, and the procedures used by, such individuals.".

RESTRICTION ON ASSISTANCE TO PERU

SEC. 510. United States assistance, as defined by section 481(i)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(i)(4), may be provided to Peru for the fiscal year 1986 only if the President certifies to Congress that the Government of Peru has demonstrated substantive progress in developing a plan, in accordance with the Single Convention on Narcotic Drugs of 1961, that will establish its legal coca requirements, license the number of hectares necessary to produce the legal requirement, and eliminate illicit and unlicensed coca production.

TITLE VI—PEACE CORPS

AUTHORIZATION OF APPROPRIATIONS

SEC. 601. Section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)) is amended by amending the first sentence to read as follows: "There are authorized to be appropriated to carry out the purposes of this Act not to exceed $128,600,000 for the fiscal year 1986.".

PEACE CORPS NATIONAL ADVISORY COUNCIL

SEC. 602 (a) The Peace Corps Act (22 U.S.C. 2501 et seq.) is amended by inserting after section 11 the following new section:

"PEACE CORPS NATIONAL ADVISORY COUNCIL

"SEC. 12. (a) A Peace Corps National Advisory Council (hereinafter in this section referred to as the 'Council') shall be established in accordance with the provisions of this section.

"(b)(1) The Council shall advise and consult with the President and the Director of the Peace Corps with regard to policies and programs designed to further the purposes of this Act and shall periodically report to the Congress.

"(2) Members of the Council shall visit, examine, and inspect the Peace Corps' activities in the United States and in other countries in order to, among other things—

"(A) evaluate the accomplishments of the Peace Corps;

"(B) assess the potential capabilities and the future role of the Peace Corps; and

"(C) make recommendations to the President, the Director of the Peace Corps, and the Congress to guide the future direction of the Peace Corps and to help ensure that the purposes and programs of the Peace Corps are carried out in ways that are economical, efficient, responsive to changing needs in developing countries and to changing relationships among people, and in accordance with law.

"(3) The Council may provide for public participation in its activities.

"(c)(1) Persons appointed as members of the Council shall be broadly representative, including representation of educational institutions, private volunteer agencies, private industry, farm organizations, labor unions, different regions of the United States, different educational, economic, racial, and national backgrounds and age groupings, and both sexes.

"(2)(A) Subject to the succeeding sentence, fifteen members of the Council shall be appointed by the President by and with the advice and consent of the Senate. At least seven of such members shall be former Peace Corps volunteers, and no more than eight of such members shall be members of the same political party.

"(B) The first appointments of members of the Council under this paragraph shall be made not more than sixty days after the date of the enactment of this section and, solely for purposes of determining the expiration of their terms, shall be deemed to take effect on the sixtieth day after such enactment date.

"(C) No member appointed under this paragraph shall be an officer or employee of the United States Government.

"(D) Of the members initially appointed under this paragraph, eight shall be appointed to one-year terms and seven to two-year terms. Thereafter, all appointed members shall be appointed to two-year terms.

"(E) A member of the Council appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

"(F) No member of the Council may serve for more than two consecutive two-year terms.

"(G) Members of the Council shall serve at the pleasure of the President.

"(H) An appointed member of the Council may be removed by a vote of nine members for malfeasance in office, for persistent neglect of or inability to discharge duties, or

for offenses involving moral turpitude, and for no other cause.

"(I) any vacancy in the office of an appointed member of the Council shall be filled by the President within thirty days after such vacancy occurs.

"(3) The Secretary of State shall be a voting member, ex officio, of the Council. The Secretary may designate any officer in the Department of State compensated at level II or III of the Executive Schedule under section 5313 or 5314 of title 5, United States Code, to act for the Secretary under this section.

"(4) The Director and Deputy Director of the Peace Corps shall be non-voting members, ex officio, of the Council.

"(d)(1) Except as provided in paragraph (2), a member of the Council who is not an officer or employee of the United States Government shall be (a) paid compensation out of funds made available for the purposes of this Act at the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code, for each day (including travel-time) during which the member is engaged in the actual performance of duties as a Council member, and (b) while away from his or her home or regular place of business on necessary travel, as determined by the Director of the Peace Corps, for actual performance of such duties, paid per diem, travel, and transportation expenses in the same manner as provided for under subchapter I of chapter 57 of title 5, United States Code.

"(2) A member of the Council may not be paid compensation under paragraph (1)(A) for more than twenty days in any calendar year.

"(e) A majority of the voting members of the Council shall constitute a quorum for the purposes of transacting any business.

"(f) A member of the Council shall disclose to the Council the existence of any direct or indirect financial interest of that member in any particular matter before the Council and shall not vote or otherwise participate as a Council member with respect to that particular matter.

"(g) at its first meeting and at its first regular meeting in each calendar year thereafter, the council shall elect a Chair and Vice Chair from among its appointed members who are citizens of the United States. The Chair and Vice Chair shall not both be members of the same political party.

"(h)(1) The Council shall hold a regular meeting during each calendar quarter and shall meet at the call of the President, the Director of the Peace Corps, the Council's Chair, or one-fourth of its members.

"(2) The Council shall prescribe such bylaws and regulations as it considers necessary to carry out its functions. Such bylaws and regulations shall include procedures for fixing the time and place of meetings, giving or waiving of notice of meetings, and keeping of minutes of meetings.

"(i) Not later than January 1, 1988, and not later than January 1 of each second year thereafter, the Council shall submit to the President and the Director of the Peace Corps a report of its views on the programs and activities of the Peace Corps. Each report shall contain a summary of the advice and recommendations provided by the Council to the President and the Director during the period covered by the report and such recommendations (including recommendations for administrative or legislative action) as the Council considers appropriate to make to the Congress. Within 90 days after receiving each such report, the President shall submit to the Congress a copy of the report, together with any comments concerning the report that the President or the Director considers appropriate.

"(j) The Director of the Peace Corps shall make available to the Council such personnel, administrative support services, and technical assistance as are necessary to carry out effectively its functions.".

(b) Sixty days after the date of the enactment of this Act, any advisory body carrying out functions similar to those assigned to the Peace Corps National Advisory Council provided for by subsection (a) shall cease to operate and shall become defunct.

NONPARTISAN APPOINTMENTS

SEC. 603. The Peace Corps Act is amended—

(1) by redesignating sections 25, 26, and 27 as sections 26, 27, and 28, respectively; and

(2) by inserting after section 24 the following new section:

"NONPARTISAN APPOINTMENTS

"SEC. 25. In carrying out this Act, there shall be no political test or political qualification used in (1) selecting any person for enrollment as a volunteer or for appointment to a position at, or for assignment to (or for employment for assignment to), a duty station located abroad, or (2) promoting or taking any other action with respect to any volunteer or any person assigned to such a station."; and

(3) in subsection (a) of section 5, by amending the final sentence to read as follows: "In carrying out this subsection, there shall be no discrimination against any person on account of race, sex, creed, or color.".

TITLE VII—AFRICAN DEVELOPMENT FOUNDATION

AUTHORIZATION OF APPROPRIATIONS

SEC. 701. Section 510 of the African Development Foundation Act (22 U.S.C. 290h-8) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 510. There are authorized to be appropriated to the President to carry out this title, in addition to funds otherwise available for such purpose, $1,000,000 for the fiscal year 1986. Amounts appropriated under this section are authorized to remain available until expended.".

EXTENSION OF AUTHORITIES

SEC. 702. Section 511 of the African Development Foundation Act (22 U.S.C. 290h-9) is amended by striking out "September 30, 1985" and inserting in lieu thereof "September 30, 1990".

TITLE VIII—INTER-AMERICAN FOUNDATION

AUTHORIZATION OF APPROPRIATIONS

SEC. 801. Section 401(s)(2) of the Foreign Assistance Act of 1969 (22 U.S.C. 290f(s)) is amended by striking out "$16,000,000 for the fiscal year 1984 and $16,000,000 for the fiscal year 1985" and inserting in lieu thereof "$11,969,000 for the fiscal year 1986".

TITLE IX—GENERAL PROVISIONS

PROCUREMENT OF CONSTRUCTION AND ENGINEERING SERVICES

SEC. 901. Section 604(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2354(g)) is amended by inserting immediately before the period at the end thereof "and which are not receiving any direct assistance under chapter 1 of part I or chapter 4 of part II of this Act".

COMPLETION OF PLANS AND COST ESTIMATES

SEC. 902. (a) Section 611(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2361(a)) is amended—

(1) by striking out "$100,000" and inserting in lieu thereof "$500,000"; and

(2) by striking out "section 1311 of the Supplemental Appropriation Act, 1955 as amended (31 U.S.C. 200)" and inserting in lieu thereof "section 1501 of title 31, United States Code".

(b) Section 611(b) of such Act (22 U.S.C. 2361(b)) is amended by striking out "the procedures set forth in the Principles and Standards for Planning Water and Related Land Resources, dated October 25, 1973, with respect to such computations" and inserting in lieu thereof "the principles, standards, and procedures established pursuant to the Water Resources Planning Act (42 U.S.C. 1962 et seq.) or Acts amendatory or supplementary thereto".

PROHIBITIONS AGAINST ASSISTANCE

SEC. 903. Section 620(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(f)) is amended—

(1) by inserting "(1)" immediately after "(f)";

(2) by redesignating clauses (1), (2), and (3) as clauses (A), (B), and (C), respectively; and

(3) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, the President may remove a country, for such period as the President determines, from the application of this subsection, and other provisions which reference this subsection, if the President determines and reports to the Congress that such action is important to the national interest of the United States.".

NUCLEAR NON-PROLIFERATION CONDITIONS ON ASSISTANCE FOR PAKISTAN

SEC. 904. Section 620E of the Foreign Assistance Act of 1961 (22 U.S.C. 2375) is amended by adding at the end thereof the following new subsection:

"(e) No assistance shall be furnished to Pakistan and no military equipment or technology shall be sold or transferred to Pakistan pursuant to the authorities contained in this Act or any other Act unless the President shall have certified in writing to the chairman of the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives, during the fiscal year in which assistance is to be furnished or military equipment or technology is to be sold or transferred, that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.".

STREAMLINING OF REPROGRAMMING REQUIREMENTS

SEC. 905. (a) Section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1) is amended—

(1) by inserting "(a)" immediately before "None";

(2) by inserting "or the Arms Export Control Act" after "disaster relief and rehabilitation)" and after "this Act" the second place it appears;

(3) by inserting before the period at the end of the first sentence a comma and the following: "except that such notification shall not be required for funds appropriated to carry out the purposes of chapter 1 of part I if the obligation for an activity, pro-

gram, or project would be in excess of the amount justified for such activity, program, or project for a fiscal year by not more than 10 per centum"; and

(4) by adding at the end thereof the following new subsection:

"(b) The notification requirement of this section does not apply to the reprogramming of less than $25,000 for use under chapter 8 of part I or for use under chapter 5 of part II, for a country for which a program under that chapter for that fiscal year was justified to the Congress.".

(b) Section 653 of the Foreign Assistance Act of 1961 (22 U.S.C. 2413) is amended—

(1) by inserting in subsection (a) "or the Arms Export Control Act" immediately after "sections 451 or 637)";

(2) by striking out subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

(c) Section 36(a) of the Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(1) in paragraph (5) by striking out "cash sales expected to be made under sections 21 and 22, credits to be extended under section 23, and guaranty agreements to be made under section 24" and inserting in lieu thereof "sales expected to be made under sections 21 and 22"; and

(2) in paragraph (6) by striking out "cash sales expected to be made and credits expected to be extended" and inserting in lieu thereof "sales expected to be made".

TRAINING ASSISTANCE

SEC. 906. Section 638 of the Foreign Assistance Act of 1961 (22 U.S.C. 2398) is amended—

(1) by inserting "(a)" before "No"; and

(2) by adding at the end thereof the following:

"(b) No provision of this Act or any other provision of law shall be construed to prohibit assistance for any training activity which is funded under this Act for Brazil or Argentina as long as such country continues to have a democratically elected government and which is consistent with sections 116, 502B, and 660 of this Act.".

SUSPENSION OF ASSISTANCE TO COUNTRIES VIOLATING UNITED STATES EXPORT LAWS IN ORDER TO MANUFACTURE A NUCLEAR EXPLOSIVE DEVICE

SEC. 907. (a) Subsection (a)(1) of section 670 of the Foreign Assistance Act of 1961 (22 U.S.C. 2429a(a)(1)) is amended—

(1) by inserting "(A)" after "country which";

(2) by inserting immediately before the period at the end thereof ", or (B) is a non-nuclear-weapon state which, on or after the date of enactment of the International Security and Development Cooperation Act of 1985, exports illegally (or attempts to export illegally) from the United States any material, equipment, or technology which would contribute significantly to the ability of such country to manufacture a nuclear explosive device, if the President determines that the material, equipment, or technology was to be used by such country in the manufacture of a nuclear explosive device"; and

(3) by adding at the end thereof the following: "For purposes of clause (B), an export (or attempted export) by a person who is an agent of, or is otherwise acting on behalf of or in the interests of, a country shall be considered to be an export (or attempted export) by that country.".

(b) Such section 670 (22 U.S.C. 2429a) is amended—

(1) in the section caption, by inserting ", ILLEGAL EXPORTS FOR NUCLEAR EXPLOSIVE DEVICES," after "TRANSFERS";

(2) by redesignating paragraph (5) of subsection (b) as subsection (c); and

(3) by striking out in subsection (c), as redesignated by paragraph (2), "As used in this subsection" and inserting in lieu thereof "For purposes of this section".

ILLEGAL EMIGRATION FROM HAITI

SEC. 908. Notwithstanding the limitations of section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420), funds made available under such Act may be used for programs with Haiti, which shall be consistent with prevailing United States refugee policies, to assist in halting significant illegal emigration from Haiti to the United States.

PARTICIPANT TRAINEE GRANTS

SEC. 909. Section 1441(c) of the Internal Revenue Code of 1954 (26 U.S.C. 1441(c)(6)) is amended by amending paragraph (6) to read as follows:

"(6) SCHOLARSHIPS, PER DIEM, ETC. OF CERTAIN ALIENS.—No deduction or withholding under subsection (a) shall be required in the case of amounts of scholarships or fellowship grants, or per diem for subsistence paid by the United States Government (directly or by contract) to any nonresident alien individual who is engaged in any program of training in the United States under the Foreign Assistance Act of 1961.".

ASSISTANCE FOR AFGHANISTAN

SEC. 910. (a) Of the funds authorized to be appropriated to carry out the provisions of chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961, not less than $15,000,000 in each fiscal year shall be available only to the President for the provision of food, medicine, or other humanitarian assistance to the Afghan people, notwithstanding any other provision of law.

(b) This section shall take effect on the date of enactment of this Act.

REPEAL OF PROVISIONS; TECHNICAL AMENDMENTS

SEC. 911. (a)(1) The Foreign Assistance Act of 1961 is amended—

(A) in section 106(b)(1), by striking out "(A)" and by striking out subparagraph (B);

(B) in section 110, by striking out "(a)" and by striking out subsection (b); and

(C) in section 306, by striking out "(a)" and by striking out subsection (b).

(2) Chapter 10 of part I of such Act (22 U.S.C. 2293 et seq.) is repealed.

(b) Section 636(a)(14) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(a)(14)) is amended by striking out "the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.)" and inserting in lieu thereof "the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.)".

(c) Section 47(6) of the Arms Export Control Act (22 U.S.C. 2794(6)) is amended by striking out "combat" and inserting in lieu thereof "military".

CODIFICATION OF POLICY PROHIBITING NEGOTIATIONS WITH THE PALESTINE LIBERATION ORGANIZATION

SEC. 912. (a) The Congress finds that the United States in 1975 declared in a memorandum of agreement with Israel, and has reaffirmed since, that "The United States will continue to adhere to its present policy with respect to the Palestine Liberation Organization, whereby it will not recognize or negotiate with the Palestine Liberation Organization so long as the Palestine Liberation Organization does not recognize Israel's right to exist and does not accept Security Council Resolutions 242 and 338.".

(b) The United States hereby reaffirms that policy. In accordance with that policy, no officer or employee of the United States Government and no agent or other individual acting on behalf of the United States Government shall negotiate with the Palestine Liberation Organization, except in emergency or humanitarian situations, unless and until the Palestine Liberation Organization recognizes Israel's right to exist, accepts Security Council Resolutions 242 and 338, and renounces the use of terrorism.

LONG-TERM AGRICULTURAL COMMODITY AGREEMENTS WITH FOOD DEFICIT COUNTRIES

SEC. 913. As part of the United States foreign assistance program, the President should explore the possibility of concluding long-term agricultural commodity agreements to help stabilize and increase the flow of concessional and commercial food stuffs with food deficit countries. The President shall prepare and transmit to the Congress a report on his efforts to achieve such long-term agreements by June 1, 1986.

PROHIBITION ON CERTAIN ASSISTANCE TO THE KHMER ROUGE IN KAMPUCHEA

SEC. 914. (a) Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or any other Act may be obligated or expended for the purpose or with the effect of promoting, sustaining, or augmenting, directly or indirectly, the capacity of the Khmer Rouge or any of its members to conduct military or paramilitary operations in Kampuchea or elsewhere in Indochina.

(b) All funds appropriated before the date of enactment of this section which were obligated but not expended for activities having the purpose or effect described in subsection (a) shall be deobligated and shall be deposited in the Treasury of the United States as miscellaneous receipts.

(c) This section shall not be construed as limiting the provision of food, medicine, or other humanitarian assistance to the Kampuchean people.

NEW BUILDING IN GENEVA FOR THE USE OF THE UNITED STATES ARMS CONTROL NEGOTIATING TEAMS

SEC. 915. Since the United States is party to vital talks on arms control in Geneva, Switzerland;

Since these talks include negotiations on strategic nuclear weapons, intermediate range nuclear weapons, space and defense systems, a bilateral United States-Soviet forum, called the Standing Consultative Commission, and a multilateral forum, called the Conference on Disarmament;

Since the United States delegations to these talks occupy buildings and spaces insufficiently secure, modernized or large enough to permit those delegations to conduct their work efficiently;

Since the United States delegations to the strategic, intermediate and space and defense talks in particular occupy space in the Botanic Building that is also occupied by offices of numerous other, non-United States organizations, and shares common walls and parking facilities with these delegations;

Since arms control negotiations require sophisticated security facilities, telecommunications equipment, simultaneous translation capabilities and other specialized services;

Since the Soviet Union, for its part, has made available for its negotiating team a modern, secure, well-equipped building dedicated for the use of its arms control negotiating teams: Now, therefore, it is the sense of the Senate that—

(a) In order to facilitate the effective work of the United States arms control negotiating teams, and to provide for them a dedicated structure capable of supporting their vital tasks on a permanent basis, it is the sense of the Senate that the Secretary of State should submit to the Congress a report on the feasibility, cost, location, and requirements of a structure to house the United States arms control negotiating teams in Geneva.

(b) It is further the sense of the Senate that this report should be submitted as soon as possible.

(c) It is further the sense of the Senate that, this matter be included in the consideration of the 1985 supplemental appropriation process.

PURCHASE OF AMERICAN WHEAT BY THE GOVERNMENT OF THE PHILIPPINES

SEC. 916. Since the Government of the Philippines has purchased American wheat for a number of years; and

Since the Government of the Philippines has purchased wheat from no other country for at least seven years; and

Since the Government of the Philippines has agreed to the State Department's suggestion to both mill the wheat and distribute the flour under private enterprise; and

Since the Government of the Philippines has stated that they cannot acquiesce to the suggestion of the State Department that the Government of the Philippines not act as the purchasing entity of American wheat; and

Since most if not all American wheat sales are to government entities of the country purchasing the wheat: therefore

It is the sense of the Senate that the State Department should not prevent United States wheat sales to the Government of the Philippines.

DEMOCRACY IN THE PHILIPPINES

SEC. 917. (a) It is the sense of the Senate that Congress should encourage the revitalization of democracy in the Philippines. To that end, the Congress affirms its intention to grant future aid to the Philippines according to the determination of the Congress that United States security interests are enhanced and sufficient progress is made by the Government of the Philippines in—

(1) guaranteeing free, fair and honest elections in 1986 and 1987, or sooner should any such elections occur;

(2) ensuring the full, fair and open prosecution of the murder of Benigno Aquino, including those involved in the coverup;

(3) ensuring freedom of speech and freedom of the press, and unrestricted access to the media on the part of all candidates for public office in the municipal elections of 1986 and the Presidential election of 1987;

(4) establishing the writ of habeas corpus and the termination of the Presidential Detention Action and all other forms of detention without charge or trial;

(5) releasing all individuals detained or imprisoned for peaceful political activities; and

(6) making substantial progress in terminating extrajudicial killings by the Philippine military and security forces and the prosecution of those responsible for such killings in the past.

(b) It is further the sense of the Senate that Congress finds and declares that the primary purpose of United States assistance to the Philippines should be to maintain and foster friendly relations between the people of the Philippines and the people of the United States, and to encourage the restoration of internal security—both of which goals can be best served by the achievement of an open and stable democracy.

USE OF PRIVATE AND VOLUNTARY ORGANIZATIONS, COOPERATIVES, AND THE PRIVATE SECTOR

SEC. 918. (a) The Administrator of the Agency for International Development is directed to undertake a comprehensive study of additional ways to provide development assistance through nongovernmental organizations (including United States and indigenous private and voluntary organizations, cooperatives, and other private entities). Such study shall include—

(1) an analysis of the percentage of development assistance allocated to governmental and nongovernmental programs;

(2) an analysis of structural impediments, within both the United States and foreign governments, to additional use of nongovernmental programs; and

(3) an analysis of the comparative economic benefits of governmental and nongovernmental programs.

(b) The administrator is directed to conduct the study using available funds and to prepare a final report to the Congress no later than September 30, 1986.

RESTRICTIONS ON ASSISTANCE FOR BOLIVIA

SEC. 919. (a) The Congress finds that—

(1) cocaine has had a severe negative impact on productivity, public health, education, and the quality of life in the United States and on the national security of the United States;

(2) Bolivia is the source of more than 50 per centum of the world's cocaine, and Bolivian production of cocaine continues to rise;

(3) 50 per centum of the population of Bolivia is under 19 years of age, and cocaine production has had a severe, negative impact on the youth of Bolivia;

(4) the production of, and trafficking in, cocaine by Bolivia has contributed significantly to Bolivia's 1,000 per centum rate of inflation;

(5) the failure of the Government of Bolivia to take steps to curb the production of coca in Bolivia during 1984 was cited in the report of the Department of State entitled "International Narcotics Control Strategy Report" as a major disappointment in its review of drug producing countries; and

(6) Bolivia received more than $37,000,000 in United States assistance during the fiscal year 1984 and during such fiscal year did not eradicate a single coca bush.

(b)(1) Beginning with the fiscal year 1986 and for each fiscal year thereafter, no United States assistance may be provided Bolivia unless the President certifies to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate that the amount of coca that was produced in Bolivia during the preceding fiscal year is at least 10 per centum less than the amount produced in Bolivia during the fiscal year which preceded such preceding fiscal year.

(2) Whenever the President certifies under paragraph (1) that the amount of coca that is produced in Bolivia is reduced by more than 10 per centum from one fiscal year to the next, the amount of any such additional reduction shall be carried over and counted as if it had occurred in the fiscal year following the year in which it actually occurred.

(3) The Secretary of the Treasury shall instruct each United States Executive Director of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the Inter-American Development Bank to oppose actively the extension of any loan or the furnishing of any financial assistance or technical assistance during the fiscal year 1986 or any fiscal year thereafter by the respective international financial institution to Bolivia, unless the President certifies under paragraph (1) that the amount of coca that was produced in Bolivia during the preceding fiscal year is at least 10 percent less than the amount produced in Bolivia during the fiscal year which preceded such fiscal year.

(4) In carrying out this section, coca produced solely for pharmaceutical purposes shall not be counted in determining amounts of production.

(5) As used in this section—

(A) the term "coca" means cocaine hydrochloride; and

(B) the term "United States assistance" includes any assistance of any kind (other than assistance involving only the provision of food or medicine) which is provided by grant, sale, loan, lease, credit, guaranty, or insurance, or by any other means, by any agency or instrumentality of the United States Government to or for the benefit of any foreign country, including—

(i) assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation, but excluding programs under chapter 8 of part I, relating to international narcotic control assistance);

(ii) sales, credits, and guaranties under the Arms Export Control Act;

(iii) sales under title I (including title III) of the Agricultural Trade Development and Assistance Act of 1954 and donations under title II of such Act of nonfood commodities;

(iv) financing programs of the Commodity Credit Corporation for export sales of nonfood commodities;

(v) financing under the Export-Import Bank Act of 1945;

(vi) assistance under the Migration and Refugee Assistance Act of 1962;

(vii) programs under the Peace Corps Act;

(viii) assistance under the Inter-American Foundation Act;

(ix) assistance under the African Development Foundation Act;

(x) financial assistance for foreign persons or groups under the Mutual Educational and Cultural Exchange Act of 1961; and

(xi) assistance of any kind under any other Act.

CONDITIONS ON ECONOMIC SUPPORT FUND ASSISTANCE TO JAMAICA

SEC. 920. Of the funds allocated for Jamaica for fiscal year 1987 under chapter 4 of part II of Foreign Assistance Act of 1961, $5,000,000 shall be withheld from obligation until the President certifies to the Congress that the Government of Jamaica has prepared, presented, and committed itself to a comprehensive plan or strategy for the control and reduction of illicit cultivation, production, processing, transportation, and distribution of marijuana within a specifically stated period of time.

POLICY REGARDING FOREIGN EXCHANGE INTERVENTION

SEC. 921. (a) The Congress finds and declares that—

(1) the trade deficit looms larger than any other threat to the ability of the United

States to generate jobs and create economic well-being;

(2) the trade deficit continues to deteriorate even from the 1984 level of $123,000,000,000;

(3) the trade deficit will continue to deteriorate until the value of the dollar declines on foreign exchange markets;

(4) the dollar's rise may slow down but is unlikely to fall sufficiently as a result of Congress' contemplated budget deficit reduction measures;

(5) the dollar would probably fall under a number of tax reform proposals but industries losing market share due to the exchange rate may not be able to wait for a complete tax package;

(6) the only remaining timely option for lowering the dollar is intervention in foreign exchange markets by the Treasury or the Federal Reserve;

(7) any such intervention must be strong enough to achieve the Congress' intent of lowering the dollar's value but sufficiently moderate to prevent a sudden drop in its value;

(8) any such intervention in order to assure a gradual decline and protect against too large a drop in the value of the dollar, will require coordinated action by the central banks of Europe and Japan as well as the United States; and

(9) such coordination is especially important to strengthen economic and political ties with the allies of the United States and to promote consistent macroeconomic policies to the mutual benefit of all.

(b) Therefore, it is the sense of the Congress that—

(1) the Secretary of the Treasury and the Chairman of the Federal Reserve Board, in concert with our allies and coordinated with the central banks of the Group of Five or other major central banks, should take steps as are necessary to lower gradually the value of the dollar;

(2) such steps should not exclude intervention in the foreign exchange markets;

(3) the Secretary of the Treasury and the Chairman of the Federal Reserve Board should work to ensure that the domestic macroeconomic policies of the United States and its allies are forged to reinforce rather than oppose one another.

INTERNATIONAL NARCOTICS CONTROL COMMISSION

SEC. 922. (a) There is established the International Narcotics Control Commission (hereafter in this section referred to as the "Commission").

(b) The Commission is authorized and directed—

(1) to monitor and promote international compliance with narcotics control treaties, including eradication, money laundering, and narco-terrorism; and

(2) to monitor and encourage United States Government and private programs seeking to expand international cooperation against drug abuse and narcotics trafficking.

(c)(1) The Commission shall be composed of twenty-two members as follows:

(A) Seven Members of the House of Representatives appointed by the Speaker of the House of Representatives. Four members shall be selected from the majority party and three shall be selected, after consultation with the minority leader of the House, from the minority party.

(B) Seven Members of the Senate appointed by the President of the Senate. Four members shall be selected from the majority party of the Senate, after consultation with the majority leader, and three shall be selected, after consultation with the minority leader of the Senate, from the minority party.

(C) One member of the Department of State appointed by the President.

(D) One member of the Department of Justice appointed by the President.

(E) One member of the Department of the Treasury appointed by the President.

(F) Five members of the public to be appointed by the President after consultation with the members of the appropriate congressional committees.

(2) There shall be a Chairman and a Cochairman of the Commission.

(3) On the date of enactment of this section and at the beginning of each odd-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members as Chairman of the Commission. At the beginning of each even-numbered Congress, the Speaker of the House of Representatives shall designate one of the House Members as Chairman of the Commission.

(4) At the beginning of each odd-numbered Congress, the Speaker of the House of Representatives shall designate one of the House Members as Cochairman of the Commission. At the beginning of each even-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the Senate Members as Cochairman of the Commission.

(d) In carrying out this section, the Commission may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpoenas may be issued over the signature of the Chairman of the Commission or any member designated by him, and may be served by any person designated by the Chairman or such member. The Chairman of the Commission, or any member designated by him, may administer oaths to any witness.

(e) In order to assist the Commission in carrying out its duties, the President shall submit to the Commission a semiannual report regarding the status of compliance with narcotics control treaties, the first one to be submitted six months after the date of enactment of this section.

(f) The Commission is authorized and directed to report to the House of Representatives and the Senate with respect to the matters covered by this section on a periodic basis and to provide information to Members of the House of Representatives and the Senate as requested. For each fiscal year for which an appropriation is made the Commission shall submit to the Congress a report on its expenditures under such appropriation.

(g)(1) There are authorized to be appropriated to the Commission for each fiscal year and to remain available until expended $550,000 to assist in meeting the expenses of the Commission for the purpose of carrying out the provisions of this section, such appropriation to be disbursed on a voucher to be approved by the Chairman of the Commission.

(2) For purposes of section 502(b) of the Mutual Security Act of 1954, the Commission shall be deemed to be a standing committee of the Congress and shall be entitled to the use of funds in accordance with such sections.

(3) Not to exceed $6,000 of the funds appropriated to the Commission for each fiscal year may be used for official reception and representational expenses.

(h) The Commission may appoint and fix the pay of such staff personnel as it deems desirable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

SUPPORT FOR EL SALVADOR

SEC. 923. The Senate finds that:

A free and democratic El Salvador is in the security interest of the United States; and

Jose Napoleon Duarte was elected President of El Salvador last year in the most democratic election held in El Salvador in many years; and

Political violence in El Salvador has declined dramatically under President Duarte's leadership; and

President Duarte's policies of respect for human rights, political pluralism, dialogue and reconciliation with the Salvadoran guerrilla forces, legal and social reform, and effective defense against the violent overthrow of the Salvadoran government are deserving of praise from all who believe in a democratic form of government; and

The March 31 legislative and municipal elections were successfully carried out, with 64 per centum of the electorate defying guerrilla attacks to vote; and

The victory of President Duarte's Christian Democratic Party reaffirms the support for these policies by his fellow citizens, the essential test of any government or movement; and

In spite of the state of seige technically in effect due to the insurgent threat, observance of free speech, free press, and free assembly are widely enjoyed in El Salvador and permit public airing of opposing political views; and

President Duarte is firmly committed to judicial reform and prosecution of cases involving "death squads"; and

His leadership and popular support has notably weakened the popular support given the guerrillas, as evidenced by the high levels of voter participation in the free elections held in El Salvador since 1982, the reduction in territory in which the guerrillas can freely operate, their inability to mount frontal military attacks, and their resort to economic sabotage, ambushes, political assassination, and urban terrorism with blatant disregard for basic human rights; and

He has succeeded in reversing the decline in his country's economy which, though still weak, has better prospects than in recent years.

Based upon the above findings, it is the sense of the Senate that:

President Duarte is to be congratulated for his outstanding leadership under difficult circumstances and for his efforts to foster democratic government and institutions in his country, and he is encouraged to continue his efforts to promote political pluralism, democratic institutions, and respect for human rights in his country; and

The armed services of El Salvador are to be congratulated for their improved performance and professionalism in defending Salvadoran citizens and their democratically elected government from attack by armed insurgents, and especially for their role in helping to protect and uphold the electoral process; and

The Senate reaffirms the importance of continued support for democratic principles and institutions and respect for human rights by the various sectors of Salvadoran society, which is a major factor in United States support for El Salvador.

FUNDS TO NONCOMMUNIST RESISTANCE FORCES IN CAMBODIA

SEC. 924. Of the funds authorized to be appropriated in this Act to carry out chapter 2 or chapter 4 of part II of the Foreign Assistance Act of 1961, up to $5,000,000 for fiscal year 1986 may be made available to noncommunist resistance forces in Cambodia, provided that the Secretary of State finds that the Association of Southeast Asian Nations has acknowledged that material assistance to the noncommunist resistance is also being supplied by members of that Association.

TRADE PROHIBITION WITH LIBYA AND COUNTRIES ENGAGED IN TERRORISM

SEC. 925. (a) Notwithstanding any other provision of law, the President may prohibit any article grown, produced, extracted, or manufactured in Libya or in any other country determined by joint resolution of Congress to be engaged in terrorism, from being imported into the United States.

(b) Notwithstanding any other provision of law, the President may prohibit any goods or technology, including technical data or other information, subject to the jurisdiction of the United States or exported by any person subject to the jurisdiction of the United States, from being exported to Libya, or to any other country determined by a joint resolution of Congress to be engaged in terrorism.

(c) For purposes of this section, the term "United States" includes territories and possessions of the United States.

(d) In exercising the authorities granted by this section, the President shall adhere to the consultation and reporting requirements contained in section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703).

POLICY TOWARD SOUTH AFRICAN "HOMELANDS"

SEC. 926. (a) The Congress finds that—

(1) the sanctity of the family, individual liberty, maximum freedom of choice, ownership of private property, and equal treatment of all citizens, regardless of race, are principles which are fully supported by the American people;

(2) the forced relocation of blacks by the Government of the Republic of South Africa to designated "homelands" divides families, as families are required to remain in the "homelands" while fathers seek work in the so-called "white areas";

(3) the forced removal of persons living in so-called "black spots" in "white" rural areas in South Africa denies them the fundamental right to live and to farm on land they have legally occupied for years, and subjects them to arbitrary arrest and detention when they seek these rights;

(4) compared to "white" South Africa, the designated "homelands", which are meant to accommodate the largest South African population group on a fraction of South African territory and were established without the consent of the vast majority of the governed, are characterized by high rates of infant mortality, unemployment, and malnutrition and by a severe shortage of medical services;

(5) the policy of the Government of the Republic of South Africa denies blacks their rightful claim to full South African citizenship; and

(6) the recent violence in South Africa must be seen as an inevitable result of the denial of the full rights of citizenship.

(b) It is the sense of the Congress that—

(1) the policy of separate development and the forced relocation of the people of the Government of the Republic of South Africa are inconsistent with fundamental American values and internationally recognized principles of human rights;

(2) the Government of the United States should continue to regard as citizens of South Africa all persons born within the internationally recognized boundaries of the Republic of South Africa, and not differentiate among these citizens on the basis of the South African Government's claim to have granted independence to various "homelands";

(3) at such times that any "homeland" official applies for a visa for travel to the United States, no such visa should be granted to such official unless such official holds a passport which is recognized as valid by the Government of the United States; and

(4) the Government of the United States should urge that the forced relocation of South African citizens be discontinued and that policies be adopted for all South Africa's citizens which protect the sanctity of the family, individual liberty, maximum freedom of choice, ownership of private property, and equal treatment of all citizens, regardless of race.

REPORTS ON FOREIGN DEBT IN LATIN AMERICA

SEC. 927. (a) The Congress finds that—

(1) the foreign debt of Latin American countries has soared from $27,000,000,000 in 1970 to over $350,000,000,000 in 1983;

(2) the foreign debt of Latin American countries is a serious obstacle to their economic progress, threatens their stability, and endangers the democratic processes in those nations;

(3) the economic and political futures of many of the Latin American countries hang in the balance and depend upon a successful resolution of the foreign debt crisis; and

(4) the confidence of the American people in the United States system of banking is also involved in a successful resolution of the foreign debt crisis.

(b)(1) Not later than October 1, 1985, the Secretary of State shall prepare and transmit to the Congress a report on—

(A) the magnitude of the foreign debt crisis in this hemisphere;

(B) the impact of the foreign debt crisis on the economies of the nations of Latin America;

(C) the degree to which the national security interests of the United States are implicated in this crisis; and

(D) the steps being taken and the policy being pursued by the United States aimed at dealing with this crisis.

(2) Not later than October 1, 1985, the Secretary of the Treasury shall prepare and transmit to the Congress a report on—

(A) the degree to which the foreign debt crisis affects the system of banking in the United States; and

(B) the steps being taken and the policy being pursued by the Department of the Treasury aimed at dealing with this crisis.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SEC. 928. (a) Because the fabric of a society is strengthened by visible reminders of the historical roots of the society, it is in the national interest of the United States to preserve and protect the cemeteries, monuments, and historic buildings associated with the foreign heritage of United States citizens.

(b) There is established a commission to be known as the Commission for the Preservation of America's Heritage Abroad (hereafter in this section referred to as the "Commission").

(c) The Commission shall—

(1) identify and publish a list of those cemeteries, monuments, and historic building located abroad which are associated with the foreign heritage of United States citizens, particularly those cemeteries, monuments, and buildings which are in danger of deterioration or destruction;

(2) encourage the preservation and protection of such cemeteries, monuments, and historic buildings by obtaining, where appropriate and in concurrence with the Department of State, assurances from foreign governments that the cemeteries, monuments, and buildings will be preserved and protected;

(3) sponsor or otherwise support demonstration projects to help preserve and protect such cemeteries, monuments, and historic buildings;

(4) prepare and disseminate reports on the condition of and the progress toward preserving and protecting such cemeteries, monuments, and historic buildings; and

(5) coordinate its efforts with the United States International Council on Monuments and Sites.

(d)(1) The Commission shall consist of five members appointed by the President.

(2) Members shall be appointed for terms of three years except—

(A) of such members first appointed—

(i) two shall be appointed for two years; and

(ii) three shall be appointed for three years;

(B) a member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the member's predecessor was appointed; and

(C) a member may retain membership on the Commission until the member's successor has been appointed.

(3) The President shall designate the Chairman of the Commission from among its members.

(4) The Commission shall meet at least once every three months.

(e)(1) Members of the Commission shall receive no pay on account of their service on the Commission.

(2) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(f)(1) The Commission may appoint such personnel (subject to the provisions of title 5 of the United States Code which govern appointments in the competitive service) and may fix the pay of such personnel (subject to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates) as the Commission deems desirable.

(2) The Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of

basic pay then in effect for grade GS-13 of the General Schedule (5 U.S.C. 5332(a)).

(3) Upon request of the Commission, the head of any Federal department or agency, including the Secretary of State, is authorized to detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this section.

(g)(1) The Commission may secure directly from any department or agency of the United States, including the Department of State, any information necessary to enable it to carry out this section. Upon the request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(2) The Commission may accept, use, and dispose of gifts or donations of money or property.

(3) The Commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(4) The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(h) The Commission shall transmit an annual report to the President and to each House of Congress as soon as practicable after the end of each fiscal year. Each report shall include a detailed statement of the activities and accomplishments of the Commission during the preceding fiscal year and any recommendations by the Commission for legislation and administrative actions.

(i) This section shall take effect on October 1, 1985.

THE CONTROL OF CONVENTIONAL ARMS TRANSFERS

SEC. 929. (a) The Congress recognizes that conventional arms transfer agreements with the Third World by all suppliers from 1981-1984 totaled $153,200,000,000 (in constant 1984 dollars); in which noncommunist suppliers accounted for $94,100,000,000 and communist suppliers accounted for $59,100,000,000. The United States, the Soviet Union and France have been the three predominant arms suppliers to the Third World from 1977-1984 and collectively accounted for 83 per centum of all conventional arms transfer agreements with the Third World in 1984. There is grave concern for the effect conventional arms transfers may have on regional stability, arms races and the economic needs of Third World nations, including their development, and ability to meet basic human needs. There is further concern about the effect of conventional arms transfers on regional stability, and ultimately on United States and Soviet security. Conventional arms transfer agreements made by the United States, the Soviet Union and France are at levels closer to rough equivalence than at any time in history. This could be a significant factor in facilitating progress to limit and control arms transfers. Since new arms transfers are unpredictable, and, since new cycles of arms purchases by the less developed nations could occur at any time, the United States should reevaluate its conventional arms transfer policies and practices and seek to achieve negotiated conventional arms control agreements which enhance the national interest at the earliest possible date.

(b) Therefore—

(1) The President should, at the earliest possible date, in consultation with our allies, initiate discussions with the Soviet Union and France aimed at beginning multilateral negotiations to limit and control the transfer of conventional arms to the less developed world.

(2) Within one year of the date of enactment of this section, the President shall submit to Congress a report to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations which examines and analyzes United States policies concerning the transfer of conventional arms, especially sophisticated weapons, and including a review of measures being taken to fulfill the objectives stated above. This report shall also examine and analyze—

(A) the lessons of earlier efforts to negotiate restraints on the export of conventional arms;

(B) the evolution of supplier practices and policies;

(C) the evolution of recipient country attitudes regarding conventional arms transfers;

(D) the effect upon regional stability and security of conventional arms transfers by the United States and its allies and the Soviet Union and its allies in recent years;

(E) the relationship between arms exports by major suppliers and the needs of those countries to support their domestic military procurement programs;

(F) the relationship between arms imports and the external debt of recipient countries, allocation of internal resources, and their economic well-being.

(G) the relationship between arms transfers and regional military stability.

(3) The report provided for in subsection (2) shall be submitted in unclassified form, with an unclassified summary and with classified appendices, as appropriate and necessary.

REPUBLIC OF CHINA (TAIWAN) RETAINING FULL MEMBERSHIP IN THE ASIAN DEVELOPMENT BANK

SEC. 930. Since the People's Republic of China is seeking to apply for admission to the Asian Development Bank, conditioning its application upon administrative changes affecting the status and designation of the Republic of China (Taiwan) within that body;

Since the Republic of China (Taiwan) is a founding member of the Asian Development Bank, actively participating in the Bank's activities and faithfully fulfilling its obligations since the Bank's establishment in December 1966;

Since the Republic of China's (Taiwan's) subscription to the initial capital stock of the Bank was determined on the basis of the area, population, and economic condition of the island of Taiwan;

Since neither the relationship between the Republic of China (Taiwan) and the Bank, nor the circumstances under which these relations were established, have changed since 1966;

Since the Asian Development Bank agreement specifically prohibits the Bank from being influenced in its decision by politics;

Since it was the strong conviction of the founders of the Asian Development Bank that the introduction of political considerations would undermine the ability of the Bank to carry out its mission, namely to further economic growth and cooperation in the region; and

Since the Republic of China (Taiwan) has assisted in carrying out the mission of the Asian Development Bank over the years, moving from borrower to donor: Now, therefore,

It is the sense of the Senate that—

(1) Republic of China (Taiwan) should remain a full member of the Asian Development Bank, and that its status and designation within that body should remain unaltered no matter how the issue of the People's Republic of China's application for membership is disposed of; and

(2) the President and the Secretary of State should express support of the Republic of China (Taiwan), making it clear that the United States will not countenance attempts to make administrative changes affecting the status and designation of another member without that member's full knowledge and consent.

AID TO THE PEOPLE'S REPUBLIC OF MOZAMBIQUE

SEC. 931. (a) None of the funds authorized to be appropriated for fiscal year 1986 under chapters 2 and 5 of part II of the Foreign Assistance Act of 1961 shall be made available to the People's Republic of Mozambique unless the President makes a certification in accordance with subsection (a) within thirty days of the enactment of this section and every one hundred and eighty days thereafter.

(b) The certification required by subsection (a) is a certification by the President to the Speaker of the House of Representatives and to the chairman of the Senate Committee on Foreign Relations that the Government of the People's Republic of Mozambique—

(1) is making a concerted and significant effort to comply with internationally recognized human rights;

(2) is making continued progress in implementing essential economic and political reforms, including the restoration of private property and respect for the right to engage in free enterprise in all sectors of the economy;

(3) has implemented a plan by September 30, 1986, to reduce the number of foreign military personnel to no more than 55.

(4) is committed to holding free elections at a date no later than September 30, 1986, and to that end has demonstrated its good faith efforts to begin discussions with all major political factions in Mozambique which have declared their willingness to find and implement an equitable political solution to the conflict, with such solution to involve a commitment to—

(A) the electoral process with internationally recognized observers; and

(B) the elimination of all restrictions on the formation and activities of opposition political parties.

CANADIAN CATTLE AND HOGS EXPORTS

SEC. 932. Since, livestock prices have been in decline for some time due to excessive supply partially caused by dramatic increases in importation of live cattle and hogs from Canada, which has increased by 1,000 per centum in the last decade in the case of hogs alone; and

Since, American livestock producers are suffering from the same general economic crisis affecting all of agriculture, and many will face liquidation or foreclosure in the near future; and

Since, the disparity between the United States and the Canadian dollar amounts to 32 per centum to 34 per centum and results in even further increases in Canadian hogs and cattle being imported into the United States: Therefore,

It is the sense of the Congress that the President should direct appropriate members of the Administration, including the United States Trade Representative, the

Secretary of Agriculture, and the Secretary of Commerce, to aggressively pursue discussions with the Canadian Government directed toward immediate reduction in the Canadian export of cattle and hogs to the United States.

ASSISTANCE FOR THE CAMBODIAN PEOPLE

SEC. 933. The President may make available to the noncommunist resistance forces in Cambodia up to $5,000,000 for fiscal year 1986 of the funds authorized to be appropriated to carry out chapter 2 or chapter 4 of part II of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

JOSEF MENGELE

SEC. 934. (a)(1) The Congress finds that—

(A) Josef Mengele was the selecting physician at the Nazi concentration camp of Auschwitz-Birkenau during the Second World War where he personally sent more than four hundred thousand Jews, including close to two hundred thousand children, to the gas chambers and conducted unspeakable pseudo-scientific experiments on many of the inmates of Auschwitz;

(B) Josef Mengele has lived in freedom since the end of the Second World War, initially, it is thought, in Germany and, thereafter, for the past thirty-five years, in South America;

(C) Josef Mengele became a naturalized citizen of Paraguay in 1959, and is believed still to be living in the region; and

(D) the Minister of the Interior of Paraguay has promised that the Paraguayan Government would undertake a nationwide investigation to locate Josef Mengele and allow foreign observers to participate in such investigation.

(2) It is therefore the sense of Congress that—

(A) the United States Government should undertake all possible efforts to ensure that Josef Mengele is brought to justice;

(B) the Government of Paraguay should, consistent with its previous commitments, carry out an immediate investigation to locate Josef Mengele and, if he is to be found in that country, arrest him and extradite him to a country where a warrant is outstanding for the arrest of Josef Mengele for crimes against humanity;

(C) the United States Government should seek to enlist similar efforts on the part of other regional governments; and

(D) in pursuance of these ends, the United States Government should send representatives to Paraguay and such other regional states as appropriate to participate in these investigations;

(3) Report to Congress on efforts of the Government of Paraguay to apprehend Josef Mengele.

(b) The President shall submit a report to the Speaker of the House of Representatives and the President pro tempore of the Senate on the efforts made by the Government of Paraguay to apprehend Josef Mengele. Such report shall be submitted no later than October 1, 1985, and shall include—

(1) a detailing of the efforts made by the Government of Paraguay to locate Josef Mengele;

(2) the degree to which other countries have cooperated with the investigation; and

(3) the results of the Government of Paraguay's efforts to locate and apprehend Josef Mengele.

SOFTWOOD TIMBER

SEC. 935. Since, softwood timber prices have been in decline for some time due to excessive supply partially caused by dramatic increases in importation of processed softwood timber from Canada, which has increased from 18 per centum of the United States market in the last two years to 35 to 40 per centum today;

Since, American timber producers are suffering from this economic crisis, and the difficulty in acquiring timber from the National Forest System;

Since, the disparity between the United States and the Canadian dollar amounts to 32 to 34 per centum and results in even further increases in processed softwood timber being imported into the United States: Therefore,

It is the sense of the Congress that the President should direct appropriate members of the Administration, including the United States Trade Representative, the Secretary of Agriculture, and the Secretary of Commerce, to aggressively pursue discussions with the Canadian Government directed toward immediate reduction in the Canadian export of softwood timber to the United States.

EFFECTIVE DATE

SEC. 936. Except where otherwise stated in this Act or in the amendments made by this Act, this Act and the amendments made by this Act, shall take effect on October 1, 1985.

TITLE X—INTERNATIONAL NARCOTICS CONTROL ACT OF 1985

SHORT TITLE

SEC. 1001. This title may be cited as the "International Narcotics Control Act of 1985".

LATIN AMERICAN REGIONAL NARCOTICS CONTROL ORGANIZATION

SEC. 1002. (a) The Secretary of State, with the assistance of the National Drug Enforcement Policy Board, shall conduct a study of the feasibility of establishing a regional organization in Latin America which would combat narcotics production and trafficking through regional information-sharing and a regional enforcement unit.

(b) No later than six months after the date of enactment of this title, the Chairman of the National Drug Enforcement Policy Board shall report to the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives and the Committee on Foreign Relations and the Committee on the Judiciary of the Senate on the advisability of encouraging the establishment of such an organization.

ANNUAL REPORTS ON INVOLVEMENT OF COMMUNIST COUNTRIES IN ILLICIT DRUG TRAFFIC

SEC. 1003. Section 481(e) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraph:

"(6) Each report pursuant to this subsection shall describe the involvement, during the preceding fiscal year, of the governments of Communist countries (as defined for purposes of section 620(f) of this Act) in illicit drug trafficking, including—

"(A) the direct or indirect involvement of Communist governments in the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, and

"(B) any other activities of Communist governments which have facilitated illicit drug trafficking.".

NARCOTICS CONTROL EFFORTS IN BRAZIL

SEC. 1004. The Secretary of State shall enter into negotiations with the Government of Brazil in order to establish a bilateral narcotics control agreement. Such agreement shall have as a goal a 10 per centum reduction in illicit coca production in Brazil in calendar year 1986.

CONDITIONS ON ASSISTANCE TO BOLIVIA

SEC. 1005. United States assistance (as defined in section 481(i)(4) of the Foreign Assistance Act of 1961) may be provided to Bolivia for fiscal years 1986 and 1987 only under the following conditions:

(1) Of the aggregate amount of assistance allocated for Bolivia for fiscal year 1986—

(A) up to 25 per centum may be provided at any time after the President certifies to the Congress that the Government of Bolivia has enacted legislation which prohibits more than two hectares of coca production per family; and

(B) the remaining 75 per centum may be provided at any time subsequent to a certification pursuant to subparagraph (A) if the President certifies to the Congress that the Government of Bolivia achieved the eradication targets for the calendar year 1985 contained in its August 1983 narcotics control agreements with the United States.

(2) Of the aggregate amount of assistance allocated for Bolivia for fiscal year 1987—

(A) up to 50 per centum may be provided at any time after the President certifies to the Congress that during the first six months of calendar year 1986 the Government of Bolivia achieved at least half of the eradication targets for the calendar year 1986 contained in its August 1983 narcotics control agreements with the United States; and

(B) the remaining 50 per centum may be provided at any time after the President certifies to the Congress that the Government of Bolivia fully achieved the eradication targets for the calendar year 1986 contained in its August 1983 narcotics control agreements with the United States.

UPPER HUALLAGA VALLEY PROJECT IN PERU

SEC. 1006. Funds authorized to be appropriated for fiscal year 1987 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 for the project of the Agency for International Development in the Upper Huallaga Valley of Peru may be made available for that project only if the Administrator of that Agency, after consultation with the Congress, determines that a comprehensive review of that project has been completed which establishes the effectiveness of that project in reducing and eradicating coca leaf production, distribution, and marketing in the Upper Huallaga Valley.

REALLOCATION OF FUNDS IF CONDITIONS NOT MET

SEC. 1007. If any of the funds described in sections 1005 and 1006 of this title are not used for the country for which they were allocated because the conditions specified in those sections are not met, the President shall reprogram those funds in order to provide additional assistance to countries which have taken significant steps to halt illicit drug production or trafficking.

CONDITIONS ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS FUND FOR DRUG ABUSE CONTROL

SEC. 1008. Section 482(a) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraph:

"(3) Funds authorized to be appropriated by this section for fiscal year 1986 and for fiscal year 1987 may be used for a contribution to the United Nations Fund for Drug

Abuse control only if that organization includes in its crop substitution projects a plan for cooperation with the law enforcement forces of the host country.".

PROHIBITION ON USE OF FOREIGN ASSISTANCE FOR REIMBURSEMENTS FOR DRUG CROP ERADICATIONS

SEC. 1009. Chapter 8 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 483. PROHIBITION ON USE OF FOREIGN ASSISTANCE FOR REIMBURSEMENTS FOR DRUG CROP ERADICATIONS.—Funds made available to carry out this Act may not be used to reimburse persons whose illicit drug crops are eradicated.".

REQUIREMENT FOR COST-SHARING IN INTERNATIONAL NARCOTICS CONTROL ASSISTANCE PROGRAMS

SEC. 1010. (a) Section 482 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(d) Assistance may be provided under this chapter to a foreign country only if the country provides assurances to the President, and the President is satisfied, that the country will provide at least 25 per centum of the costs of any narcotics control program, project, or activity for which such assistance is to be provided. The costs borne by the country may include 'in-kind' contributions.".

(b) The amendment made by this section shall take effect on October 1, 1985.

EXTRADITION TREATIES

SEC. 1011. The Secretary of State with the assistance of the National Drug Enforcement Policy Board shall increase United States efforts to negotiate updated extradition treaties relating to narcotics offenses with each major drug-producing country, particularly those in Latin America.

MOTION OFFERED BY MR. FASCELL

Mr. FASCELL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FASCELL moves that the Senate bill S. 960 be amended by striking out all after the enacting clause and inserting in lieu thereof the text of the bill, H.R. 1555, as passed the House, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the "International Security and Development Cooperation Act of 1985".

TITLE I—MILITARY SALES AND RELATED PROGRAMS

SEC. 101. FOREIGN MILITARY SALES CREDIT AUTHORIZATIONS AND AGGREGATE CEILINGS.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—The first sentence of section 31(a) of the Arms Export Control Act is amended to read as follows: "There are authorized to be appropriated to the President to carry out this Act $5,228,384,400 for fiscal year 1986 and $5,228,384,400 for fiscal year 1987.".

(b) FISCAL YEAR 1986 AND FISCAL YEAR 1987 FMS PROGRAMS.—Sections 31(b) and (c) of such Act are amended to read as follows:

"(b) AGGREGATE CEILING AND TERMS FOR FMS CREDITS.—

"(1) ANNUAL AGGREGATE CEILING.—The total amount of credits extended under section 23 of this Act shall not exceed $5,228,384,400 for fiscal year 1986 and $5,228,384,400 for fiscal year 1987.

"(2) AGGREGATE CEILING ON CONCESSIONAL FINANCING.—Of the aggregate amount of financing provided under this section, not more than $553,900,000 for fiscal year 1986 and not more than $553,900,000 for fiscal year 1987 may be made available at concessional rates of interest. If a country is released from its contractual liability to repay the United States Government with respect to financing provided under this section, such financing shall not be considered to be financing provided at concessional rates of interest for purposes of the limitation established by this paragraph.

"(3) AUTHORIZATIONS FOR EXTENDED REPAYMENT TERMS.—For fiscal year 1986 and fiscal year 1987, the principal amount of credits provided under this section at market rates of interest with respect to Greece, the Republic of Korea, Portugal, Spain, Thailand, and Turkey shall (if and to the extent each country so desires) be repaid in not more than twenty years, following a grace period of ten years on repayment of principal.

"(c) COUNTRY-SPECIFIC PROVISIONS.—

(1) ISRAEL.—

"(A) EARMARKING.—Of the aggregate total of credits extended under section 23 of this Act, not less than $1,800,000,000 for fiscal year 1986 and not less than $1,800,000,000 for fiscal year 1987 shall be available only for Israel.

"(B) FORGIVENESS.—Israel shall be released from its contractual liability to repay the United States Government with respect to the credits provided pursuant to subparagraph (A).

"(C) LAVI PROGRAM.—Of the amounts made available for Israel under section 23 of this Act—

"(i) up to $150,000,000 for fiscal year 1986 and up to $150,000,000 for fiscal year 1987 shall be for research and development in the United States for the Lavi program, and

(ii) not less than $250,000,000 for fiscal year 1986 and not less than $250,000,000 for fiscal year 1987 shall be made available for the procurement in Israel of defense articles and defense services (including research and development) for the Lavi program, if Israel wishes to use those funds for that purpose.

"(2) EGYPT.—

"(A) EARMARKING.—Of the total amount of credits extended under section 23 of this Act, not less than $1,300,000,000 for fiscal year 1986 and not less than $1,300,000,000 for fiscal year 1987 shall be available only for Egypt.

"(B) FORGIVENESS.—Egypt shall be released from its contractual liability to repay the United States Government with respect to the credits extended pursuant to subparagraph (A).

"(3) GREECE.—

"(A) TERMS OF CONCESSIONAL CREDITS.—For each of the fiscal years 1986 and 1987, of the total amount of credits extended for Greece under section 23 of this Act, Greece shall receive the same proportion of credits extended at concessional rates of interest as the proportion of credits extended at concessional rates of interest which Turkey receives from the total amount of credits extended for Turkey under section 23 of this Act, and the average annual rate of interest on the credits extended for Greece at concessional rates of interest shall be comparable to the average annual rate of interest on the credits extended for Turkey at concessional rates of interests.

"(B) INAPPLICABILITY OF CEILING ON CONCESSIONAL CREDITS.—Credits extended for Greece for each of the fiscal years 1986 and 1987 at concessional rates of interest shall not be counted toward any ceiling established by law on concessional financing under this Act.

"(4) THE PHILIPPINES.—Financing may not be provided under this Act for the Philippines for the fiscal years 1986 and 1987.".

SEC. 102. TERMS OF FOREIGN MILITARY SALES CREDITS.

Section 23 of the Arms Export Control Act is amended to read as follows:

"SEC. 23. FOREIGN MILITARY SALES CREDITS.

"(a) AUTHORITY TO FINANCE PROCUREMENT.—The President is authorized to finance the procurement of defense articles, defense services, and design and construction services by friendly foreign countries and international organizations, on such terms and conditions as he may determine consistent with the requirements of this section.

"(b) REPAYMENT PERIOD.—The President shall require repayment in United States dollars within a period not to exceed twelve years after the loan agreement with the country or international organization is signed on behalf of the United States Government, unless a longer period is specifically authorized by statute for that country or international organization.

"(c) INTEREST RATES.—

"(1) GENERAL AUTHORITY.—The President shall charge interest under this section at such rate as he may determine, subject to the limitations contained in paragraph (2) and other provisions of law.

"(2) MINIMUM INTEREST RATES.—The interest rate charged under this section may not be less than—

"(A) 5 percent per year, or

"(B) the rate which is 7 percentage points less than the current average interest rate (as of the last day of the month preceding the financing of the procurement) that the United States Government pays on outstanding marketable obligations of comparable maturity,

whichever is greater.

"(3) DEFINITIONS OF CONCESSIONAL AND MARKET RATES.—For purposes of financing provided under this section—

"(A) the term 'concessional rate of interest' means any rate of interest which is less than market rates of interest; and

"(B) the term 'market rate of interest' means any rate of interest which is equal to or greater than the current average interest rate (as of the last day of the month preceding the financing of the procurement under this section) that the United States Government pays on outstanding marketable obligations of comparable maturity.

"(d) PARTICIPATIONS IN CREDITS.—References in any law to credits extended under this section shall be deemed to include reference to participations in credits.".

SEC. 103. MILITARY ASSISTANCE.

(a) AUTHORIZATIONS—Section 504(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows: "(a)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter $761,648,000 for fiscal year 1986 and $761,648,000 for fiscal year 1987.".

(b) THE PHILIPPINES.—Of the amounts available to carry out chapter 2 of part II of such Act, not to exceed $25,000,000 for fiscal year 1986 and not to exceed $25,000,000 for fiscal year 1987 shall be used for assistance for the Philippines.

SEC. 104. INTERNATIONAL MILITARY EDUCATION AND TRAINING.

Section 542 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 542. AUTHORIZATIONS OF APPROPRIATIONS.

"There are authorized to be appropriated to the President to carry out the purposes of

this chapter $54,421,900 for fiscal year 1986 and $54,421,900 for fiscal year 1987.".

SEC. 105. PEACEKEEPING OPERATIONS.

Section 552(a) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(a) There are authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to amounts otherwise available for such purposes, $35,816,000 for fiscal year 1986 and $35,816,000 for fiscal year 1987.".

SEC. 106. GUARANTEE RESERVE.

The second sentence of section 24(c) of the Arms Export Control Act is amended to read as follows: "Funds authorized to be appropriated by section 31(a) to carry out this Act, which are allocated for credits at market rates of interest, may be used to pay claims under such guarantees to the extent funds in the single reserve are inadequate for that purpose.".

SEC. 107. FULL COSTING OF FMS SALES OF TRAINING AND IMET PROGRAMS.

(a) FMS SALES.—Section 21(a)(3) of the Arms Export Control Act is amended to read as follows:

"(3) in the case of the sale of a defense service, the full cost to the United States Government of furnishing such service.".

(b) IMET.—Section 644(m) of the Foreign Assistance Act of 1961 is amended—

(1) by amending paragraph (4) to read as follows:

"(4) with respect to a defense service or military education and training, the full cost to the United States Government of furnishing such assistance; and"; and

(2) in paragraph (5) by striking out "military education and training or" and by striking out "assistance" and inserting in lieu thereof "services".

SEC. 108. ADMINISTRATIVE SURCHARGE.

Subparagraph (A) of section 21(e)(1) of the Arms Export Control Act is amended by inserting "(excluding a pro rata share of fixed base operation costs)" immediately after "full estimated costs".

SEC. 109. CONTRACT ADMINISTRATION SERVICES.

Section 21(h) of the Arms Export Control Act is amended by inserting "contract administration services," immediately after "inspection," in the text preceding paragraph (1).

SEC. 110. CATALOG DATA AND SERVICES.

Section 21(h) of the Arms Export Control Act is further amended—

(1) by inserting "(1)" immediately after "(h)";

(2) by striking out "(1)" and "(2)" and inserting in lieu thereof "(A)" and "(B)", respectively; and

(3) by adding at the end thereof the following:

"(2) In carrying out the objectives of this section, the President is authorized to provide cataloging data and cataloging services, without charge, to the North Atlantic Treaty Organization or to any member government of that Organization if that Organization or member government provides such data and services in accordance with an agreement on a reciprocal basis, without charge, to the United States Government.".

SEC. 111. REPORT ON INTERNATIONAL VOLUME OF ARMS TRAFFIC.

Section 25 of the Arms Export Control Act is amended—

(1) in subsection (a) by striking out "No later than February 1" and inserting in lieu thereof "Except as provided in subsection (d) of this section, no later than February 1"; and

(2) by adding at the end thereof the following new subsection:

"(d) The information required by subsection (a)(4) of this section shall be transmitted to the Congress no later than April 1 of each year.".

SEC. 112. SECURITY ASSISTANCE SURVEYS.

(a) SURVEYS SUBJECT TO REQUIREMENTS.—Section 26 of the Arms Export Control Act is amended—

(1) in the section caption, by striking out "DEFENSE REQUIREMENT" and inserting in lieu thereof "SECURITY ASSISTANCE";

(2) by striking out "defense requirement" each place it appears in the section and inserting in lieu thereof "security assistance"; and

(3) by adding at the end of the section the following new subsection:

"(d) As used in this section, the term 'security assistance surveys' means any survey or study conducted in a foreign country by United States Government personnel for the purpose of assessing the needs of that country for security assistance, and includes defense requirement surveys, site surveys, general surveys or studies, and engineering assessment surveys.".

(b) SUBMISSION OF SURVEYS TO CONGRESS.—Section 26(c) of such Act is amended by striking out "grant that committee access to" and inserting in lieu thereof "submit to that committee copies of".

SEC. 113. QUARTERLY REPORTS ON UNITED STATES MILITARY ADVISORS ABROAD.

Section 36(a)(7) of the Arms Export Control Act is amended to read as follows:

"(7) an estimate of—

"(A) the number of United States military personnel, the number of United States Government civilian personnel, and the number of United States civilian contract personnel, who were in each foreign country at the end of that quarter, and

"(B) the number of members of each such category of personnel who were in each foreign country at any time during that quarter,

in implementation of sales and commercial exports under this Act or of assistance under chapter 2, 5, 6, or 8 of part II of the Foreign Assistance Act of 1961, including both personnel assigned to the country and personnel temporarily in the country by detail or otherwise;".

SEC. 114. INCREASE IN CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE ARMS EXPORT CONTROL ACT.

(a) CRIMINAL PENALTIES.—Section 38(c) of the Arms Export Control Act is amended by striking out "not more than $100,000 or imprisoned not more than two years, or both" and inserting in lieu thereof "for each violation not more than $1,000,000 or imprisoned not more than ten years, or both".

(b) CIVIL PENALTIES.—Section 38(e) of such Act is amended by adding at the end thereof the following: "Notwithstanding section 11(c) of the Export Administration Act of 1979, the civil penalty for each violation involving controls imposed on the export of defense articles and defense services under this section may not exceed $500,000.".

(c) EFFECTIVE DATE.—This section shall take effect upon the date of enactment of this Act or October 1, 1985, whichever date is later. The amendments made by this section apply with respect to violations occurring after the effective date of this section.

SEC. 115. OFFICIAL RECEPTION AND REPRESENTATION EXPENSES.

Section 43 of the Arms Export Control Act is amended—

(1) in subsection (b) by inserting "and official reception and representation expenses" immediately after "administrative expenses"; and

(2) by adding at the end thereof the following new subsection:

"(c) Not more than $72,500 of the funds derived from charges for administrative services pursuant to section 21(e)(1)(A) of this Act may be used each fiscal year for official reception and representation expenses.".

SEC. 116. SPECIAL DEFENSE ACQUISITION FUND.

(a) CONTINUOUS ORDERS FOR CERTAIN ARTICLES AND SERVICES.—Section 51(a) of the Arms Export Control Act is amended by adding at the end thereof the following new paragraph:

"(3) The Fund may be used to keep on continuous order such defense articles and defense services as are assigned by the Department of Defense for integrated management by a single agency thereof for the common use of all military departments in anticipation of the transfer of similar defense articles and defense services to foreign countries and international organizations pursuant to this Act, the Foreign Assistance Act of 1961, or other law.".

(b) LIMITATIONS ON DEPOSITS IN THE FUND.—Section 51(b) of such Act is amended to read as follows:

"(b)(1) Subject to paragraph (2) of this subsection, the Fund shall consist of collections from sales made under letters of offer, or transfers made under the Foreign Assistance Act of 1961, of defense articles and defense services acquired under this chapter (representing the value of such items calculated in accordance with paragraph (2) or (3) of section 21(a) or section 22 of this Act or section 644(m) of the Foreign Assistance Act of 1961, as appropriate), together with such funds as may be authorized and appropriated or otherwise made available for the purposes of the Fund.

"(2) Whenever—

"(A) the value (in terms of acquisition cost) of the defense articles and defense services acquired under this chapter which have not been transferred from the Fund in accordance with this chapter, plus

"(B) the amount of contracts to acquire defense articles and defense services under this chapter,

exceeds $500,000,000, the collections described in paragraph (1) shall be deposited in the Treasury as miscellaneous receipts.".

SEC. 117. WAIVER OF NET PROCEEDS FOR SALE OF MAP ITEMS.

Section 505(f) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following: "In the case of items which were delivered prior to 1975, the President may waive the requirement that such net proceeds be paid to the United States Government if he determines that to do so is in the national interest of the United States.".

SEC. 118. STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES.

Section 514(b)(2) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(2) The value of such additions to stockpiles in foreign countries shall not exceed $360,000,000 for fiscal year 1986 and shall not exceed $125,000,000 for fiscal year 1987.".

SEC. 119. SECURITY ASSISTANCE ORGANIZATIONS.

Section 515(c)(1) of the Foreign Assistance Act of 1961 is amended in the last sentence by striking out "For the fiscal year 1982 and the fiscal year 1983" and inserting in lieu thereof "Pakistan, Tunisia, El Salvador, Honduras, Venezuela".

SEC. 120. EXCHANGE TRAINING.

Chapter 5 of part II of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 544. EXCHANGE TRAINING.

"In carrying out this chapter, the President is authorized to provide for attendance of foreign military personnel at professional military education institutions in the United States (other than service academies) without charge, and without charge to funds available to carry out this chapter (notwithstanding section 632(d) of this Act), if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one, reciprocal basis each fiscal year between those United States professional military education institutions and comparable institutions of foreign countries and international organizations.".

SEC. 121. TRAINING IN MARITIME SKILLS.

(a) AUTHORIZATION.—Chapter 5 of part II of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof the following new section:

"SEC. 545. TRAINING IN MARITIME SKILLS.

"The President is encouraged to allocate a portion of the funds made available each fiscal year to carry out this chapter for use in providing education and training in maritime search and rescue, operation and maintenance of aids to navigation, port security, at-sea law enforcement, international maritime law, and general maritime skills.".

(b) EXEMPTION.—Section 660(b) of such Act is amended—

(1) by striking out "or" at the end of clause (1);

(2) by striking out the period at the end of clause (2) and inserting in lieu thereof "; or"; and

(3) by adding the following new clause after clause (2):

"(3) with respect to assistance, including training, in maritime law enforcement and other maritime skills.".

SEC. 122. SPECIAL WAIVER AUTHORITY.

Section 614(a)(4) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(4)(A) The authority of this subsection may not be used in any fiscal year to authorize—

"(i) more than $750,000,000 in sales to be made under the Arms Export Control Act;

"(ii) the use of more than $250,000,000 of funds made available for use under this Act or the Arms Export Control Act; and

"(iii) the use of more than $100,000,000 of foreign currencies accruing under this Act or any other law.

"(B) If the authority of this subsection is used both to authorize a sale under the Arms Export Control Act and to authorize funds to be used under the Arms Export Control Act or under this Act with respect to the financing of that sale, then the use of the funds shall be counted against the limitation in subparagraph (A)(ii) and the portion, if any, of the sale which is not so financed shall be counted against the limitation in subparagraph (A)(i).

"(C) Not more than $50,000,000 of the $250,000,000 limitation provided in subparagraph (A)(ii) may be allocated to any one country in any fiscal year unless that country is a victim of active Communist or Communist-supported aggression, and not more than $500,000,000 of the aggregate limitation of $1,000,000,000 provided in subparagraphs (A)(i) and (A)(ii) may be allocated to any one country in any fiscal year.".

SEC. 123. REPROGRAMMING REQUIREMENTS.

(a) REPROGRAMING NOTIFICATIONS.—Section 634A of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(a)" immediately before "None";

(2) by inserting "or the Arms Export Control Act" immediately after "disaster relief and rehabilitation)" and immediately after "this Act" the second place it appears; and

(3) by adding at the end of the section the following new subsection:

"(b) The notification requirement of this section does not apply to the reprogramming of less than $25,000 for use under chapter 8 of part I, or for use under chapter 5 of part II, for a country for which a program under that chapter for that fiscal year was justified to the Congress.".

(b) ALLOCATION REPORTS.—Section 653 of such Act is amended—

(1) by inserting in subsection (a) "or the Arms Export Control Act" immediately after "sections 451 or 637)";

(2) by striking out subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

(c) QUARTERLY REPORTS.—Section 36(a) of the Arms Export Control Act is amended—

(1) in paragraph (5) by striking out "cash" and by striking out ", credits to be extended under section 23, and guaranty agreements to be made under section 24"; and

(2) in paragraph (6) by striking out "cash" and by striking out "and credits expected to be extended".

SEC. 124. CONVENTIONAL ARMS TRANSFERS.

The President shall submit to the Congress a report which examines and analyzes United States policies concerning the export of conventional arms, especially sophisticated weapons, and possible approaches to developing multilateral limitations on conventional arms sales. This report shall examine and analyze—

(1) the lessons of earlier efforts to negotiate restraints on the export of conventional arms;

(2) the evolution of recipient country attitudes regarding conventional arms transfers;

(3) the prospects for engaging the Soviet Union in serious discussions concerning arms transfers, both globally and as they relate to regional security problems;

(4) possible measures by the United States and Western European suppliers to control levels of sophisticated weapons sales, both regionally and globally;

(5) the relationship between arms exports by Western European countries and the needs of those countries to support their domestic military procurement programs; and

(6) the timing and phasing of international conventional arms control negotiations.

This report should be unclassified to the extent possible, with classified addenda if necessary.

SEC. 125. FOREIGN MILITARY SALES FOR JORDAN.

(a) MIDDLE EAST PEACE.—The foreign military sales financing authorized by this Act for Jordan is provided and increased in the recognition of progress Jordan has made in the search for a just and lasting peace in the Middle East, to encourage further progress, in recognition of the continuing defense needs of Jordan, and in the expectation that Jordan will enter into direct negotiations with Israel based on United Nations Security Council Resolutions 242 and 338 and the Camp David Accords in order to resolve the state of war between those two countries.

(b) CERTIFICATION.—No foreign military sales financing authorized by this Act may be used to finance the procurement by Jordan of United States advanced aircraft, new air defense weapons systems, or other new advanced military weapons systems, and no certification may be made pursuant to section 36(b) of the Arms Export Control Act with respect to a proposed sale to Jordan of United States advance aircraft, new air defense systems, or other new advanced military weapons systems, unless the President has certified to the Congress that Jordan is publicly committed to the recognition of Israel and to prompt entry into direct peace negotiations with Israel under the basic tenets of United Nations Security Council Resolutions 242 and 338 and the Camp David Accords.

SEC. 126. CERTIFICATION CONCERNING AWACS SOLD TO SAUDI ARABIA.

(a) THE PRESIDENT'S 1981 AWACS COMMUNICATION TO THE SENATE.—(1) The Congress finds that in his October 28, 1981, communication to the Senate concerning the proposed sale of AWACS aircraft and F-15 enhancement items to Saudi Arabia which was then being reviewed by the Congress (hereafter in this section referred to as the "1981 AWACS communication"), the President stated the following:

"Transfer of the AWACS will take place . . . only after the Congress has received in writing a Presidential certification, containing agreements with Saudi Arabia, that the following conditions have been met:

"1. Security of Technology

"A. That a detailed plan for the security of equipment, technology, information, and supporting documentation has been agreed to by the United States and Saudi Arabia and is in place; and

"B. The security provisions are no less stringent than measures employed by the U.S. for protection and control of its equipment of like kind outside the continental U.S.; and

"C. The U.S. has the right of continual on-site inspection and surveillance by U.S. personnel of security arrangements for all operations during the useful life of the AWACS. It is further provided that security arrangements will be supplemented by additional U.S. personnel if it is deemed necessary by the two parties; and

"D. Saudi Arabia will not permit citizens of third nations either to perform maintenance on the AWACS or to modify any such equipment without prior, explicit mutual consent of the two governments; and

"E. Computer software, as designated by the U.S. Government, will remain the property of the USG.

"2. Access to Information

"That Saudi Arabia has agreed to share with the United States continuously and completely the information that it acquires from use of the AWACS.

"3. Control Over Third-Country Participation

"A. That Saudi Arabia has agreed not to share access to AWACS equipment, technology, documentation, or any information developed from such equipment or technology with any nation other than the U.S. without the prior, explicit mutual consent of both governments; and

"B. There are in place adequate and effective procedures requiring the screening and security clearance of citizens of Saudi Arabia and that only cleared Saudi citizens and cleared U.S. nationals will have access to AWACS equipment, technology, or documentation, or information derived therefrom, without the prior, explicit mutual consent of the two governments.

"4. AWACS Flight Operations

"That the Saudi AWACS will be operated solely within the boundaries of Saudi Arabia, except with the prior, explicit mutual consent of the two governments, and solely for defensive purposes as defined by the United States, in order to maintain security and regional stability.

"5. Command Structure

"That agreements as they concern organizational command and control structure for the operation of AWACS are of such a nature to guarantee that the commitments above will be honored.

"6. Regional Peace and Security

"That the sale contributes directly to the stability and security of the area, enhances the atmosphere and prospects for progress toward peace, and that initiatives toward the peaceful resolution of disputes in the region have either been successfully completed or that significant progress toward that goal has been accomplished with the substantial assistance of Saudi Arabia.".

(2) The Congress finds that the President also stated in the 1981 AWACS communication that should circumstances arise that might require changes in the arrangements described in that communication, "they would be made only with Congressional participation".

(b) REQUIREMENT FOR PRESIDENTIAL CERTIFICATION.—As provided in the 1981 AWACS communication, before the E-3A airborne warning and control system (AWACS) aircraft which were the subject of that communication are transferred to Saudi Arabia, the President shall submit to the Congress a written Presidential certification, containing agreements with Saudi Arabia, that the conditions set forth in that communication have been met.

(c) CONGRESSIONAL PARTICIPATION IN CHANGES IN AWACS ARRANGEMENTS.—In order to facilitate the congressional participation provided for in the 1981 AWACS communication, the President shall notify the Congress promptly of any changes being considered by the United States in the arrangements described in that communication.

SEC. 127. COOPERATIVE AGREEMENTS ON AIR DEFENSE IN CENTRAL EUROPE.

(a) GENERAL AUTHORITIES.—The Secretary of Defense may carry out the European air defense agreements. In carrying out those agreements, the Secretary—

(1) may provide without monetary charge to the Federal Republic of Germany articles and services as specified in the agreements; and

(2) may accept from the Federal Republic of Germany (in return for the articles and services provided under paragraph (1)) articles and services as specified in the agreements.

(b) SPECIAL AUTHORITIES.—In connection with the administration of the European air defense agreements, the Secretary of Defense may—

(1) waive any surcharge for administrative services otherwise chargeable under section 21(e)(1)(A) of the Arms Export Control Act;

(2) waive any charge not otherwise waived for services associated with contract administration for the sale under the Arms Export Control Act of Patriot air defense missile fire units to the Federal Republic of Germany contemplated in the agreements;

(3) use, to the extent contemplated in the agreements, the NATO Maintenance and Supply Agency—

(A) for the supply of logistical support in Europe for the Patriot missile system, and

(B) for the acquisition of such logistical support,

to the extent that the Secretary determines that the procedures of that Agency governing such supply and acquisition are appropriate;

(4) share, to the extent contemplated in the agreements, the costs of setup charges of facilities for use by that Agency to perform depot-level support of Patriot missile fire units in Europe; and

(5) deliver to the Federal Republic of Germany one Patriot missile fire unit configured for training, to be purchased by the Federal Republic of Germany under the Arms Export Control Act as contemplated in the agreements, without regard to the requirement in section 22 of that Act for payment in advance of delivery for any purchase under that Act.

(c) RATE CHARGED FOR CERTAIN SERVICES.—Notwithstanding the rate required to be charged under section 21 of the Arms Export Control Act for services furnished by the United States, in the case of 14 Patriot missile fire units which the Federal Republic of Germany purchases from the United States under the Arms Export Control Act as contemplated in the European air defense agreements, the rate charged by the Secretary of Defense for packing, crating, handling, and transportation services associated with that purchase may not exceed the established Department of Defense rate for such services.

(d) LIMITATION ON CONTRACT AUTHORITY.—The authority of the Secretary of Defense to enter into contracts under the European air defense agreements is available only to the extent that appropriated funds, other than those made available under section 31 of the Arms Export Control Act, are available for that purpose.

(e) RELATION TO FISCAL YEAR 1985 AUTHORIZATION.—The authorities provided by this section are an extension of, and not in addition to, the authorities provided by section 1007 of the Department of Defense Authorization Act, 1985 (98 Stat. 2579), relating to the authority of the Secretary of Defense to carry out the European air defense agreements during fiscal year 1985.

(f) DEFINITION OF EUROPEAN AIR DEFENSE AGREEMENTS.—For the purposes of this section, the term "European air defense agreements" means—

(1) the agreement entitled "Agreement between the Secretary of Defense of the United States of America and the Minister of Defense of the Federal Republic of Germany on Cooperative Measures for Enhancing Air Defense for Central Europe", signed on December 6, 1983; and

(2) the agreement entitled "Agreement between the Secretary of Defense of the United States of America and the Minister of Defense of the Federal Republic of Germany in implementation of the 6 December 1983 Agreement on Cooperative Measures for Enhancing Air Defense for Central Europe", signed on July 12, 1984.

SEC. 128. CEILING ON MILITARY ASSISTANCE FOR TURKEY.

For each of the fiscal years 1986 and 1987, the aggregate total of assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 and financing under the Arms Export Control Act provided for Turkey may not exceed $711,428,570.

SEC. 129. EXCHANGE OF TRAINING AND RELATED SUPPORT.

The Arms Export Control Act is amended by inserting the following new chapter after chapter 2B:

"CHAPTER 2C—EXCHANGE OF TRAINING AND RELATED SUPPORT

"SEC. 30A. EXCHANGE OF TRAINING AND RELATED SUPPORT.

"(a) AUTHORITY TO PROVIDE TRAINING AND RELATED SUPPORT.—Subject to subsection (b), the President may provide training and related support to military and civilian defense personnel of a friendly foreign country or an international organization. Such training and related support shall be provided by a Secretary of a military department and may include the provision of transportation, food services, health services, and logistics and the use of facilities and equipment.

"(b) REQUIREMENT FOR RECIPROCITY.—Training and related support may be provided under this section only pursuant to an agreement or other arrangement providing for the provision by the recipient foreign country or international organization, on a reciprocal basis, of comparable training and related support to military and civilian personnel under the jurisdiction of the Secretary of the military department providing the training and related support under this section. Such reciprocal training and related support must be provided within a reasonable period of time (which may not be more than one year) of the provision of training and related support by the United States. To the extent that a foreign country or international organization to which training and related support is provided under this section does not provide such comparable training and related support to the United States within a reasonable period of time, that country or international organization shall be required to reimburse the United States for the full costs of the training and related support provided by the United States.

"(c) REGULATIONS.—Training and related support under this section shall be provided under regulations prescribed by the President.

"(d) REPORTS.—Not later than February 1 of each year, the President shall submit to the Congress a report on the activities conducted pursuant to this section during the preceding fiscal year, including the estimated full costs of the training and related support provided by the United States to each country and international organization and the estimated value of the training and related support provided to the United States by that country or international organization.".

SEC. 130. NORTH ATLANTIC TREATY ORGANIZATION COOPERATIVE PROJECTS.

(a) REVISION OF AUTHORITY.—Section 27 of the Arms Export Control Act is amended to read as follows:

"SEC. 27. NORTH ATLANTIC TREATY ORGANIZATION COOPERATIVE PROJECTS.

"(a) GENERAL AUTHORITY.—The President may enter into a cooperative project agreement with the North Atlantic Treaty Organization or with one or more member countries of that Organization.

"(b) DEFINITIONS.—As used in this section—

"(1) the term 'cooperative project' means a jointly managed arrangement, described in a written agreement among the parties, which is undertaken in order to further the objectives of standardization, rationalization, and interoperability of the armed forces of North Atlantic Treaty Organization member countries and which provides—

"(A) for one or more of the other participants to share with the United States the costs of research on and development, test-

ing, evaluation, or joint production (including follow-on support) of certain defense articles;

"(B) for concurrent production in the United States and in another member country of a defense article jointly developed in accordance with subparagraph (A); or

"(C) for procurement by the United States of a defense article or defense service from another member country; and

"(2) the term 'other participant' means a participant in a cooperative project other than the United States.

"(c) TERMS OF AGREEMENTS.—Each agreement for a cooperative project shall provide that the United States and each of the other participants will contribute to the cooperative project its equitable share of the full cost of such cooperative project and will receive an equitable share of the results of such cooperative project. The full costs of such cooperative project shall include overhead and administrative costs. The United States and the other participants may contribute their equitable shares of the full cost of such cooperative project in funds or in defense articles or defense services needed for such cooperative project. Military assistance and financing received from the United States Government may not be used by any other participant to provide its share of the cost of such cooperative project. Such agreements shall provide that no requirement shall be imposed by a participant for worksharing or other industrial or commercial compensation in connection with such agreement that is not in accordance with such agreement.

"(d) AUTHORITY TO INCUR OBLIGATIONS.—The President may (to such extent as is provided in advance in appropriations Acts) enter into contracts or incur other obligations for a cooperative project on behalf of the other participants, without charge to any appropriation or contract authorization, if each of the other participants in the cooperative project agrees (1) to pay its equitable share of the contract or other obligation, and (2) to make such funds available in such amounts and at such times as may be required by the contract or other obligation and to pay any damages and costs that may accrue from the performance of or cancellation of the contract or other obligation in advance of the time such payments, damages, or costs are due.

"(e) ADMINISTRATIVE SURCHARGES.—

"(1) AUTHORITY TO WAIVE OR REDUCE.—For those cooperative projects entered into on or after the effective date of the International Security and Development Cooperation Act of 1985, the President may reduce or waive the charge or charges which would otherwise be considered appropriate under section 21(e) of this Act in connection with sales under sections 21 and 22 of this Act when such sales are made as part of such cooperative project. However, the President may reduce or waive such charge or charges only if the other participants agree to reduce or waive corresponding charges.

"(2) IMPACT ON OTHER SURCHARGES.—Notwithstanding provisions of section 21(e)(1)(A) and section 43(b) of this Act, administrative surcharges shall not be increased on other sales made under this Act in order to compensate for reductions or waivers of such surcharges under this section. Funds received pursuant to such other sales shall not be available to reimburse the costs incurred by the United States Government for which reduction or waiver is approved by the President under this section.

"(f) NOTICE TO CONGRESS.—Not less than 30 days before a cooperative project agreement is signed on behalf of the United States, the President shall transmit to the Speaker of the House of Representatives, the Chairman of the Committee on Foreign Relations of the Senate, and the Chairman of the Committee on Armed Services of the Senate, a numbered certification with respect to such proposed agreement, setting forth—

"(1) a detailed description of the cooperative project with respect to which the certification is made;

"(2) an estimate of the quantity of the defense articles expected to be produced in furtherance of such cooperative project;

"(3) an estimate of the full cost of the cooperative project, with an estimate of the part of the full cost to be incurred by the United States Government for its participation in such cooperative project and an estimate of that part of the full costs to be incurred by the other participants;

"(4) an estimate of the dollar value of the funds to be contributed by the United States and each of the other participants on behalf of such cooperative project;

"(5) a description of the defense articles and defense services expected to be contributed by the United States and each of the other participants on behalf of such cooperative project;

"(6) a statement of the foreign policy and national security benefits anticipated to be derived from such cooperative projects; and

"(7) to the extent known, whether it is likely that prime contracts will be awarded to particular prime contractors or that subcontracts will be awarded to particular subcontractors to comply with the proposed agreement.

"(g) OTHER NOTICE REQUIREMENTS.—Section 36(b) of this Act shall not apply to sales made under section 21 or 22 of this Act and to production and exports made pursuant to cooperative projects under this section, and section 36(b) of this Act shall not apply to the issuance of licenses or other approvals under section 38 of this Act, if such sales are made, such production and exports ensue, or such licenses or approvals are issued, as part of a cooperative project.

"(h) ADDITIONALITY OF AUTHORITY.—The authority under this section is in addition to the authority under sections 21 and 22 of this Act and under any other provisions of law.

"(i) EXISTING COOPERATIVE PROJECT AGREEMENTS.—

"(1) APPLICATION OF NEW AUTHORITIES.—With the approval of the Secretary of State and the Secretary of Defense, a cooperative agreement which was entered into by the United States before the effective date of the amendment to this section made by the International Security and Development Cooperation Act of 1985 and which meets the requirements of this section as so amended may be treated on and after such date as having been made under this section as so amended.

"(2) USE OF OLD AUTHORITIES.—Notwithstanding the amendment made to this section by the International Security and Development Cooperation Act of 1985, projects entered into under the authority of this section before the effective date of that amendment may be carried through to conclusion in accordance with the terms of this section as in effect immediately before the effective date of that amendment.".

(b) CONFORMING AMENDMENTS.—

(1) COORDINATION WITH FOREIGN POLICY.—Section 2(b) of such Act is amended to read as follows:

"(b) Under the direction of the President, the Secretary of State (taking into account other United States activities abroad, such as military assistance, economic assistance, and the food for peace program) shall be responsible for the continuous supervision and general direction of sales, leases, financing, cooperative projects, and exports under this Act, including but not limited to determining—

"(1) whether there will be a sale to or financing for a country and the amount thereof,

"(2) whether there will be a lease to a country,

"(3) whether there will be a cooperative project and the scope thereof, and

"(4) whether there will be a delivery or other performance under such sale, lease, cooperative project, or export,

to the end that sales, financing, leases, cooperative projects, and exports will be integrated with other United States activities and to the end that the foreign policy of the United States would be best served thereby.".

(2) CONDITIONS OF ELIGIBILITY.—Section 3(a) of such Act is amended—

(A) in the text preceding paragraph (1), by inserting ", and no agreement shall be entered into for a cooperative project (as defined in section 27 of this Act)," after "international organization,";

(B) in paragraph (2)—

(i) by inserting ", or produced in a cooperative project (as defined in section 27 of this Act)," after "so furnished to it"; and

(ii) by inserting "(or the North Atlantic Treaty Organization or the specified member countries (other than the United States) in the case of a cooperative project)" after "international organization" the second place it appears; and

(C) in paragraph (3) by inserting "or service" after "such article" both places it appears.

(3) CANCELLATION OF CONTRACTS.—Section 42(e) of such Act is amended—

(A) in paragraph (1) by inserting ", and each contract entered into under section 27(d) of this Act," after "of this Act"; and

(B) in paragraph (3) by inserting ", or under contracts entered into under section 27(d) of this Act," after "of this Act".

TITLE II—ECONOMIC SUPPORT FUND

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATIONS.—Section 531(b)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(b)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter $3,775,587,200 for fiscal year 1986 and $3,775,587,200 for fiscal year 1987: Provided, That of the amounts available under this paragraph, not less than $195,000,000 for fiscal year 1986 and not less than $195,000,000 for fiscal year 1987 shall be available only for El Salvador. In addition to the amount appropriated by Public Law 98-473, there are authorized to be appropriated to the President to carry out this chapter $1,500,000,000 for fiscal year 1985, which shall be available only for Israel.".

(b) REPEAL OF PRIOR YEAR PROVISIONS.—Chapter 4 of part II of such Act is amended by repealing existing sections 532, 533, 534, 536, 537, 538, 539, and 540.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act.

SEC. 202. EMERGENCY ASSISTANCE.

Section 535 of the Foreign Assistance Act of 1961 is amended—

(1) by striking out "1982" and "1983" and inserting in lieu thereof "1986" and "1987", respectively; and

(2) by redesignating that section as section 532.

SEC. 203. TIED AID CREDIT PROGRAM.

Chapter 4 of part II of the Foreign Assistance Act of 1961, as amended by the preceding sections of this title, is further amended by adding at the end thereof the following new section:

"SEC. 533. TIED AID CREDIT PROGRAM.

"(a) REQUIREMENT FOR ALLOCATION OF FUNDS.—The amounts specified in subsection (b) of this section shall be deposited in the fund authorized by subsection (c)(2) of section 645 of the Trade and Development Enhancement Act of 1983 (12 U.S.C. 635r) and shall be used by the Agency for International Development in carrying out the program of tied aid credits for United States exports which is provided for in that section.

"(b) AMOUNTS TO BE ALLOCATED.—Of the amounts authorized to be appropriated to carry out this chapter which are allocated for Commodity Import Programs—

"(1) not less than $50,000,000 for fiscal year 1986, and

"(2) an aggregate of not less than $100,000,000 for both fiscal years 1986 and 1987,

shall be deposited pursuant to subsection (a) of this section. Amounts deposited pursuant to paragraph (1) of this subsection in the fund authorized by section 645(c)(2) of the Trade and Development Enhancement Act of 1983 shall remain available for obligation through September 30, 1987.".

SEC. 204. ASSISTANCE FOR THE MIDDLE EAST.

(a) ISRAEL.—

(1) EARMARKINGS FOR ISRAEL.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $1,200,000,000 for fiscal year 1986 and not less than $1,200,000,000 for fiscal year 1987 shall be available only for Israel.

(2) CASH TRANSFERS TO ISRAEL.—The total amounts of funds allocated for Israel under chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 1986 and fiscal year 1987 shall be made available as a cash transfer on a grant basis. Such transfer shall be made on an expedited basis in the first 30 days of the respective fiscal year. In exercising the authority of this paragraph, the President shall ensure that the level of cash transfer made to Israel does not cause an adverse impact on the total level of nonmilitary exports from the United States to Israel.

(b) EGYPT.—

(1) EARMARKINGS FOR EGYPT.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $815,000,000 for fiscal year 1986 and not less than $815,000,000 for fiscal year 1987 shall be available only for Egypt.

(2) CASH TRANSFERS TO EGYPT.—Amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated for assistance for Egypt for fiscal year 1986 and fiscal year 1987 may be provided as a cash transfer only if—

(A) the President determines that Egypt will undertake economic reforms or development activities which are additional to those which would be undertaken in the absence of the cash transfer, and

(B) at least 15 days before the cash transfer occurs, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate in accordance with the procedures applicable to reprograming notifications pursuant to section 634A of the Foreign Assistance Act of 1961, such notification to include a description of the additional economic reforms or development activities Egypt will undertake.

(c) COOPERATIVE SCIENTIFIC AND TECHNOLOGICAL PROJECTS.—It is the sense of the Congress that, in order to continue to build the structure of peace in the Middle East, the United States should finance, and where appropriate participate in, cooperative projects of a scientific and technological nature involving Israel and Egypt and other Middle East countries wishing to participate. These cooperative projects should include projects in the fields of agriculture, health, energy, the environment, education, water resources, and the social sciences.

(d) LEBANON.—

(1) EARMARKINGS FOR LEBANON.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, $2,500,000 for fiscal year 1986 and $2,500,000 for fiscal year 1987 shall be available only for Lebanon.

(2) RELEASE OF AMERICAN HOSTAGES.—None of these funds may be used for assistance for Lebanon unless all United States citizens taken hostage in that country have been released, except that this condition does not apply with respect to humanitarian assistance provided for institutional support or for emergency purposes.

(3) REVERSION OF FUNDS TO TREASURY.—To the extent that these funds cannot be used to provide assistance to Lebanon because the condition specified in paragraph (2) is not met or because of conditions in that country, they shall revert to the Treasury as miscellaneous receipts.

SEC. 205. ASSISTANCE FOR CYPRUS.

(a) FISCAL YEARS 1986 AND 1987.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $15,000,000 for fiscal year 1986 and not less than $15,000,000 for fiscal year 1987 shall be available only for Cyprus.

(b) CYPRUS PEACE AND RECONSTRUCTION FUND.—

(1) AUTHORIZATION.—In addition to amounts otherwise available for assistance for Cyprus under chapter 4 of part II of the Foreign Assistance Act of 1961, there is authorized to be appropriated $250,000,000 for fiscal year 1985 to provide assistance for Cyprus, subject to paragraph (2).

(2) CERTIFICATION REQUIRED.—The additional assistance for Cyprus authorized by paragraph (1) may be provided only if the President certifies to the Congress that an agreement has been concluded by the Greek and Turkish Cypriots which is supported by Greece and Turkey and which achieves substantial progress toward settlement of the Cyprus dispute. Such an agreement should include an agreement on Varosha/Famagusta, foreign troop levels in the Republic of Cyprus, the disposition of the international airport on Cyprus, or other significant steps which are evidence of substantial progress toward an overall settlement of the Cyprus dispute.

(3) EXTENDED AVAILABILITY OF FUNDS.—Funds authorized to be appropriated by paragraph (1) may be appropriated in subsequent fiscal years if not appropriated for fiscal year 1985, and when appropriated shall remain available until expended.

SEC. 206. ASSISTANCE FOR THE CAMBODIAN PEOPLE.

The President may make available to the noncommunist resistance forces in Cambodia up to $5,000,000 for fiscal year 1986, and up to $5,000,000 for fiscal year 1987, of the funds authorized to be appropriated to carry out chapter 2 (relating to grant military assistance) or chapter 4 (relating to the economic support fund) of part II of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

SEC. 207. PROHIBITION ON CERTAIN ASSISTANCE TO THE KHMER ROUGE.

(a) PROHIBITION.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act may be obligated or expended for the purpose or with the effect of promoting, sustaining, or augmenting, directly or indirectly, the capacity of the Khmer Rouge or any of its members to conduct military or paramilitary operations in Cambodia or elsewhere in Indochina.

(b) DEOBLIGATION OF CERTAIN FUNDS.—All funds appropriated before the date of enactment of this section which were obligated but not expended for activities having the purpose or effect described in subsection (a) shall be deobligated and shall be deposited in the Treasury of the United States as miscellaneous receipts.

(c) EXCEPTION FOR HUMANITARIAN ASSISTANCE.—This section shall not be construed as limiting the provision of food, medicine, or other humanitarian assistance to the Cambodian people.

SEC. 208. ASSISTANCE FOR THE PHILIPPINES.

Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, $155,000,000 for fiscal year 1986 and $155,000,000 for fiscal year 1987 shall be available only for the Philippines.

SEC. 209. RESTRICTION ON USE OF FUNDS FOR NUCLEAR FACILITIES.

Funds authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 1986 or fiscal year 1987 may not be used to finance the construction of, the operation or maintenance of, or the supplying of fuel for, any nuclear facility in a foreign country unless the President certifies to the Congress that such country is a party to the Treaty on the Non-Proliferation of Nuclear Weapons or the Treaty for the Prohibition of Nuclear Weapons in Latin America (the "Treaty of Tlatelolco"), cooperates fully with the International Atomic Energy Agency, and pursues nonproliferation policies consistent with those of the United States.

TITLE III—DEVELOPMENT ASSISTANCE

SEC. 301. DEVELOPMENT ASSISTANCE POLICY.

Section 102(b) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraphs:

"(13) United States encouragement of policy reforms is necessary if developing countries are to achieve economic growth with equity.

"(14) Development assistance should, as a fundamental objective, promote private sector activity in open and competitive markets in developing countries, recognizing such activity to be a productive and efficient means of achieving equitable and long term economic growth.

"(15) United States cooperation in development should recognize as essential the need of developing countries to have access to appropriate technology in order to improve food and water, health and housing, education and employment, and agriculture and industry.

"(16) United States assistance should focus on establishing and upgrading the institutional capacities of developing countries in order to promote long term development. An important component of institution building involves training to expand the human resource potential of people in developing countries.".

SEC. 302. AGRICULTURE, RURAL DEVELOPMENT, AND NUTRITION.

Section 103(a)(2) of the Foreign Assistance Act of 1961 is amended by striking out the first sentence and inserting in lieu thereof the following: "There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $776,996,700 for fiscal year 1986 and $776,996,700 for fiscal year 1987. Of these amounts, the President may use such amounts as he deems appropriate to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980.".

SEC. 303. POPULATION AND HEALTH.

Section 104(g) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(g) AUTHORIZATIONS OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the President, in addition to funds otherwise available for such purposes—

"(A) $309,760,000 for fiscal year 1986 and $309,760,000 for fiscal year 1987 to carry out subsection (b) of this section; and

"(B) $215,997,600 for fiscal year 1986 and $215,997,600 for fiscal year 1987 to carry out subsection (c) of this section.

"(2) Not less than 50 percent of the amount by which the funds appropriated for each of the fiscal years 1986 and 1987 pursuant to the authorizations contained in paragraph (1)(A) exceed $250,000,000 shall be administered by the Office of Population in the Agency for International Development.

"(3) Funds appropriated under this subsection are authorized to remain available until expended.".

SEC. 304. LIMITATIONS ON USE OF POPULATION PLANNING FUNDS.

(a) LIMITATIONS.—Section 104(f) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following:

"(4) The President—

"(A) shall not deny funds for population planning purposes under this part to a foreign country, an international organization, or a nongovernmental organization, and

"(B) shall not deny or require denial of funds (or goods or services financed with such funds) to any direct or indirect recipient of funds, goods, or services from a foreign country, an international organization, or a nongovernmental organization which receives those funds under this part for population planning purposes,

because of the types of voluntary and noncoercive family planning programs which it carries out or promotes, or for which it provides funds, goods, or services (directly or through another entity), so long as it does so entirely with funds other than the funds made available by the United States under this part. Nothing in this paragraph shall be construed to allow funds made available to carry out this part to be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. The President, if he determines that to do so would promote voluntary family planning goals—notwithstanding paragraphs (A) and (B), may deny funds for population planning purposes under this part to a foreign country, an international organization, or a nongovernmental organization, and he may deny or require denial of funds (or goods or services financed with such funds) to any direct or indirect recipient of funds, goods, or services from a foreign country, an international organization, or a nongovernmental organization which receives those funds under this part for population planning purposes, because of the types of voluntary and noncoercive family planning programs which it carries out or promotes, or for which it provides funds, goods, or services (directly or through another entity), even if it does so entirely with funds other than the funds made available by the United States under this part.

"(5)(A) AFFIRMATION OF UNITED STATES SUPPORT FOR VOLUNTARY FAMILY PLANNING.—The Congress finds the following:

"(i) In most countries of the developing world, efforts to moderate very high rates of population growth through voluntary family planning can make substantial contributions to the health and nutritional status of the population (particularly that of mothers and children), to efforts to achieve social and economic progress, and to the reduction of political tensions within and between countries.

"(ii) There has been strong bipartisan congressional support over the past 25 years through six administrations for voluntary family planning activities as effective measures to deal with the economic, social, and political problems arising from rapid population growth among the world's poorest countries.

"(iii) A central tenet of United States population assistance, and of the international and nongovernmental organizations receiving such assistance, is that individuals and couples should have the information and the means to make informed, voluntary, and responsible choices about childbearing. Coercion in family planning programs is unacceptable, and abortion should not be promoted as a method of family planning.

"(iv) The Government of the People's Republic of China has systematically employed coercive abortion and coercive sterilization as a means of enforcing that Government's 'one-child-per-couple' policy. The rigid application of the 'one-child' policy has also led to large-scale infanticide.

The Congress condemns these practices as crimes against humanity and calls upon the Government of the People's Republic of China to cease these human rights abuses.

"(B) RESTRICTIONS ON FUNDING FOR POPULATION PROGRAMS IN THE PEOPLE'S REPUBLIC OF CHINA.—In view of the use of coerced abortion, coerced sterilization, and infanticide in the People's Republic of China, none of the funds made available to carry out this part may be used to carry out population planning programs in the People's Republic of China, including through contributions to any international organization or any private and voluntary organization which would use the funds for population programs in that country. None of these funds may be made available to be used to carry out population planning programs in any other country in which there are valid and consistent reports of coerced abortion or coerced sterilization.

"(C) UNITED STATES GOVERNMENT EFFORTS TO CHANGE THE PEOPLE'S REPUBLIC OF CHINA'S POPULATION PROGRAM.—The President shall annually determine whether there are valid reports of coerced abortion, coerced sterilization, or infanticide as part of or in direct consequence of the population planning programs of the People's Republic of China. If the President determines that there are valid reports of such practices as part of or in direct consequence of the population planning programs of the People's Republic of China, he shall instruct his representatives to raise with representatives of the Government of the People's Republic of China the humanitarian concern with which the people of the United States view these reports and the negative impact which they have on the continued development of United States-China relations. The President shall also review other aspects of United States-China bilateral relations and programs to consider what further steps could be taken to deter such coercive practices.

"(D) UNITED STATES GOVERNMENT EFFORTS TO END UNFPA'S PROGRAM IN THE PEOPLE'S REPUBLIC OF CHINA.—If at any time the President determines that there are valid reports of coerced abortion, coerced sterilization, or infanticide as part of or in direct consequence of the population planning programs of the People's Republic of China, the President shall instruct the United States representative to any international organization which receives population planning funds under this part to reopen consideration, in the appropriate decisionmaking bodies of that organization, of that organization's programs in the People's Republic of China and to oppose the extension of assistance by that organization to the People's Republic of China for population planning purposes.

"(E) PRESIDENTIAL AUTHORITY TO WITHHOLD UNITED STATES CONTRIBUTION TO THE UNITED NATIONS FUND FOR POPULATION ACTIVITIES.—(i) If the President determines, under subparagraph (D), that there are valid reports of coerced abortion, coerced sterilization, or infanticide as part of or in direct consequence of the population planning programs of the People's Republic of China, and if he determines that the United Nations Fund for Population Activities is funding, directly or indirectly, population planning programs in the People's Republic of China, then the President shall, on the basis of those determinations, decide on the amount of funds authorized under this part which shall be contributed to the United Nations Fund for Population Activities during that fiscal year. In making this decision, the President shall take into consideration whether the People's Republic of China has made significant and sustained progress in eliminating coerced abortion, coerced sterilization, and infanticide.

"(ii) Any funds withheld from the United Nations Fund for Population Activities shall remain available for obligation for other United States population assistance programs.

"(iii) The President shall report on his determinations as required by this paragraph, including his decision regarding the amount of the United States contribution to the United Nations Fund for Population Activities, to the chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Commitee on Foreign Relations of the Senate. The President's report shall include the steps the United States has taken to address concerns relating to population planning policies of the People's Republic of China in the appropriate international bodies and bilaterally. The President's report must be transmitted by July 1 of any fiscal year in order to allow opportunity for consideration of a joint resolution of disapproval.".

SEC. 305. CHILD SURVIVAL FUND.

Section 104(c)(2)(B) of the Foreign Assistance Act of 1961 is amended by striking out "$25,000,000" and inserting in lieu thereof "$48,400,000 for fiscal year 1986 and $48,400,000 for fiscal year 1987".

SEC. 306. EDUCATION AND HUMAN RESOURCES DEVELOPMENT.

The second sentence of section 105(a) of the Foreign Assistance Act of 1961 is amended to read as follows: "There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $182,790,000 for fiscal year 1987, which are authorized to remain available until expended.".

SEC. 307. ENERGY, PRIVATE VOLUNTARY ORGANIZATIONS, AND SELECTED DEVELOPMENT ACTIVITIES.

(a) AUTHORIZATIONS.—Section 106(e)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(e)(1) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $215,932,700 for fiscal year 1986 and $215,932,700 for fiscal year 1987.".

(b) COOPERATIVE DEVELOPMENT PROGRAM.—Section 106 of such Act is amended by adding at the end thereof the following new subsection:

"(f) Of the amounts authorized to be appropriated to carry out this chapter, $5,000,000 for fiscal year 1986 and $5,000,000 for fiscal year 1987 shall be used to finance cooperative projects among the United States, Israel, and developing countries.".

SEC. 308. PRIVATE SECTOR REVOLVING FUND.

Section 108(b) of the Foreign Assistance Act of 1961 is amended by striking out "fiscal year 1984" in the first sentence and inserting lieu thereof "each of the fiscal years 1986 and 1987".

SEC. 309. PRIVATE AND VOLUNTARY ORGANIZATIONS AND COOPERATIVES IN OVERSEAS DEVELOPMENT.

(a) NOTIFICATION DATE.—Section 123(e) of the Foreign Assistance Act of 1961 is amended by striking out "thirty" in the third sentence and inserting in lieu thereof "ninety".

(b) EARMARKING FOR PVO'S.—Section 123(f) of such Act is amended by striking out "and 1984" and inserting in lieu thereof "1984, 1986, and 1987".

SEC. 310. PROMOTION OF DEMOCRATIC COOPERATIVES.

Section 123 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(h) The Congress recognizes that, in addition to their role in social and economic development, cooperatives provide an opportunity for people to participate directly in democratic decisionmaking. Therefore, assistance under this chapter shall be provided to rural and urban cooperatives which offer large numbers of low- and middle-income people in developing countries an opportunity to participate directly in democratic decisionmaking. Such assistance shall be designed to encourage the adoption of self-help, private sector cooperative techniques and practices which have been successful in the United States.".

SEC. 311. TARGETED ASSISTANCE.

(a) REQUIREMENTS.—Section 128 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 128. TARGETED ASSISTANCE.

"(a) DIRECTLY IMPROVING LIVES OF THE POOR MAJORITY.—The President shall use poverty measurement standards, such as those developed by the International Bank for Reconstruction and Development, and other appropriate measurements in determining target populations for United States development assistance, and shall strengthen United States efforts to assure that a substantial percentage of development assistance under this chapter directly improves the lives of the poor majority, with special emphasis on those individuals living in absolute poverty.

"(b) ENSURING THAT THE POOR MAJORITY BENEFIT.—To the maximum extent possible, activities under this chapter that attempt to increase the institutional capabilities of private organizations or governments, or that attempt to stimulate scientific and technological research, shall be designed and monitored to ensure that the ultimate beneficiaries of these activities are the poor majority.".

(b) ANNUAL REPORTS.—Section 634(a)(1)(B) of such Act is amended by inserting immediately before the semicolon the following: ", such assessment to include an evaluation of the extent to which programs under chapter 1 of part I directly benefit the poor majority".

SEC. 312. HOUSING AND OTHER GUARANTY PROGRAMS.

(a) INCREASING AUTHORIZED HIG PROGRAM LEVEL.—Section 222(a) of the Foreign Assistance Act of 1961 is amended by striking out "$1,958,000,000" in the second sentence and inserting in lieu thereof "$2,278,000,000".

(b) EXTENDING HIG PROGRAM AUTHORITY.—Such section is further amended by striking out "1986" in the third sentence and inserting in lieu thereof "1988".

(c) MINIMUM ANNUAL HIG PROGRAM LEVELS.—Section 222 of such Act is amended by adding at the end thereof the following:

"(k) The total principal amount of guaranties issued under this section for each of the fiscal years 1986 and 1987 shall be comparable to the total principal amount of such guaranties issued for fiscal year 1984.".

(d) AGRICULTURAL AND PRODUCTIVE CREDIT AND SELF-HELP COMMUNITY DEVELOPMENT PROGRAMS.—Section 222A(h) of such Act is amended by striking out "1986" and inserting in lieu thereof "1988".

SEC. 313. TRADE CREDIT INSURANCE PROGRAM.

Section 224(e) of the Foreign Assistance Act of 1961 is amended by striking out "not to exceed $300,000,000 in the fiscal year 1985" and inserting in lieu therof "except that the aggregate amount of outstanding commitments under subsection (a) may not exceed $500,000,000 of contingent liability for loan principal during fiscal years 1986 and 1987".

SEC. 314. DISADVANTAGED CHILDREN IN ASIA.

(a) AUTHORIZATION OF ADDITIONAL ASSISTANCE.—Section 241(b) of the Foreign Assistance Act of 1961 is amended by striking out "$2,000,000" and inserting in lieu thereof "$3,000,000".

(b) ADDITIONAL STEPS TO HELP AMERASIAN CHILDREN.—The Congress finds that Amerasian children are currently the object of discrimination in the countries in Asia where they now reside. Therefore the President shall report to the Congress on the quality of life of these children and on what additional steps, such as facilitating adoptions, the United States could take to enhance the lives of these children.

SEC. 315. MINORITY SET-ASIDE.

Except to the extent that the Administrator of the Agency for International Development determines otherwise, not less than 10 percent of the aggregate of the funds made available for each of the fiscal years 1986 and 1987 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be made available only for activities of economically and socially disadvantaged enterprises (within the meaning of section 133(c)(5) of the International Development and Food Assistance Act of 1977), historically black colleges and universities, and private and voluntary organizations which are controlled by individuals who are black Americans, Hispanic Americans, or Native Americans, or who are economically and socially disadvantaged (within the meaning of section 133(c)(5)(B) and (C) of the International Development and Food Assistance Act of 1977). For purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

SEC. 316. USE OF PRIVATE AND VOLUNTARY ORGANIZATIONS, COOPERATIVES, AND THE PRIVATE SECTOR.

(a) STUDY.—The Administrator of the Agency for International Development shall undertake a comprehensive study of additional ways to provide development assistance through nongovernmental organizations, including United States and indigenous private and voluntary organizations, cooperatives, the business community, and other private entities. Such study shall include—

(1) an analysis of the percentage of development assistance allocated to governmental and nongovernmental programs;

(2) an analysis of structural impediments, within both the United States and foreign governments, to additional use of nongovernmental programs; and

(3) an analysis of the comparative economic benefits of governmental and nongovernmental programs.

(b) REPORT.—The Administrator shall report the results of this study to the Congress no later than September 30, 1986.

TITLE IV—OTHER FOREIGN ASSISTANCE PROGRAMS AND INTERNATIONAL AIRPORT SECURITY

Subtitle 1—Other Foreign Assistance Programs

SEC. 401. AMERICAN SCHOOLS AND HOSPITALS ABROAD.

Section 214(c) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(c)(1) To carry out the purposes of this section, there are authorized to be appropriated to the President $38,720,000 for fiscal year 1986 and $38,720,000 for fiscal year 1987.

"(2) Amounts appropriated under paragraph (1) are authorized to remain available until expended.".

SEC. 402. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS AND PROGRAMS.

Section 302(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(a)(1) There are authorized to be appropriated to the President $275,787,572 for fiscal year 1986 and $275,787,572 for fiscal year 1987 for grants to carry out the purposes of this chapter, in addition to funds available under other Acts for such purposes. Of these amounts—

"(A) $164,560,000 for fiscal year 1986 and $164,560,000 for fiscal year 1987 shall be for the United Nations Development Program;

"(B) $53,240,000 for fiscal year 1986 and $53,240,000 for fiscal year 1987 shall be for the United Nations Children's Fund;

"(C) $19,844,000 for fiscal year 1986 and $19,844,000 for fiscal year 1987 shall be for the International Atomic Energy Agency,

except that these funds may be contributed to that Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency;

"(D) $15,004,000 for fiscal year 1986 and $15,004,000 for fiscal year 1987 shall be for Organization of American States development assistance programs;

"(E) $9,680,000 for fiscal year 1986 and $9,680,000 for fiscal year 1987 shall be for the United Nations Environment Program;

"(F) $1,936,000 for fiscal year 1986 and $1,936,000 for fiscal year 1987 shall be for the World Meteorological Organization;

"(G) $1,936,000 for fiscal year 1986 and $1,936,000 for fiscal year 1987 shall be for the United Nations Capital Development Fund;

"(H) $1,968,000 for fiscal year 1986 and $1,968,000 for fiscal year 1987 shall be for the United Nations Education and Training Program for Southern Africa;

"(I) $484,000 for fiscal year 1986 and $484,000 for fiscal year 1987 shall be for the United Nations Voluntary Fund for the Decade for Women;

"(J) $193,600 for fiscal year 1986 and $193,600 for fiscal year 1987 shall be for the Convention on International Trade in Endangered Species;

"(K) $1,936,000 for fiscal year 1986 and $1,936,000 for fiscal year 1987 shall be for the World Food Program;

"(L) $484,000 for fiscal year 1986 and $484,000 for fiscal year 1987 shall be for the United Nations Institute for Namibia;

"(M) $332,024 for fiscal year 1986 and $332,024 for fiscal year 1987 shall be for the United Nations Trust Fund for South Africa;

"(N) $96,800 for fiscal year 1986 and $96,800 for fiscal year 1987 shall be for the United Nations Voluntary Fund for Victims of Torture;

"(O) $193,600 for fiscal year 1986 and $193,600 for fiscal year 1987 shall be for the United Nations Industrial Development Organization;

"(P) $1,511,048 for fiscal year 1986 and $1,511,048 for fiscal year 1987 shall be for the United Nations Development Program Trust Fund to Combat Poverty and Hunger in Africa;

"(Q) $2,662,000 for fiscal year 1986 and $2,662,000 for fiscal year 1987 shall be for contributions to international conventions and scientific organizations;

"(R) $484,000 for fiscal year 1986 and $484,000 for fiscal year 1987 for the United Nations Centre on Human Settlements (Habitat); and

"(S) $242,000 for fiscal year 1986 and $242,000 for fiscal year 1987 for the World Heritage Fund.".

SEC. 403. PALESTINE LIBERATION ORGANIZATION.

Chapter 3 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 307. PALESTINE LIBERATION ORGANIZATION.

"(a) PROHIBITION ON FUNDING.—Funds authorized to be appropriated by this chapter may not be made available for the United States proportionate share for programs for the Palestine Liberation Organization or for projects whose primary purpose is to provide benefits to the Palestine Liberation Organization or entities associated with it.

"(b) ANNUAL REVIEW.—The Secretary of State—

"(1) shall review, at least annually, the budgets and accounts of all international organizations receiving payments of any such funds; and

"(2) shall report to the appropriate committees of the Congress the amounts of funds expended by each such organization for the purposes described in subsection (a) and the amount contributed by the United States to each such organization.".

SEC. 404. SOUTH-WEST AFRICA PEOPLE'S ORGANIZATION.

Chapter 3 of part I of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof the following new section:

"SEC. 308. SOUTH-WEST AFRICA PEOPLE'S ORGANIZATION.

"(a) LIMITATION ON FUNDING.— Funds authorized to be appropriated by this chapter may not be made available for the United States proportionate share for programs for the South-West Africa People's Organization, except that funds may be made available for the United States proportionate share of programs for the South-West Africa People's Organization if the President certifies to the Congress that such funds would not be used to support the military or paramilitary activities of the South-West Africa People's Organization.

"(b) ANNUAL REVIEW.—The Secretary of State—

"(1) shall review, at least annually, the budgets and accounts of all international organizations receiving payments of any such funds; and

"(2) shall report to the appropriate committees of the Congress the amounts of funds expended by each such organization for the purposes described in subsection (a) and the amount contributed by the United States to each such organization.".

SEC. 405. COMMUNIST COUNTRIES.

Chapter 3 of part I of the Foreign Assistance Act of 1961 is further amended by adding at the end thereof the following new section:

"SEC. 309. COMMUNIST COUNTRIES.

"(a) LIMITATION ON FUNDING.—Funds authorized to be appropriated by this chapter may not be made available for the United States proportionate share for programs for Communist countries listed in section 620(f) of this Act.

"(b) PRESIDENTIAL WAIVER.—Subsection (a) shall not apply to the extent that the President determines and reports to the Congress that it is in the national interest of the United States to provide funding for the United States proportionate share for programs for a particular Communist country or countries.

"(c) ANNUAL REVIEW.—The Secretary of State—

"(1) shall review, at least annually, the budgets and accounts of all international organizations receiving payments of any such funds; and

"(2) shall report to the appropriate committees of the Congress the amounts of funds expended by each such organization for the purposes described in subsection (a) and the amount contributed by the United States to each such organization.".

SEC. 406. INTERNATIONAL DISASTER ASSISTANCE.

The first sentence of section 492(a) of the Foreign Assistance Act of 1961 is amended to read as follows: "There are authorized to be appropriated to the President to carry out section 491, $24,200,000 for fiscal year 1986 and $24,200,000 for fiscal year 1987.".

SEC. 407. ANTI-TERRORISM ASSISTANCE PROGRAM.

(a) AUTHORIZATIONS.—Section 575 of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 575. AUTHORIZATIONS OF APPROPRIATIONS.

"(a) AUTHORIZATIONS.—There are authorized to be appropriated to the President to carry out this chapter $4,840,000 for fiscal year 1986 and $4,840,000 for fiscal year 1987.

"(b) EXTENDED OBLIGATIONAL AVAILABILITY.—Amounts appropriated under this section are authorized to remain available until expended.".

(b) ITEMS ON THE MUNITIONS LIST.—Section 573(d)(4) of such Act is amended to read as follows:

"(4)(A) Except as provided in subparagraph (B), articles on the United States Munitions List established pursuant to the Arms Export Control Act may not be made available under this chapter.

"(B) For fiscal years 1986 and 1987, articles on the United States Munitions List may be made available under this chapter if—

"(i) they are small arms in category I (relating to firearms), ammunition in category III (relating to ammunition) for small arms in category I, or articles in category X (relating to protective personnel equipment), and they are directly related to anti-terrorism training being provided under this chapter;

"(ii) the recipient country is not prohibited by law from receiving assistance under one or more of the following provisions: chapter 2 of this part, chapter 5 of this part, or the Arms Export Control Act; and

"(iii) at least 15 days before the articles are made available to the foreign country, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the proposed transfer, in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act.

"(C) The value (in terms of original acquisition cost) of all equipment and commodities provided under subsection (a) of this section, including articles described in subparagraph (B)(i) of this paragraph, may not exceed $325,000 in fiscal year 1986 or $325,000 in fiscal year 1987.".

(c) Section 573 of such Act is amended by adding at the end thereof the following new subsection:

"(f) Funds made available to carry out this chapter may not be used for personnel compensation and benefits.".

(d) EXPIRATION OF AUTHORITY.—Section 577 of such Act is repealed.

SEC. 408. COORDINATION OF ALL U.S. ANTI-TERRORISM ASSISTANCE TO FOREIGN COUNTRIES.

(a) COORDINATION.—The Secretary of State shall be responsible for coordinating all anti-terrorism assistance to foreign countries provided by the United States Government.

(b) REPORTS.—Not later than February 1 each year, the Secretary of State, in consultation with appropriate United States Government agencies, shall report to the appropriate committees of the Congress on the anti-terrorism assistance provided by the United States Government during the preceding fiscal year. Such reports may be provided on a classified basis to the extent necessary, and shall specify the amount and nature of the assistance provided.

SEC. 409. COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

(a) PROHIBITION.—Section 620A of the Foreign Assistance Act of 1961 is amended to read as follows:

"SEC. 620A. PROHIBITION ON ASSISTANCE TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

"(a) PROHIBITION.—The United States shall not provide any assistance under this Act, the Agricultural Trade Development and Assistance Act of 1954, the Peace Corps Act, or the Arms Export Control Act, to any country which the President determines—

"(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

"(2) otherwise supports international terrorism.

"(b) PRESIDENTIAL WAIVER.—The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the waiver (including the justification for the waiver) in accordance with the procedures applicable to reprograming notifications pursuant to section 634A of this Act.

"(c) INTERNATIONAL COOPERATION.—If sanctions are imposed on a country pursuant to subsection (a) because of its support for international terrorism, the President should call upon other countries to impose similar sanctions on that country.".

(b) CONFORMING AMENDMENT.—Section 3(f) of the Arms Export Control Act is amended by striking out ", credits, and guaranties" and ", credits, or guaranties" each place they appear.

SEC. 410. INTERNATIONAL CIVIL AVIATION BOYCOTT OF COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

It is the sense of the Congress that the President—

(1) should call for an international civil aviation boycott with respect to those countries which the President determines—

(A) grant sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

(B) otherwise support international terrorism; and

(2) should take steps, both bilateral and multilateral, to achieve a total international civil aviation boycott with respect to those countries.

SEC. 411. PROHIBITION ON IMPORTS FROM AND EXPORTS TO COUNTRIES ENGAGED IN TERRORISM.

(a) PROHIBITION ON IMPORTS.—Notwithstanding any other provision of law, the President shall prohibit any article grown, produced, extracted, or manufactured in Libya from being imported into the United States.

(b) PROHIBITION ON EXPORTS.—Notwithstanding any other provision of law, the President shall prohibit any goods or technology, including technical data or other information, subject to the jurisdiction of the United States or exported by any person subject to the jurisdiction of the United States, from being exported to Libya.

(c) DEFINITION.—For purposes of this section, the term "United States" includes territories and possessions of the United States.

SEC. 412. TRADE AND DEVELOPMENT PROGRAM.

The first sentence of section 661(b) of the Foreign Assistance Act of 1961 is amended to read as follows: "There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, $20,328,000 for fiscal year 1986 and $20,328,000 for fiscal year 1987.".

SEC. 413. OPERATING EXPENSES.

Section 667(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(1) $379,004,100 for fiscal year 1986 and $379,004,100 for fiscal year 1987 for necessary operating expenses of the agency primarily responsible for administering part I of this Act; and".

Subtitle 2—International Airport Security

SEC. 451. SECURITY STANDARDS FOR FOREIGN AIR TRANSPORTATION.

(a) SECURITY AT FOREIGN AIRPORTS.—Section 1115 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1515) is amended to read as follows:

"SECURITY STANDARDS IN FOREIGN AIR TRANSPORTATION

"ASSESSMENT OF SECURITY MEASURES

"SEC. 1115. (a)(1) The Secretary of Transportation shall conduct at such intervals as the Secretary shall deem necessary an assessment of the effectiveness of the security measures maintained at those foreign airports being served by air carriers, those foreign airports from which foreign air carriers serve the United States, those foreign airports which are not under the de facto control of the government and pose a high risk of introducing danger to international air travel, and at such other foreign airports as the Secretary may deem appropriate.

"(2) Each such assessment shall be made by the Secretary of Transportation in consultation with the appropriate aeronautic authorities of the foreign government concerned and each air carrier serving the foreign airport at which the Secretary is conducting such assessment.

"(3) The assessment shall determine the extent to which an airport effectively maintains and administers security measures. In making an assessment of any airport under this subsection, the Secretary shall use a standard which will result in an analysis of the security measures at such airport based upon, at a minimum, the standards and recommendations contained in Annex 17 to the Convention on International Civil Aviation, as such standards and recommendations are in effect on the date of such assessment.

"CONSULTATION WITH THE SECRETARY OF STATE

"(b) In carrying out subsection (a), the Secretary of Transportation shall consult the Secretary of State with respect to the terrorist threat which exists in each country. The Secretary of Transportation shall also consult with the Secretary of State in order to determine which foreign airports are not under the de facto control of the government of the country in which they are located and pose a high risk of introducing danger to international air travel.

"REPORT OF ASSESSMENTS

"(c) Each report to the Congress required by section 315 of this Act shall contain—

"(1) a summary of the assessments conducted pursuant to subsection (a) of this section; and

"(2) a description of the extent to which identified security deficiencies have been eliminated.

"NOTIFICATION TO FOREIGN COUNTRY OF DETERMINATION

"(d) Whenever, after an assessment in accordance with subsection (a) of this section, the Secretary of Transportation determines that an airport does not maintain and administer effective security measures, the Secretary shall notify the appropriate authorities of such foreign government of such determination, and recommend the steps necessary to bring the security measures in use at that airport up to the standard used by the Secretary in making such assessment.

"SANCTIONS

"(e)(1) Paragraph (2) of this subsection shall become effective 120 days after the notification required in subsection (d) of this section of the determination by the Secretary of Transportation, if the Secretary of Transportation finds that the foreign government has failed to bring the security measures at the identified airport up to the standard used by the Secretary in making an assessment of such airport under subsection (a) of this section, except that paragraph (2) shall become effective immediately upon the Secretary's determination if—

"(A) the Secretary of State determines that the country in which such airport is located is a high terrorist threat country, and

"(B) the Secretary of Transportation determines that a condition exists that threatens the safety or security of passengers, aircraft, or crew traveling to or from such airport.

"(2) Subject to paragraph (1), if the Secretary of Transportation determines pursuant to this section that an airport does not maintain and administer effective security measures—

"(A) the Secretary of Transportation shall publish in the Federal Register, and shall cause to be posted and prominently displayed at all United States airports regularly being served by scheduled air carrier operations, the identification of such airport;

"(B) each air carrier and foreign air carrier providing service between the United States and such airport shall provide notice of such determination by the Secretary to any passenger purchasing a ticket for transportation between the United States and such airport, with such notice to be made by written material included on or with such ticket;

"(C) the Secretary of Transportation, after consultation with the appropriate aeronautical authorities of the foreign government concerned and each air carrier serving such airport, may, notwithstanding section 1102 of this Act and with the approval of the Secretary of State, withhold, revoke, or impose conditions on the operating authority of any air carrier or foreign air carrier to engage in foreign air transportation utilizing such airport; and

"(D) the President may prohibit air carriers and foreign air carriers from providing service between the United States and any other foreign airport which is directly or indirectly served by aircraft flying to or from the airport with respect to which the determination is made under this section.

"(3) The Secretary of Transportation shall promptly report to the Congress any action taken under this subsection, setting forth information concerning the attempts made to secure the cooperation of the foreign government in meeting the standard used by the Secretary in making the assessment of such airport under subsection (a) of this section.

"AUTHORITY FOR IMMEDIATE SUSPENSION OF AIR SERVICE

"(f) Notwithstanding sections 1102 and 1114 of this Act, whenever the Secretary of Transportation determines that—

"(1) a condition exists that threatens the safety or security of passengers, aircraft, or crew traveling to or from a foreign airport, and

"(2) the public interest requires an immediate suspension of services between the United States and the identified airport,

the Secretary of Transportation shall, without notice or hearing and with the approval of the Secretary of State, suspend the right of any air carrier or foreign air carrier to engage in foreign air transportation to or from that foreign airport and the right of any person to operate aircraft in foreign air commerce to or from that foreign airport.

"CONDITIONS OF AUTHORITY

"(g) The provisions of this section shall be deemed to be a condition to any authority granted under title IV or title VI of this Act to any air carrier or any foreign air carrier, issued under authority vested in the Secretary of Transportation.".

(b) CONFORMING AMENDMENTS.—

(1) INFORMATION IN SEMIANNUAL REPORTS.—Section 315(a) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1356(a)) is amended by adding at the end thereof the following new sentence: "Each semiannual report submitted by the Administrator pursuant to the preceding sentence shall include the information described in section 1115(c) of this Act.".

(2) CIVIL PENALTIES.—Section 901(a)(1) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1471(a)(1)) is amended by inserting "or 1115(e)(2)(B)" after "1114".

(3) TABLE OF CONTENTS.—That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the center heading

"TITLE XI—MISCELLANEOUS"

is amended by striking out

"Sec. 1115. Security standards in foreign air transportation.".

and inserting in lieu thereof

"Sec. 1115. Security standards in foreign air transportation.
"(a) Assessment of security measures.
"(b) Consultation with the Secretary of State.
"(c) Report of assessments.
"(d) Notification to foreign country of determination.
"(e) Sanctions.
"(f) Authority for immediate suspension of air service.
"(g) Conditions of authority.".

(c) CLOSING OF BEIRUT INTERNATIONAL AIRPORT.—It is the sense of the Congress that the President is urged and encouraged to take all appropriate steps to carry forward his announced policy of seeking the effective closing of the international airport in Beirut, Lebanon, at least until such time as the Government of Lebanon has instituted measures and procedures designed to prevent the use of that airport by aircraft hijackers and other terrorists in attacking civilian airlines or their passengers, hijacking their aircraft, or taking or holding their passengers hostage.

SEC. 452. TRAVEL ADVISORY AND SUSPENSION OF FOREIGN ASSISTANCE.

(a) TRAVEL ADVISORY.—When section 1115(e)(2) of the Federal Aviation Act of 1958 becomes effective with respect to an airport because of a determination by the Secretary of Transportation that such airport does not maintain and administer effective measures, the Secretary of State shall issue a travel advisory with respect to that airport. Any travel advisory issued under this subsection shall be published in the Federal Register. The Secretary of State shall take the necessary steps to widely publicize that travel advisory.

(b) SUSPENSION OF FOREIGN ASSISTANCE.—The President shall suspend all assistance under the Foreign Assistance Act of 1961 or the Arms Export Control Act to any country in which is located an airport with respect to which section 1115(e)(2) of the Federal Aviation Act of 1958 becomes effective. The President may waive the requirements of this subsection if the President determines and reports to the Congress that there is a national security humanitarian emergency which requires such waiver.

(c) LIFTING OF SANCTIONS.—The sanctions required to be imposed with respect to a country pursuant to this section and section 1115(e)(2)(A) and (B) of the Federal Aviation Act of 1958 may be lifted only if the Secretary of Transportation, in consultation with the Secretay of State, has determined that effective security measures are maintained and administered at the airport in that country with respect to which the Secretary had made the determination described in section 1115 of the Federal Aviation Act of 1985.

SEC. 453. NOTIFICATIONS TO CONGRESS OF LIFTING OF SANCTIONS.

The Congress shall be notified if any sanction imposed pursuant to section 452 of this Act or section 1115(e) of the Federal Aviation Act of 1958 is lifted.

SEC. 454. SKY MARSHALL PROGRAMS.

(1) (a) UNITED STATES AIRMARSHALLS.—STUDY OF NEED FOR EXPANSION OF PROGRAM.—The Secretary of Transportation, in coordination with the Secretary of State, shall study the need for an expanded airmarshall program on international flights of United States air carriers. The Secretary of Transportation shall report the results of this study to the Congress within 6 months after the date of enactment of this Act.

(2) AUTHORITY TO CARRY FIREARMS AND MAKE ARRESTS.—The Secretary of Transportation, with the approval of the Attorney General and the Secretary of State, may authorize persons, in connection with the performance of their air transportation security duties, to carry firearms and to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States, if they have reasonable grounds to believe that the person to be arrested has committed or is committing a felony.

(b) INTERNATIONAL SKY MARSHALL PROGRAM.—The Secretary of State, in cooperation with the Secretary of Transportation, shall study the feasiability of establishing an international sky marshall program. The Secretary of State shall report the results of this study to the Congress within 6 months after the date of enactment of this Act.

SEC. 455. MEETING OF INTERNATIONAL CIVIL AVIATION ORGANIZATION; INTERNATIONAL MORATORIUM ON USE OF CERTAIN AIRPORTS.

The Secretary of State and the Secretary of Transportation, jointly, shall—

(1) call for an immediate convening of a meeting of the International Civil Aviation Organization to—

(A) discuss the current status of international airport compliance with existing international security standards; and

(B) upgrade the security standards for international airports; and

(2) call on the member countries of the International Civil Aviation Organization to enforce that Organization's existing standards and impose a moratorium on the use of any international airport which is not in compliance with such standards.

SEC. 456. MULTILATERAL AND BILATERAL AGREEMENTS WITH RESPECT TO AIRCRAFT SABOTAGE, AIRCRAFT HIJACKING, AND AIRPORT SECURITY.

The Secretary of State shall seek formal multilateral and bilateral agreement on strengthening enforcement measures and standards for compliance with respect to aircraft sabotage, aircraft hijacking, and airport security.

SEC. 457. ANTITERRORISM ASSISTANCE PROGRAM.

In addition to amounts otherwise authorized to be appropriated for such purpose, there are authorized to be appropriated to carry out chapter 8 of part II of the Foreign Assistance Act of 1961 (relating to the antiterrorism assistance program) $5,000,000 for fiscal year 1986 and $5,000,000 for fiscal year 1987.

SEC. 458. RESEARCH ON AIRPORT SECURITY TECHNIQUES FOR DETECTING EXPLOSIVES.

In order to improve security at international airports, there are authorized to be appropriated to the Secretary of Transportation from the Airport and Airway Trust Fund (in addition to amounts otherwise available for such purpose) $5,000,000, without fiscal year limitation, to be used for research on and the development of airport security devices or techniques for detecting explosives.

SEC. 459. INTERNATIONAL ANTITERRORISM COMMITTEE.

The Congress calls upon the President to seek the establishment of an international committee, to be known as the International Anti-Terrorism Committee, consisting of representatives of the member countries of the North Atlantic Treaty Organization, Japan, and such other countries as may be invited and may chose to participate. The purpose of the Committee should be to focus the attention and secure the cooperation of the governments and the public of the participating countries, and of the governments and the public of other countries, on the problems and responses to international terrorism, by serving as a forum at both the political and law enforcement levels.

SEC. 460. HIJACKING OF TWA FLIGHT 847 AND OTHER ACTS OF TERRORISM.

The Congress joins with all Americans in celebrating the release of the hostages taken from Trans World Airlines flight 847. It is the sense of the Congress that—

(1) purser Uli Derickson, pilot John Testrake, co-pilot Philip Maresca, flight engineer Benjamin Zimmermann, and the rest of the crew of Trans World Airlines flight 847 displayed extraordinary valor and heroism during the hostages ordeal and therefore should be commended;

(2) the hijackers who murdered United States Navy Petty Officer Stethem should be immediately brought to justice;

(3) all diplomatic means should continue to be employed to obtain the release of the 7 United States citizens previously kidnapped and still held in Lebanon;

(4) acts of international terrorism should be universally condemned; and

(5) the Secretary of State should be supported in his efforts to gain international cooperation to prevent future acts of terrorism.

SEC. 461. INTERNATIONAL TERRORISM CONTROL TREATY.

It is the sense of the Congress that the President should establish a process by which democratic and open societies of the world, which are those most plagued by ter-

rorism, negotiate a viable treaty to effectively prevent and respond to terrorist attacks. Such a treaty should incorporate an operative definition of terrorism, and should establish effective close intelligence-sharing, joint counterterrorist training, and uniform laws on asylum, extradition, and swift punishment for perpetrators of terrorism. Parties to such a treaty should include, but not be limited to, those democratic nations who are most victimized by terrorism.

SEC. 462. EFFECTIVE DATE.

This subtitle shall take effect on the date of enactment of this Act.

SEC. 414. BAN ON IMPORTING GOODS AND SERVICES FROM COUNTRIES SUPPORTING TERRORISM.

(a) AUTHORITY.—The President may ban the importation into the United States of any good or service from any country which supports terrorism or terrorist organizations or harbors terrorists or terrorist organizations.

(b) DEFINITION.—For the purposes of subsection (a), the terms "terrorist" and "terrorist organizations" mean an individual, group, or any combination thereof which is involved in terrorism.

TITLE V—INTERNATIONAL NARCOTICS CONTROL

SEC. 501. AUTHORIZATIONS FOR INTERNATIONAL NARCOTICS CONTROL ASSISTANCE.

Subsection (a)(1) of section 482 of the Foreign Assistance Act of 1961 is amended to read as follows:

"(a)(1) To carry out the purposes of section 481, there are authorized to be appropriated to the President $55,688,100 for fiscal year 1986 and $55,688,100 for fiscal year 1987.".

SEC. 502. DEVELOPMENT AND ILLICIT NARCOTICS PRODUCTION.

Section 126(b) of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "and under chapter 4 of part II" immediately after "this chapter"; and

(2) by inserting "(1)" after "(b)" and by adding at the end thereof the following new paragraph:

"(2) The agency primarily responsible for administering this part may utilize resources for activities aimed at increasing awareness of the effects of production and trafficking of illicit narcotics on source and transit countries.".

SEC. 503. REPORTS ON INTERNATIONAL NARCOTICS CONTROL ASSISTANCE.

Section 481(b) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(b)(1) Not later than 45 days after the end of each calendar quarter, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a report on the programming and obligation, on a calendar basis, of funds under this chapter prior to the end of that quarter. The last such report for each fiscal year shall include the aggregate obligations and expenditures made, and the types and quantity of equipment provided, on a calendar quarter basis, prior to end of that fiscal year—

"(A) to carry out the purposes of this chapter with respect to each country and each international organization receiving assistance under this chapter, including the cost of the United States personnel engaged in carrying out such purposes in each such country and with each such international organization;

"(B) to carry out each program conducted under this chapter in each country and by each international organization, including the cost of United States personnel engaged in carrying out each such program; and

"(C) for administrative support services within the United States to carry out the purposes of this chapter, including the cost of United States personnel engaged in carrying out such purposes in the United States.

"(2) Not later than August 1 of each year, the President shall transmit to the Speaker of the House of Representatives, and to the Committee on Foreign Relations of the Senate, a complete and detailed midyear report on the activities and operations carried out under this chapter prior to such date. Such midyear report shall include, but not be limited to, the status of each agreement concluded prior to such date with other countries carry out the purposes of this chapter.".

SEC. 504. EXEMPTION FROM BAN ON INVOLVEMENT OF UNITED STATES PERSONNEL IN ARREST ACTIONS IN NARCOTICS CONTROL EFFORTS ABROAD.

Section 481(c) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraph:

"(2) Paragraph (1) of this subsection shall not prohibit officers and employees of the United States from being present during direct police arrest actions with respect to narcotic control efforts in a foreign country to the extent that the Secretary of State and the government of that country agree to such an exemption. The Secretary of State shall report any such agreement to the Congress before the agreement takes effect.".

SEC. 505. ANNUAL REPORTS ON INVOLVEMENT OF OTHER COUNTRIES IN ILLICIT DRUG TRAFFIC.

Section 481(e) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraph:

"(6) Each report pursuant to this subsection shall describe the involvement, during the preceding fiscal year, of any foreign government in illicit drug trafficking, including—

"(A) the direct or indirect involvement of such government (or any official thereof) in the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, and

"(B) any other activities of such government (or any official thereof) which have facilitated illicit drug trafficking.".

SEC. 506. PROCUREMENT OF WEAPONS TO DEFEND AIRCRAFT INVOLVED IN NARCOTICS CONTROL EFFORTS.

Of the funds available to carry out chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to grant military assistance), not less than $1,000,000 for each of the fiscal years 1986 and 1987 shall be made available to arm, for defensive purposes, aircraft used in narcotic control eradication or interdiction efforts. The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate shall be notified of the use of any such funds for that purpose at least 15 days in advance in accordance with the reprogramming procedures applicable under section 634A of the Foreign Assistance Act of 1961.

SEC. 507. REQUIREMENT FOR COST-SHARING IN INTERNATIONAL NARCOTICS CONTROL ASSISTANCE PROGRAMS.

Section 482 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(d) Assistance may be provided under this chapter to a foreign country only if the country provides assurances to the President, and the President is satisfied, that the country will provide at least 25 percent of the costs of any narcotics control program, project, or activity for which such assistance is to be provided. The costs borne by the country may include 'in-kind' contributions.".

SEC. 508. PROHIBITION ON USE OF FOREIGN ASSISTANCE FOR REIMBURSEMENTS FOR DRUG CROP ERADICATIONS.

Chapter 8 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 483. PROHIBITION ON USE OF FOREIGN ASSISTANCE FOR REIMBURSEMENTS FOR DRUG CROP ERADICATIONS.

"Funds made available to carry out this Act may not be used to reimburse persons whose illicit drug crops are eradicated.".

SEC. 509. RESTRICTIONS ON ASSISTANCE TO BOLIVIA AND PERU.

(a) ASSISTANCE TO BOLIVIA.—Assistance may be provided for Bolivia for fiscal years 1986 and 1987 under chapter 2 (relating to grant military assistance), chapter 4 (relating to the economic support fund), and chapter 5 (relating to international military education and training) of part II of the Foreign Assistance Act of 1961, and under chapter 2 of the Arms Export Control Act (relating to foreign military sales financing), only under the following conditions:

(1) For fiscal year 1986—

(A) up to 25 percent of the aggregate amount of such assistance allocated for Bolivia may be provided at any time after the President certifies to the Congress that the Government of Bolivia has enacted legislation, consistent with the Single Convention on Narcotic Drugs, 1961, that will establish its legal coca requirements, provide for the licensing of the number of hectares necessary to produce the legal requirement, and make illegal unlicensed coca production; and

(B) the remaining amount of such assistance may be provided at any time subsequent to a certification pursuant to subparagraph (A) if the President certifies to the Congress that the Government of Bolivia has made substantial progress toward achieving the eradication target for the calendar year 1985 contained in its August 1983 narcotics control agreements with the United States.

(2) For fiscal year 1987, such assistance may not be provided unless the President certifies to the Congress that the Government of Bolivia has developed a plan, consistent with the Single Convention on Narcotic Drugs, 1961, to eliminate illicit narcotics production countrywide and is prepared to enter into an agreement with the United States to implement that plan. If that certification is made, then—

(A) up to 50 percent of the aggregate amount of such assistance allocated for Bolivia may be provided at any time after the President certifies to the Congress that the Government of Bolivia has achieved at least half of the eradication target for the calendar year 1986 contained in its August 1983 narcotics control agreements with the United States; and

(B) the remaining amount of such assistance may be provided at any time after the President certifies to the Congress that the Government of Bolivia fully achieved that eradication target.

(b) ASSISTANCE FOR PERU.—United States assistance (as defined by section 481(i)(4) of the Foreign Assistance Act of 1961) may be provided for Peru—

(1) for fiscal year 1986, only if the President reports to the Congress that the Government of Peru has demonstrated substantial progress in developing a plan, consistent with the Single Convention on Narcotic Drugs, 1961, that will establish its legal coca requirements, license the number of hectares necessary to produce the legal requirement, and eliminate illicit and unlicensed coca production; and

(2) for fiscal year 1987, only if the President reports to the Congress that the Government of Peru has developed such a plan and is implementing it.

The assistance for Peru described in sections 510 and 708 of this Act may be provided only if the report required by paragraph (1) in the case of assistance for fiscal year 1986, or by paragraph (2) in the case of assistance for fiscal year 1987, has been made.

SEC. 510. UPPER HUALLAGA VALLEY PROJECT IN PERU.

Funds authorized to be appropriated for fiscal year 1987 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance) may be made available for the project of the Agency for International Development in the Upper Huallaga Valley of Peru only if the Administrator of that Agency, after consultation with the Congress, determines that a comprehensive review of that project has been completed which establishes the effectiveness of that project in reducing and eradicating coca leaf production, distribution, and marketing in the Upper Huallaga Valley.

SEC. 511. CONDITIONS ON ESF ASSISTANCE TO JAMAICA.

Of the funds allocated for Jamaica for fiscal year 1986 under chapter 4 of part II of the Foreign Assistance Act of 1961, $5,000,000 shall be withheld from obligation until the President certifies to the Congress that the Government of Jamaica has prepared, presented, and committed itself to a comprehensive plan or strategy for the control and reduction of illicit cultivation, production, processing, transportation, and distribution of marijuana within a specifically stated period of time.

SEC. 512. REALLOCATION OF FUNDS IF CONDITIONS NOT MET.

If any of the funds described in sections 509, 510, and 511 are not used for the country for which they were allocated because the conditions specified in those sections are not met, the President shall reprogram those funds in order to provide additional assistance to countries which have taken significant steps to halt illicit drug production or trafficking.

SEC. 513. CONDITIONS ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS FUND FOR DRUG ABUSE CONTROL.

Funds authorized to be appropriated by section 482(a) of the Foreign Assistance Act of 1961 (relating to international narcotics control assistance) for fiscal year 1986 and for fiscal year 1987 may be used for a contribution to the United Nations Fund for Drug Abuse Control only if that organization includes in its crop substitution projects a plan for cooperation with the law enforcement forces of the host country.

SEC. 514. NARCOTICS CONTROL EFFORTS IN BRAZIL.

The Secretary of State shall enter into negotiations with the Government of Brazil in order to establish a bilateral narcotics control agreement. Such agreement shall have as a goal a 10 percent reduction in illicit coca production in Brazil in calendar year 1986.

SEC. 515. LATIN AMERICAN REGIONAL NARCOTICS CONTROL ORGANIZATION.

(a) FEASIBILITY STUDY.—The Secretary of State, acting through the Assistant Secretary of State for International Narcotics Matters, shall conduct a study of the feasibility of establishing a regional organization in Latin America which would combat narcotics production and trafficking through regional information-sharing and a regional enforcement unit.

(b) REPORT.—No later than six months after the date of enactment of this Act, the Secretary shall report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the advisability of encouraging the establishment of such an organization.

SEC. 516. GREATER EFFORT BY UNITED STATES ARMED FORCES TO SUPPORT NARCOTICS CONTROL EFFORTS ABROAD.

No later than 60 days after the date of enactment of this Act, the President shall report to the Congress on why the United States Armed Forces should not exert greater effort in facilitating and supporting interception of narcotics traffickers, and in gathering narcotics-related intelligence, outside the United States.

SEC. 517. CUBAN DRUG TRAFFICKING.

(a) FINDINGS.—The Congress finds that—

(1) the subject of the flow, use, and control of narcotic and psychotropic substances is a matter of great international importance;

(2) the problem of drug abuse and drug trafficking continues to worsen throughout most parts of the world;

(3) the concerns of the governments of many countries have become manifest in several bilateral and multilateral narcotics control projects;

(4) United Nations agencies monitor and apply controls on the flow and use of drugs and coordinate multilateral efforts to control production, trafficking, and abuse of drugs;

(5) the United Nations Fund for Drug Abuse Control funds narcotics projects throughout the world and has been a vehicle since 1971 for multilateral implementation of narcotics control and reduction programs;

(6) the International Narcotics Control Board is charged with monitoring compliance with the Single Convention on Narcotic Drugs, 1961, and the Convention on Psychotropic Substances, and Cuba is a party to both Conventions;

(7) the United Nations Commission on Narcotic Drugs is responsible for formulating policies, coordinating activities, supervising the implementation of international conventions, and making recommendations to governments for international drug control;

(8) the promotion of drug abuse and participation in drug trafficking is universally considered egregious criminal behavior wherever it occurs, whether it occurs locally, nationally, or internationally;

(9) a Federal grand jury of the United States has indicted four prominent Cuban officials on charges of conspiring to smuggle drugs into the United States;

(10) United States Government officials have testified at several congressional hearings that the Government of Cuba is facilitating the flow of illicit drugs into the United States in order to obtain hard currency, support guerrilla/terrorist activities, and undermine United States society; and

(11) such alleged conduct on the part of the Government of Cuba would be injurious to the world community and counter to the general principle of international law that no country has the right to use or permit the use of its territory in such a manner as to injure another country or persons therein.

(b) RECOMMENDED ACTIONS.—It is the sense of the Congress that the President should—

(1) acting through the Permanent Representative of the United States to the United Nations, take such steps as may be necessary to place the question of the involvement by the Government of Cuba in illicit drug trafficking on the agenda of the United Nations;

(2) acting through the Representative of the United States to the Organization of American States, request the Organization of American States to consider this question as soon as possible; and

(3) request other appropriate international organizations and international forums to consider this question.

(c) REPORT.—The President shall report to the Congress on the actions taken pursuant to this section.

SEC. 518. PROHIBITION ON ASSISTANCE TO COUNTRIES WHICH DO NOT TAKE ADEQUATE STEPS TO HALT DRUG TRAFFICKING.

(a) PROHIBITION.—Section 481(h) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new paragraph:

"(4)(A) In addition to the requirements applicable to major illicit drug producing countries pursuant to paragraph (1), the President shall not provide any assistance under this Act or the Arms Export Control Act to any other country which the President determines has not taken adequate steps to prevent—

"(i) the processing (in whole or in part) in such country of narcotic and psychotropic drugs or other controlled substances,

"(ii) the transportation through such country of narcotic and psychotropic drugs or other controlled substances, and

"(iii) the use of such country as a refuge for illegal drug traffickers.

"(B) The President may waive the application of this paragraph to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and shall submit each waiver and the justification for the waiver to the Congress.".

(b) ANNUAL REPORTS.—Section 481(e) of scuh Act, as amended by section 505 of this Act, is further amended by adding at the end thereof the following new paragraph:

"(7) Each report pursuant to this subsection shall also identify the steps being taken by countries, which are not major illicit drug producing countries, to prevent—

"(A) the processing (in whole or in part) in such country of narcotic and psychotropic drugs or other controlled substances,

"(B) the transportation through such country of narcotic and psychotropic drugs or other controlled substances, and

"(C) the use of such country as a refuge for illegal drug traffickers.".

SEC. 519. DRUG TRAFFICKING AND THE PROBLEM OF TOTAL CONFIDENTIALITY OF CERTAIN FOREIGN BANK ACCOUNTS.

(a) FINDINGS.—The Congress finds that—

(1) several banks in Latin America and the Caribbean are used by narcotics traffickers as depositories for money obtained in providing illicit drugs to the United States and other countries of the region;

(2) offshore banks which provide total confidentiality provide a service which materially assists the operations of illicit drug traffickers; and

(3) cooperation in gaining access to the bank accounts of such narcotics traffickers would materially assist United States authorities in controlling the activities of such traffickers.

(b) POLICY.—The Congress—

(1) requests the President to seek to negotiate treaties with all countries providing such confidential offshore banking, especially those in the Caribbean region, in order that the United States Government could obtain access to the bank accounts of known drug traffickers for the purpose of recovering illegally acquired funds;

(2) directs the President to include reports on the results of such efforts in the annual International Narcotics Control Strategy Report; and

(3) reaffirms its intention to obtain maximum cooperation on the part of all governments for the purpose of halting international drug trafficking, and constantly to evaluate the cooperation of those governments receiving assistance from the United States.

TITLE VI—UNITED STATES SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES

SEC. 601. STATEMENT OF PURPOSE.

The purpose of this title is to establish an undergraduate scholarship program designed to bring students of limited financial means from developing countries to the United States for study at United States institutions of higher education.

SEC. 602. FINDINGS AND DECLARATIONS OF POLICY.

The Congress finds and declares that—

(1) it is in the national interest for the United States Government to provide a stable source of financial support to give students in developing countries the opportunity to study in the United States, in order to improve the range and quality of educational alternatives, increase mutual understanding, and build lasting links between those countries and the United States;

(2) providing scholarships to foreign students to study in the United States has proven over time to be an effective means of creating strong bonds between the United States and the future leadership of developing countries and, at the same time, assists countries substantially in their development efforts;

(3) study in United States institutions by foreign students enhances trade and economic relationships by providing strong English language skills and establishing professional and business contacts;

(4) students from families of limited financial means have, in the past, largely not had the opportunity to study in the United States, and scholarship programs sponsored by the United States have made no provision for identifying, preparing, or supporting such students for study in the United States;

(5) it is essential that the United States citizenry develop its knowledge and understanding of the developing countries and their languages, cultures, and socioeconomic composition as these areas assume an ever larger role in the world community;

(6) the number of United States Government-sponsored scholarships for students in developing countries has been exceeded as much as twelve times in a given year by the number of scholarships offered by Soviet-bloc governments to students in developing countries, and this disparity entails the serious long-run cost of having so many of the potential future leaders of the developing world educated in Soviet-bloc countries;

(7) an undergraduate scholarship program for students of limited financial means from developing countries to study in the United States would complement current assistance efforts in the areas of advanced education and training of people of developing countries in such disciplines as are required for planning and implementation of public and private development activities;

(8) the National Bipartisan Commission on Central America has recommended a program of 10,000 United States Government-sponsored scholarships to bring Central American students to the United States, which program would involve careful targeting to encourage participation by young people from all social and economic classes, would maintain existing admission standards by providing intensive English and other training, and would encourage graduates to return to their home countries after completing their education; and

(9) it is also in the interest of the United States, as well as peaceful cooperation in the Western Hemisphere, that particular attention be given to the students of the Caribbean region.

SEC. 603. SCHOLARSHIP PROGRAM AUTHORITY.

(a) IN GENERAL.—The President, acting through the United States Information Agency, shall provide scholarships (including partial assistance) for undergraduate study at United States institutions of higher education by citizens and nationals of developing countries who have completed their secondary education and who would not otherwise have an opportunity to study in the United States due to financial limitations.

(b) FORM OF SCHOLARSHIP; FORGIVENESS OF LOAN REPAYMENT.—To encourage students to use their training in their countries of origin, each scholarship pursuant to this section shall be in the form of a loan with all repayment to be forgiven upon the student's prompt return to his or her country of origin for a period which is at least one year longer than the period spent studying in the United States. If the student is granted asylum in the United States pursuant to section 208 of the Immigration and Nationality Act or is admitted to the United States as a refugee pursuant to section 207 of that Act, half of the repayment shall be forgiven.

(c) CONSULTATION.—Before allocating any of the funds made available to carry out this title, the President shall consult with United States institutions of higher education, educational exchange organizations, United States missions in developing countries, and the governments of participating countries on how to implement the guidelines specified in section 604.

(d) DEFINITION.—For purposes of this title, the term "institution of higher education" has the same meaning as given to such term by section 1201(a) of the Higher Education Act of 1965.

SEC. 604. GUIDELINES.

The scholarship program under this title shall be carried out in accordance with the following guidelines:

(1) Consistent with section 112(b) of the Mutual Educational and Cultural Exchange Act of 1961, all programs created pursuant to this title shall be nonpolitical and balanced, and shall be administered in keeping with the highest standards of academic integrity.

(2) United States missions shall design ways to identify promising students who are in secondary educational institutions, or who have completed their secondary education, for study in the United States. In carrying out this paragraph, the United States mission in a country shall consult with Peace Corps volunteers and staff assigned to that country and with private and voluntary organizations with a proven record of providing development assistance to developing countries.

(3) United States missions shall develop and strictly implement specific economic need criteria. Scholarships under this title may only be provided to students who meet the economic need criteria.

(4) The program shall utilize educational institutions in the United States and in developing countries to help participants in the programs acquire necessary skills in English and other appropriate education training.

(5) Each participant from a developing country shall be selected on the basis of academic and leadership potential and the economic, political, and social development needs of such country. Such needs shall be determined by each United States mission in consultation with the government of the respective country. Scholarship opportunities shall emphasize fields that are critical to the development of the participant's country, including agriculture, civil engineering, communications, social science, education, public and business administration, health, nutrition, environmental studies, population and family planning, and energy.

(6) The program shall be flexible in order to take advantage of different training and educational opportunities offered by universities, postsecondary vocational training schools, and community colleges in the United States.

(7) The program shall be flexible with respect to the number of years of undergraduate education financed but in no case shall students be brought to the United States for a period less than one year.

(8) Adequate allowance shall be made in the scholarship for the purchase of books and related educational material relevant to the program of study.

(9) Further allowance shall be made to provide adequate opportunities for professional, academic, and cultural enrichment for scholarship recipients.

(10) The program shall, to the maximum extent practicable, offer equal opportunities for both male and female students to study in the United States.

(11) The United States Information Agency shall explicitly recommend to each student, who receives a scholarship under this Act for study at a college or university, that the student enroll in and pass a course which studies the classics of American political thought or which otherwise emphasizes the ideas, principles, and documents upon which the United States was founded.

SEC. 605. AUTHORITY TO ENTER INTO AGREEMENTS.

The President may enter into agreements with foreign governments in furtherance of the purposes of this title. Such agreements may provide for the creation or continuation of binational or multinational educational and cultural foundations and commissions for the purposes of administering programs under this title.

SEC. 606. POLICY REGARDING OTHER INTERNATIONAL EDUCATIONAL PROGRAMS.

(a) AID-FUNDED PROGRAMS.—The Congress urges the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, in implementing programs authorized under that part, to increase assistance for undergraduate scholarships for students of limited financial means from developing countries to

study in the United States at United States institutions of higher education. To the maximum extent practicable, such scholarship assistance shall be furnished in accordance with the guidelines contained in section 604 of this title.

(b) USIA-FUNDED POSTGRADUATE STUDY IN THE UNITED STATES.—The Congress urges the Director of the United States Information Agency to expand opportunities for students of limited financial means from developing countries to receive financial assistance for postgraduate study at United States institution of higher education.

(c) STUDY BY AMERICANS IN DEVELOPING COUNTRIES.—The Congress urges the President to take such steps as are necessary to expand the opportunities for Americans from all economic classes to study in developing countries.

SEC. 607. ESTABLISHMENT AND MAINTENANCE OF COUNSELING SERVICES.

(a) COUNSELING SERVICES ABROAD.—For the purpose of assisting foreign students in choosing fields of study, selecting appropriate institutions of higher education, and preparing for their stay in the United States, the President may make suitable arrangements for counseling and orientation services abroad.

(b) COUNSELING SERVICES IN THE UNITED STATES.—For the purposes of assisting foreign students in making the best use of their opportunities while attending United States institutions of higher education, and assisting such students in directing their talents and initiative into channels which will make them more effective leaders upon return to their native lands, the President may make suitable arrangements (by contract or otherwise) for the establishment and maintenance of adequate counseling services at United States institutions of higher education which are attended by foreign students.

SEC. 608. BOARD OF FOREIGN SCHOLARSHIPS.

The Board of Foreign Scholarships shall advise and assist the President in the discharge of the scholarship program carried out pursuant to this title, in accordance with the guidelines set forth in section 604. The President may provide for such additional secretarial and staff assistance for the Board as may be required to carry out this title.

SEC. 609. GENERAL AUTHORITIES.

(a) PUBLIC AND PRIVATE SECTOR CONTRIBUTIONS.—The public and private sectors in the United States and in the developing countries shall be encouraged to contribute to the costs of the scholarship program financed under this title.

(b) UTILIZATION OF RETURNING PROGRAM PARTICIPANTS.—The President shall seek to engage the public and private sectors of developing countries in programs to maximize the utilization of recipients of scholarships under this title upon their return to their own countries.

(c) PROMOTION ABROAD OF SCHOLARSHIP PROGRAM.—The President may provide for publicity and promotion abroad of the scholarship program provided for in this title.

(d) INCREASING UNITED STATES UNDERSTANDING OF DEVELOPING COUNTRIES.—The President shall encourage United States institutions of higher education, which are attended by students from developing countries who receive scholarships under this title, to provide opportunities for United States citizens attending those institutions to develop their knowledge and understanding of the developing countries, and the languages and cultures of those countries, represented by those foreign students.

(e) OTHER ACTIVITIES TO PROMOTE IMPROVED UNDERSTANDING.—Funds allocated by the United States Information Agency, or the agency primarily responsible for carrying out part I of the Foreign Assistance Act of 1961, for scholarships in accordance with this title shall be available to enhance the educational training and capabilities of the people of Latin America and the Caribbean and to promote better understanding between the United States and Latin America and the Caribbean through programs of cooperation, study, training, and research. Such funds may be used for program and administrative costs for institutions carrying out such programs.

SEC. 610. ENGLISH TEACHING, TEXTBOOKS, AND OTHER TEACHING MATERIALS.

Wherever adequate facilities or materials are not available to carry out the purposes of paragraph (4) of section 604 in the participant's country and the President determines that the purposes of this title are best served by providing the preliminary training in the participant's country, the President may (by purchase, contract, or other appropriate means) provide the necessary materials and instructors to achieve such purpose.

SEC. 611. REPORTING REQUIREMENT.

Not later than February 1 each year, the President shall submit to the Congress a report on the activities carried on and expenditures made pursuant to this title during the preceding fiscal year.

SEC. 612. FUNDING OF SCHOLARSHIPS FOR FISCAL YEAR 1986 AND FISCAL YEAR 1987.

(a) CENTRAL AMERICAN UNDERGRADUATE SCHOLARSHIP PROGRAM.—The undergraduate scholarship program financed by the United States Information Agency for students from Central America for fiscal year 1986 and fiscal year 1987 shall be conducted in accordance with this title.

(b) SCHOLARSHIPS FOR STUDENTS FROM OTHER DEVELOPING COUNTRIES.—Any funds appropriated to the United States Information Agency for fiscal year 1986 or fiscal year 1987 for any purpose (other than funds appropriated for educational exchange programs under section 102(a)(1) of the Mutual Educational and Cultural Exchange Act of 1961) may be used to carry out this title with respect to students from developing countries outside Central America.

SEC. 613. COMPLIANCE WITH CONGRESSIONAL BUDGET ACT.

Any authority provided by this title to enter into contracts shall be effective only—

(1) to the extent that the budget authority for the obligation to make outlays, which is created by the contract, has been provided in advance by an appropriation Act; or

(2) to the extent or in such amounts as are provided in advance in appropriation Acts.

TITLE VII—LATIN AMERICA AND THE CARIBBEAN

SEC. 701. STATEMENTS OF POLICY CONCERNING CENTRAL AMERICA.

(a) FINDINGS.—The Congress finds that—

(1) the building of democracy, the restoration of peace, the improvement of living conditions, and the application of equal justice under law in Central America are important to the interests of the United States and the community of American States; and

(2) the interrelated issues of social and human progress, economic growth, political reform, and regional security must be effectively dealt with to assure a democratic and economically and politically secure Central America.

(b) PRIMARY ROLE OF THE PEOPLE AND GOVERNMENTS OF CENTRAL AMERICA.—The achievement of democracy, respect for human rights, peace, and equitable economic growth depends primarily on the cooperation and the human and economic resources of the people and governments of Central America.

(c) UNITED STATES POLICY.—The Congress recognizes that the United States can make a significant contribution to such peaceful and democratic development through a consistent and coherent policy which includes a long-term commitment of assistance. This policy should be designed to support actively—

(1) democracy and political reform, including opening the political process to all members of society;

(2) full observance of internationally recognized human rights, including free elections, freedom of the press, freedom of association, and the elimination of all human rights abuses;

(3) leadership development, including training and educational programs to improve public administration and the administration of justice;

(4) land reform, reform in tax systems, encouragement of private enterprise and individual initiative, creation of favorable investment climates, curbing corruption where it exists, and spurring balanced trade;

(5) the establishment of the rule of law and an effective judicial system; and

(6) the termination of extremist violence by both the left and the right, as well as vigorous action to prosecute those guilty of crimes and the prosecution to the extent possible of past offenders.

This policy should also promote equitable economic growth and development, including controlling the flight of capital and the effective use of foreign assistance and adhering to approved programs for economic stabilization and fiscal responsibility. Finally, this policy should foster dialogue and negotiations (A) to achieve peace based upon the objectives of democratization, reduction of armament, an end to subversion, and the withdrawal of foreign military forces and advisers, and (B) to provide a security shield against violence and intimidation.

(d) UNITED STATES ASSISTANCE PROGRAMS.—The Congress finds, therefore, that the people of the United States are willing to sustain and expand a program of economic and military assistance in Central America if the recipient countries can demonstrate progress toward and a commitment to these goals.

(e) PEACE PROCESS IN CENTRAL AMERICA.—The Congress—

(1) strongly supports the initiatives taken by the Contadora group and the resulting Document of Objectives which has been agreed to by Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua and which sets forth a framework for negotiating a peaceful settlement to the conflict and turmoil in the region;

(2) finds that the United States should provide such assistance and support as may be appropriate in helping to reach comprehensive and verifiable final agreements, based on the Document of Objectives, which will ensure peaceful and enduring solutions to the Central American conflicts;

(3) strongly supports national reconciliation in Nicaragua and the creation of a framework for negotiating a peaceful settlement to the Nicaraguan conflict; and

(4) finds that the United States should, in assisting efforts to reach comprehensive and

verifiable final agreements based on the Contadora Document of Objectives, encourage the Government of Nicaragua to pursue a dialogue with the armed opposition forces and their political representatives for the purposes of achieving an equitable political settlement of the conflict, including free and fair elections.

(f) UNITED STATES CONCERNS ABOUT NICARAGUAN FOREIGN AND DOMESTIC POLICIES.—The Congress finds and declares the following:

(1) Despite positive actions by the Congress signaling support for negotiated solutions to conflicts in Central America, there are disturbing trends in Nicaragua's foreign and domestic policies, including—

(A) President Daniel Ortega's April 1985 trip to the Soviet Union at a time when the Congress signaled its strong disapproval of increasing Nicaraguan-Soviet ties;

(B) the Sandinista government's close military ties with Cuba, the Soviet Union, and its Warsaw Pact allies; the disappointing and insufficient reduction of the number of Cuban advisors in Nicaragua by only 100 out of an approximately 2,500; and the continuing military buildup that Nicaragua's neighbors consider threatening;

(C) the Sandinista government's curtailment of individual liberties, political expression, freedom of worship, and the independence of the media;

(D) the subordination of military, judicial, and internal security functions to the ruling political party; and

(E) the Sandinista government's efforts to export its influence and ideology;

(2) Should Nicaragua not address the concerns described in paragraph (1), the United States has several options to address this challenge to peace and stability in the region, including political, diplomatic, and trade sanctions. In addition, the United States—

(A) should through appropriate regional organizations, such as the Organization of American States, seek to maintain multilateral pressure on Nicaragua to address these concerns; and

(B) should, if called upon to do so, give serious consideration to supporting any sanctions adopted by such an organization.

(3) In assessing whether or not progress is being made in addressing these concerns, the Congress will expect prompt and significant initiatives by the Government of Nicaragua such as—

(A) the removal of foreign military advisers from Nicaragua;

(B) the end to Sandinista support for insurgencies in other countries in the region, including the cessation of military supplies to the rebel forces fighting the democratically elected government in El Salvador;

(C) restoration of individual liberties, political expression, freedom of worship, and the independence of the media; and

(D) progress toward internal reconciliation and a pluralistic democratic system, including steps to liberalize institutions in order to allow the internal opposition in Nicaragua to become a viable partner in the Nicaraguan political process.

(g) RESOLUTION OF THE CONFLICT IN NICARAGUA.—

(1) BASIS FOR POLICY.—The Congress finds that—

(A) the people of Nicaragua are suffering the horrors of a fierce armed conflict that is causing grave hardships and loss of life, has thrown the country into a serious political, social, and economic upheaval, and is of serious concern to the nations of the region and to the United States;

(B) this conflict is fundamentally a continuation of efforts of the Nicaraguan people to attain a representative government at peace with its neighbors, efforts which began under the Somoza regime; and

(C) the United States recognized these noble aspirations of the Nicaraguan people in the June 23, 1979, resolution of the Seventeenth Meeting of Consultation of Ministers of Foreign Affairs of the Organization of American States, which reads as follows:

"WHEREAS:

"The people of Nicaragua are suffering the horrors of a fierce armed conflict that is causing grave hardships and loss of life, and has thrown the country into a serious political, social, and economic upheaval;

"The inhumane conduct of the dictatorial regime governing the country, as evidenced by the report of the Inter-American Commission on Human Rights, is the fundamental cause of the dramatic situation faced by the Nicaraguan people and;

"The spirit of solidarity that guides Hemisphere relations places an unavoidable obligation on the American countries to exert every effort within their power, to put an end to the bloodshed and to avoid the prolongation of this conflict which is disrupting the peace of the Hemisphere;

"THE SEVENTEENTH MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS,

"DECLARES:

"That the solution of the serious problem is exclusively within the jurisdiction of the people of Nicaragua.

"That in the view of the Seventeenth Meeting of Consultation of Ministers of Foreign Affairs this solution should be arrived at on the basis of the following:

"1. Immediate and definitive replacement of the Somaza regime.

"2. Installation in Nicaraguan territory of a democratic government, the composition of which should include the principal representative groups which oppose the Somoza regime and which reflects the free will of the people of Nicaragua.

"3. Guarantee of the respect for human rights of all Nicaraguans without exception.

"4. The holding of free elections as soon as possible, that will lead to the establishment of a truly democratic government that guarantees peace, freedom, and justice.

"RESOLVES:

"1. To urge the member states to take steps that are within their reach to facilitate an enduring and peaceful solution of the Nicaraguan problem on the bases set forth above, scrupulously respecting the principle of nonintervention and abstaining from any action that might be in conflict with the above bases or be incompatible with a peaceful and enduring solution to the problem.

"2. To commit their efforts to promote humanitarian assistance to the people of Nicaragua and to contribute to the social and economic recovery of the country.

"3. To keep the Seventeenth Meeting of Consultation of Ministers of Foreign Affairs open while the present situation continues."

(2) THE GOVERNMENT OF NICARAGUA.—The Congress further finds—

(A) the Government of National Reconstruction of Nicaragua formally accepted the June 23, 1979, resolution as a basis for resolving the Nicaraguan conflict in its "Plan to Achieve Peace" which was submitted to the Orgranization of American States on July 12, 1979;

(B) the June 23, 1979, resolution and its acceptance by the Government of National Reconstruction of Nicaragua was the formal basis for the removal of the Somoza regime and the installation of the Government of National Reconstruction;

(C) the Government of National Reconstruction, now known as the Government of Nicaragua and controlled by the Frente Sandinista (the FSLN), has flagrantly violated the provisions of the June 23, 1979, resolution, the rights of the Nicaraguan people, and the security of the nations in the region, in that it—

(i) no longer includes the democratic members of the Government of National Reconstruction in the political process;

(ii) is not a government freely elected under conditions of freedom of the press, assembly, and organization, and is not recognized as freely elected by its neighbors, Costa Rica, Honduras, and El Salvador;

(iii) has taken significant steps towards establishing a totalitarian Communist dictatorship, including the formation of FSLN neighborhood watch committees and the enactment of laws that violate human rights and grant undue executive power;

(iv) has committed atrocities against its citizens as documented in reports by the Inter-American Commission on Human Rights of the Organization of American States;

(v) has aligned itself with the Soviet Union and Soviet allies, including the German Democratic Republic, Bulgaria, Libya, and the Palestine Liberation Organization;

(vi) has committed and refuses to cease aggression in the form of armed subversion against its neighbors in violation of the Charter of the United Nations, the Charter of the Organization of American States, the Inter-American Treaty of Reciprocal Assistance, and the 1965 United Nations General Assembly Declaration on Intervention; and

(vii) has built up an army beyond the needs of immediate self-defense, at the expense of the needs of the Nicaraguan people and about which the nations of the region have expressed deepest concern.

(3) THE NICARAGUAN DEMOCRATIC OPPOSITION.—The Congress further finds that—

(A) as a result of these violations, the Government of Nicaragua has lost the support of virtually all independent sectors of Nicaraguan society who initially supported the removal of the Somoza regime (including democratic political parties of the left, center, and right; the leadership of the Church; free unions; and the business, farmer, and professional sectors) and who still seek democracy, reject the rule of the Frente Sandinista, and seek the free elections promised in 1979;

(B) the Nicaraguan political opposition has joined with the armed opposition groups in issuing the San Jose Manifesto of March 1, 1985, calling for a national dialogue under mediation by the Nicaraguan Bishops Conference to peacefully attain the fulfillment of the Government of Nicaragua's commitments to the Organization of American States, including "the democratization of Nicaragua, conscious that democracy is the only means to carry out an authentic revolution and secure our national identity and sovereignty";

(C) on June 12, 1985, in San Salvador, El Salvador, the political and armed opposition groups representing the entire democratic political spectrum of Nicaragua formed the Unified Nicaraguan Opposition and affirmed their "historical commitment to achieve for Nicaragua the reconciliation of her children, to establish the foundation

for democracy and the moral and material reconstruction of the nation"; and

(D) the Unified Nicaraguan Opposition further declared its intention to "give priority at all times to a political solution which will ease the suffering of our people".

(4) CONCERNS IN THE REGION AND UNITED STATES RESPONSIBILITIES.—The Congress further finds that—

(A) Nicaragua's neighbors, Costa Rica, El Salvador, and Honduras, have expressed, individually and through the Contradora process, their belief that their peace and freedom is not safe so long as the Government of Nicaragua excludes from power most of Nicaragua's political leadership and is controlled by a small sectarian party, without regard to the will of the majority of Nicaraguans; and

(B) the United States, given its role in the installation of the current Government of Nicaragua, has a special responsibility regarding the implementation of the commitments made by that Government in 1979, especially to those who fought against Somoza to bring democracy to Nicaragua with United States support.

(5) RESOLUTION OF THE CONFLICT.—The Congress—

(A) condemns the Government of Nicaragua for violating its solemn commitments to the Nicaraguan people, the United States, and the Organization of American States;

(B) affirms that the Government of Nicaragua will be regarded as having achieved political legitimacy when it fulfills its 1979 commitment to the Organization of American States to implement genuinely democratic elections, under the supervision of the Organization of American States, in which all elements of the Nicaraguan resistance can peacefully participate under conditions recognized as necessary for free elections by international bodies;

(C) urges the Government of Nicaragua to enter a national dialogue, as proposed by the Nicaraguan democratic resistance in San Jose, Costa Rica, on March 1, 1985, under mediation by the Nicaragua Bishops Conference in order to peacefully resolve the current crisis through internationally recognized elections in which all elements of Nicaraguan society can freely participate;

(D) supports the Nicaraguan democratic resistance in its efforts to peacefully resolve the Nicaraguan conflict and to achieve the fulfillment of the Government of Nicaragua's solemn commitments to the Nicaraguan people, the United States, and the Organization of American States;

(E) supports efforts by the Contadora nations, the Organization of American States, and other appropriate regional organizations to maintain multilateral pressure on Nicaragua to fulfill its commitments; and

(F) requests that the Secretary of State transmit the text of this subsection to the Foreign Ministers of the member states of the Organization of American States.

SEC. 702. ASSISTANCE FOR EL SALVADOR.

(a) PRESIDENTIAL REPORTS.—The President may provide military assistance for El Salvador in accordance with subsection (c) if he reports to the Congress the following:

(1) The Government of El Salvador is willing to pursue a dialogue with the armed opposition forces and their political representatives for the purposes of achieving an equitable political settlement of the conflict, including free and fair elections.

(2) The elected civilian government is in control of the Salvadoran military and security forces, and those forces are complying with applicable rules of international law and with Presidential directives pertaining to the protection of civilians during combat operations, including Presidential directive C-111-03-984 (relating to aerial fire support).

(3) The Government of El Salvador made demonstrated progress during the preceding 6 months in ending the activities of the death squads.

(4) The Government of El Salvador made demonstrated progress during the preceding 6 months in establishing an effective judicial system. Among the criteria the President shall use in making this determination are—

(A) whether the commission proposed by the President of El Salvador to investigate human rights cases has been established, funded, and given sufficient investigative powers, and whether the evidence that commission collects may be used in the Salvadoran judicial process;

(B) whether those responsible for the Las Hojas massacre are being prosecuted; and

(C) whether the commission proposed by the President of El Salvador to investigate human rights cases has issued a comprehensive report with regard to its investigation of all Americans murdered in El Salvador.

(5) The Government of El Salvador made demonstrated progress during the preceding 6 months in implementing the land reform program.

(b) REPORTING DATES.—The first report pursuant to subsection (a) shall be submitted on or after October 1, 1985, the second on or after April 1, 1986, the third on or after October 1, 1986, and the fourth on or after April 1, 1987. The reporting requirements pursuant to subsection (a) supersede the reporting requirements with respect to El Salvador contained in the last proviso in the paragraph under the heading "Military Assistance" in Public Law 98-332.

(c) ALLOCATIONS OF MILITARY ASSISTANCE.—Of the aggregate amount of military assistance allocated for El Salvador—

(1) half for fiscal year 1986 may be provided only after the first report pursuant to this section;

(2) the other half for the fiscal year 1986 may be provided only after the second such report;

(3) half for fiscal year 1987 may be provided only after the third such report; and

(4) the other half for fiscal year 1987 may be provided only after the fourth such report.

(d) PROVISION OF ASSISTANCE IN AN EMERGENCY.—Notwithstanding subsection (c), in the event of an emergency certified by the President, funds for military assistance for El Salvador for the second half of fiscal year 1986 or 1987 may be provided in the first half of that fiscal year only if the Congress is notified at least 15 days in advance of the proposed obligation of such funds.

(e) AIRCRAFT FOR AERIAL WARFARE.—

(1) NOTIFICATION TO THE CONGRESS.—The authorities of part II of the Foreign Assistance Act of 1961 and the Arms Export Control Act may not be used to make available to El Salvador any helicopters or other aircraft, and licenses may not be issued under section 38 of the Arms Export Control Act for the export to El Salvador of any such aircraft, unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of enactment of this Act and shall remain in effect until October 1, 1987.

(f) ECONOMIC SUPPORT ASSISTANCE.—

(1) CENTRAL RESERVE BANK REFORMS.—Before disbursing any assistance to the Government of El Salvador under chapter 4 of part II of the Foreign Assistance Act of 1961 for balance-of-payments support, the President shall be satisfied that the Central Reserve Bank of El Salvador has implemented or has taken appropriate steps toward implementing the major recommendations which are contained in the study entitled "Foreign Exchange: Policy and Management within the Central Reserve Bank of El Salvador", relating to management, allocation, and controls on the use of official foreign exchange.

(2) BALANCE-OF-PAYMENTS SUPPORT.—Funds authorized to be appropriated for fiscal years 1986 and 1987 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 which are provided to El Salvador for balance-of-payments support—

(A) shall be used solely for the purchase of materials essential for productive economic activity and development, with particular emphasis and priority on the import needs of agrarian reform and the agricultural sector; and

(B) shall be maintained in a separate account in the Central Reserve Bank of El Salvador and not commingled with any other funds.

Those funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the cash transfer nature of the assistance or which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 of the Ninety-eight Congress (House Report 98-1159).

(3) SPECIAL ACCOUNT FOR LOCAL CURRENCIES.—All local currencies generated with the funds described in paragraph (2) shall be deposited in accordance with section 609 of the Foreign Assistance Act of 1961 in a special account established by the Government of El Salvador. Those local currencies shall be used for projects assisting agrarian reform and the agricultural sector (and particular emphasis shall be placed on projects for these purposes); judicial reform; employment generation; health, education, and other social services; infrastructure repair; and credits and other support for the private sector (principally for small and medium sized businesses).

(g) SUSPENSION OF ASSISTANCE IF A MILITARY COUP OCCURS.—All assistance authorized by this Act which is allocated for El Salvador shall be suspended if the elected President of that country is deposed by military coup or decree.

(h) DEFINITIONS.—For purposes of this section—

(1) the term "military assistance" means any assistance under chapter 2 (relating to grant military assistance) or chapter 5 (relating to international military education and training) of part II of the Foreign Assistance Act of 1961 or under the Arms Export Control Act (relating to foreign military sales financing);

(2) the term "agrarian reform" means projects assisting or enhancing the abilities of agencies, cooperatives, and farms to implement land reform decrees in El Salvador, notwithstanding section 620(g) of the Foreign Assistance Act of 1961; and

(3) the term "judicial reform" means projects assisting or enhancing the abilities of agencies of the Salvadoran Government to investigate and prosecute politically motivated violence.

(i) DEVELOPMENT ASSISTANCE.—Of the amounts available to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, $79,600,000 for fiscal year 1986 and $79,600,000 for fiscal year 1987 shall be available only for El Salvador.

SEC. 703. ASSISTANCE FOR GUATEMALA.

(a) CONDITIONS ON MILITARY ASSISTANCE AND SALES.—For fiscal years 1986 and 1987, assistance may be provided for Guatemala under chapter 2 (relating to grant military assistance) or chapter 5 (relating to international military education and training) of part II of the Foreign Assistance Act of 1961 and sales may be made and financing may be provided for Guatemala under the Arms Export Control Act (relating to foreign military sales) only if the President makes the following certifications to the Congress:

(1) For fiscal year 1986, an elected civilian government is in power in Guatemala and has submitted a formal written request to the United States for the assistance, sales, or financing to be provided.

(2) For both fiscal years 1986 and 1987, the Government of Guatemala made demonstrated progress during the preceding year (A) in achieving control over its military and security forces, (B) toward eliminating kidnappings and disappearances, forced recruitment into the civil defense patrols, and other abuses by such forces of internationally recognized human rights, and (C) in respecting the internationally recognized human rights of its indigenous Indian population.

(b) CONTINUATION OF IMET PROGRAMS UPON ELECTION.—Notwithstanding subsection (a), up to 30 percent of the amount allocated for Guatemala for fiscal year 1986 for assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 may be provided, upon the election of a civilian government in Guatemala, for the continuation of existing programs under that chapter.

(c) CONSTRUCTION EQUIPMENT AND MOBILE MEDICAL FACILITIES AND RELATED TRAINING.—If the conditions specified in subsection (a) are met, Guatemala may be provided with the following for fiscal years 1986 and 1987 (in addition to such other assistance, sales, or financing as may be provided for Guatemala):

(1) Sales of construction equipment and mobile medical facilities to assist in development programs that will directly assist the poor in Guatemala.

(2) Sales of training, to be provided outside of Guatemala, which is related to the sales described in paragraph (1).

(3) A total for both fiscal years 1986 and 1987 of no more than $10,000,000 in credits under the Arms Export Control Act for sales described in paragraphs (1) and (2).

Such sales and credits shall be provided only to enable the military forces of Guatemala to obtain equipment and training for civilian engineering and construction projects and mobile medical teams, which would not be used in the rural resettlement program.

(d) PROHIBITION ON FURNISHING WEAPONS.—Funds authorized to be appropriated by title I of this Act may not be used for the procurement by Guatemala of any weapons or ammunition.

(e) SUSPENSION OF ASSISTANCE IF A MILITARY COUP OCCURS.—All assistance authorized by this Act which is allocated for Guatemala shall be suspended if the elected civilian government of that country is deposed by military coup or decree.

(f) RURAL RESETTLEMENT PROGRAM.—Assistance provided for Guatemala for the fiscal year 1986 and fiscal year 1987 under chapter 1 of part I (relating to development assistance) or under chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961—

(1) may not be provided to the Government of Guatemala for use in its rural resettlement program; and

(2) shall be provided through private and voluntary organizations to the maximum extent possible.

(g) INVITATION FOR ICRC TO VISIT GUATEMALA.—The Congress calls upon the President to urge the Government of Guatemala to allow the International Committee of the Red Cross—

(1) to conduct an unimpeded visit to Guatemala in order to investigate humanitarian needs in that country and to report on human rights abuses in that country, and

(2) to investigate the possibilities of its providing humanitarian services in that country.

(h) RELATIONS BETWEEN BELIZE AND GUATEMALA.—It is the sense of the Congress that the United States should use its good offices and influence to encourage the Government of Guatemala to recognize the independence of Belize and to enter into a mutual nonaggression treaty with Belize.

(i) HUMAN RIGHTS GROUPS IN GUATEMALA.—

(1) THE MUTUAL SUPPORT GROUP.—The Congress finds that—

(A) the Group for Mutual Support was formed in 1984 to protest the disappearances of Guatemalan civilians;

(B) the Group for Mutual Support has carried out its work in a peaceful, non-ideological manner, and is the only indigenous human rights group operating in Guatemala; and

(C) two of the Group's six steering committee members, Hector Gomez and Maria Rosario Godyo de Cuevas, were recently killed.

(2) SUPPORT FOR ACTIVITIES OF HUMAN RIGHTS GROUPS.—It is the sense of the Congress that—

(A) human rights groups in Guatemala, particularly the Group for Mutual Support, should be allowed to carry out their work against human rights abuses with the full cooperation, protection, and support of the Government of Guatemala; and

(B) whether the Government of Guatemala allows human rights groups, including the Group for Mutual Support, to carry out their work should be taken into account by the United States in determining whether there is human rights progress in Guatemala.

SEC. 704. PROHIBITION RELATING TO MILITARY OR PARAMILITARY OPERATIONS IN NICARAGUA.

Funds authorized to be appropriated by this Act may not be obligated or expended for the purpose of supporting or if the effect would be to support, directly or indirectly, military or paramilitary operations in Nicaragua by any group, organization, movement, or individual.

SEC. 705. REFUGEES IN HONDURAS.

Funds authorized to be appropriated by this Act or authorized to be appropriated for "Migration and Refugee Assistance" by the Department of State Authorization Act, Fiscal Years 1986 and 1987—

(1) which are to be used for refugee assistance or other assistance for Nicaraguan Indian refugees in Honduras, shall be channeled through the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, the Intergovernmental Committee for Migration, or other established and recognized international refugee relief organizations; and

(2) may not be used to facilitate the involuntary repatriation of Salvadoran refugees who are in Honduras.

To ensure compliance with paragraph (2), any such funds used to assist in the repatriation of Salvadoran refugees in Honduras shall be made available only for voluntary repatriation activities which are administered or supervised by the United Nations High Commissioner for Refugees.

SEC. 706. PROMOTING THE DEVELOPMENT OF THE HAITIAN PEOPLE AND PROVIDING FOR ORDERLY EMIGRATION FROM HAITI.

(a) USE OF PVO's.—To the maximum extent practicable, assistance for Haiti under chapter 1 of part I (relating to development assistance) and under chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961 should be provided through private and voluntary organizations.

(b) CONDITIONS ON ASSISTANCE.—Funds available for fiscal year 1986 and for fiscal year 1987 to carry out chapter 1 of part I (relating to development assistance), chapter 4 of part II (relating to the economic support fund), or chapter 5 of part II (relating to international military education and training) of the Foreign Assistance Act of 1961 may be obligated for Haiti only if the President determines that the Government of Haiti—

(1) is continuing to cooperate with the United States in halting illegal emigration to the United States from Haiti;

(2) is cooperating fully in implementing United States development, food, and other economic assistance programs in Haiti (including programs for prior fiscal years); and

(3) is making progress toward improving the human rights situation in Haiti and progress toward implementing political reforms which are essential to the development of democracy in Haiti, such as progress toward the establishment of political parties, free elections, free labor unions, and freedom of the press.

(c) REPORTS TO THE CONGRESS.—Not later than 6 months after the date of the enactment of this Act and each 6 months thereafter through fiscal year 1987, the President shall report to the Congress on the extent to which the actions of the Government of Haiti are consistent with each paragraph of subsection (b).

(d) ASSISTANCE IN HALTING ILLEGAL EMIGRATION FROM HAITI.—Notwithstanding the limitations of section 660 of the Foreign Assistance Act of 1961 (relating to police training), funds made available under such Act may be used for programs with Haiti, which shall be consistent with prevailing United States refugee policies, to assist in halting significant illegal emigration from Haiti to the United States.

(e) LIMITATION ON MAP AND FMS FINANCING.—Assistance may not be provided for Haiti for fiscal year 1986 or fiscal year 1987 under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to grant military assistance) or under the Arms Export Control Act (relating to foreign military sales financing), except for necessary transportation, maintenance, communications, and related articles and services to enable the continuation of migrant and narcotics interdiction operations.

(f) FUNDING FOR LITERACY PROGRAMS.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) which are allocated for Haiti, $1,000,000 for fiscal year 1986 and $1,000,000 for fiscal year 1987 shall be available only for literacy programs in Haiti.

SEC. 707. CONDITIONS ON MILITARY ASSISTANCE FOR PARAGUAY.

None of the funds authorized to be appropriated by title I of this Act may be used for assistance for Paraguay unless the President certifies to the Congress the following:

(1) The Government of Paraguay has made a good faith effort, in cooperation with other governments, to determine whether Nazi criminal Doctor Joseph Mengele is in Paraguay. Such certification shall include a description of the efforts made by the Government of Paraguay to determine whether Joseph Mengele is in Paraguay.

(2) The Government of Paraguay—

(A) has determined either that—

(i) Joseph Mengele is not in Paraguay, or

(ii) Joseph Mengele was in Paraguay and has been extradited to a country where a warrant is outstanding for his arrest for crimes against humanity,

and the President has determined that such determination is valid; and

(B) has accepted the assistance of the Federal Bureau of Investigation, or such other law enforcement agencies of the United States as may be offered by the President, to reach such determinations.

(3) The Government of Paraguay has ended the practice of torture and abuse of individuals held in detention by its military and security forces and has instituted procedures to ensure that those arrested are promptly charged and brought to trial.

SEC. 708. ASSISTANCE FOR PERU.

(a) REPORTS ON HUMAN RIGHTS CONDITIONS.—Upon obligating any funds for assistance for Peru for fiscal year 1986 and fiscal year 1987 under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to grant military assistance) or the Arms Export Control Act (relating to foreign military sales financing), the President shall report to the Congress on the steps that the Government of Peru has taken to—

(1) curtail killings, torture, and "disappearances" of civilian noncombatants by the the military and security forces of Peru;

(2) strengthen the ability of the judiciary to investigate such killings, torture, and disappearances;

(3) comply with established procedures to ensure that arrests and detentions by the military and security forces of Peru are immediately acknowledged; and

(4) account for "disappeared persons" in Peru.

(b) HUMAN RIGHTS TRAINING IN IMET PROGRAMS.—Respect for internationally recognized human rights shall be an important component of the training provided for Peru under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training) for fiscal year 1986 and for fiscal year 1987.

(c) STRENGTHENING THE PERUVIAN JUDICIAL SYSTEM.—Of the amount authorized to be appropriated by this Act to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), $1,000,000 for fiscal year 1986 and $1,000,000 for fiscal year 1987 shall be used to strengthen the judicial system in Peru under section 534 of the Foreign Assistance Act of 1961 (relating to administration of justice).

SEC. 709. INTER-AMERICAN FOUNDATION.

The first sentence of section 401(s)(2) of the Foreign Assistance Act of 1969 is amended to read as follows: "There are authorized to be appropriated $11,616,000 for fiscal year 1986 and $11,616,000 for fiscal year 1987 to carry out the purposes of this section.".

SEC. 710. COMPREHENSIVE REPORTS ON ASSISTANCE FOR LATIN AMERICA AND THE CARIBBEAN.

(a) REQUIREMENT FOR COMPREHENSIVE ACCOUNTING OF ASSISTANCE.—In the annual reports required by section 634 of the Foreign Assistance Act of 1961, the President shall provide to the Congress a full, complete, and detailed accounting of all assistance provided during the fiscal years 1986 and 1987 for Latin America and the Caribbean under the Foreign Assistance Act of 1961 and the Arms Export Control Act.

(b) INFORMATION TO BE INCLUDED.—The report provided pursuant to subsection (a) shall include for each fiscal year, among other things, the following with respect to each authorization account:

(1) The specific projects and other activities carried out in each country.

(2) The number of persons from each country who were provided with training, and the types of training provided.

(3) The defense articles and defense services provided for each country.

(4) The types of goods and commodities provided to each country for economic stabilization purposes under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), and a copy of each agreement for the furnishing of any assistance under that chapter.

(5) The amounts of local currency generated by United States assistance to each country, the uses of those currencies, and the total amount of those currency still available for use as of the time of the report.

(6) A report on any transfers or reprogrammings of funds, and a description of how transferred or reprogrammed funds modified the amounts requested for each account.

(7) A report on the funds which have been obligated but remain unexpended for each country in each account.

(8) An analysis of the amount of funds and programs provided through nongovernmental as contrasted to governmental channels.

SEC. 711. ASSISTANCE FOR LAW ENFORCEMENT AGENCIES.

Section 660 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(c) Subsection (a) shall not apply with respect to a country which has a longstanding democratic tradition, does not have standing armed forces, and does not engage in a consistent pattern of gross violations of internationally recognized human rights.

"(d) Notwithstanding the prohibition contained in subsection (a) assistance may be provided to Honduras or El Salvador for fiscal years 1986 and 1987 if, at least 30 days before providing assistance, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of this Act, that he has determined that the government of the recipient country has made significant progress, during the preceding six months, in eliminating any human rights violations including torture, incommunicado detention, detention of persons solely for the nonviolent expression of their political views, or prolonged detention without trial. Any such notification shall include a description of the assistance which is proposed to be provided.".

SEC. 712. USE OF PRIVATE AND VOLUNTARY ORGANIZATIONS.

To the maximum extent practicable, assistance under chapter 1 of part I (relating to development assistance) and chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961 for countries in Latin America and the Caribbean should be provided through private and voluntary organizations which have a proven record of development assistance efforts overseas.

SEC. 713. ADMINISTRATION OF JUSTICE.

Chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), as amended by title II of this Act, is further amended by adding at the end thereof the following new section:

"SEC. 534. ADMINISTRATION OF JUSTICE.

"(a) AUTHORIZATION OF ASSISTANCE.—The President may furnish assistance under this chapter to countries and organizations, including national and regional institutions, in order to strengthen the administration of justice in countries in Latin America and the Caribbean.

"(b) LIMITATIONS ON TYPES OF ASSISTANCE.—Assistance under this section may only include—

"(1) support for specialized professional training, scholarships, and exchanges for continuing legal education;

"(2) programs to enhance prosecutorial and judicial capabilities and protection for participants in judicial cases;

"(3) notwithstanding section 660 of this Act, programs to enhance investigative capabilities, conducted under judicial or prosecutorial control;

"(4) strengthening professional organizations in order to promote services to members and the role of the bar in judicial selection, enforcement of ethical standards, and legal reform;

"(5) increasing the availability of legal materials and publications;

"(6) seminars, conferences, and training and educational programs to improve the administration of justice and to strengthen respect for the rule of law and internationally recognized human rights; and

"(7) revision and modernization of legal codes and procedures.

"(c) AMOUNTS AVAILABLE FOR ASSISTANCE.—Not more than $20,000,000 of the funds made available to carry out this chapter for any fiscal year shall be available to carry out this section, in addition to amounts otherwise available for such purposes.

"(d) NOTIFICATION TO CONGRESS.—Funds may not be obligated for assistance under this section unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified of the amount and nature of the proposed assistance at least 15 days in advance in accordance with the procedures applicable to reprogrammings pursuant to section 634A of this Act.

"(e) EXPIRATION OF AUTHORITIES.—The authority of this section shall expire on September 30, 1987.".

SEC. 714. CENTRAL AMERICAN DEVELOPMENT ORGANIZATION.

(a) FINDINGS.—The Congress finds that participation by Central American countries in an effective forum for dialog on, and

the continuous review and advancement of, Central America's political, economic, and social development would foster cooperation between the United States and Central American countries.

(b) ESTABLISHMENT OF CADO.—It is the sense of the Congress that—

(1) the President should enter into negotiations with the countries of Central America to establish a Central American Development Organization (hereafter in this section referred to as the "Organization"); and

(2) the establishment of the Organization should be based upon the following principles:

(A) Participation in the Organization should be open to the United States, other donors, and those Central American countries that commit themselves to, among other things, respecting internationally recognized human rights, building democracy, and encouraging equitable economic growth through policy reforms.

(B) The Organization should be structured to include representatives from both the public and private sectors, including representatives from the labor, agriculture, and business communities.

(C) The Organization should meet periodically to carry out the functions described in subparagraphs (D) and (E) of this paragraph and should be supported by a limited professional secretariat.

(D) The Organization should make recommendations affecting Central American countries on such matters as—

(i) political, economic, and social development objectives, including the strengthening of democratic pluralism and the safeguarding of internationally recognized human rights;

(ii) mobilization of resources and external assistance needs; and

(iii) reform of economic policies and structures.

(E) The Organization should have the capacity for monitoring country performance on the recommendations issued in accordance with subparagraph (D) of this paragraph and for evaluating progress toward meeting such country objectives.

(F) For each fiscal year after that in which the President has completed negotiations and agreed to participate in the Organization, the disbursement of 25 percent of the economic assistance funds allocated by the United States directly for each Central American country should be deferred until the United States and the Organization have both approved disbursement.

(G) The President should encourage other donors similarly to designate a percentage of their direct economic assistance for Central American countries for joint approval with the Organization.

(H) The administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, or his designee, should be chairman of the Organization and should carry out his functions in that capacity under the continuous supervision and general direction of the Secretary of State.

(c) UNITED STATES PARTICIPATION IN CADO.—Subject to subsection (d)(3), the President is authorized to participate in the Organization.

(d) CONGRESSIONAL OVERSIGHT.—

(1) DEVELOPMENT OF PROPOSAL.—The Administrator of the Agency for International Development, under the supervision and direction of the Secretary of State, shall prepare a detailed proposal to carry out this section and shall keep the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate fully and currently informed concerning the development of the proposal.

(2) FACILITATING CONGRESSIONAL INVOLVEMENT.—To facilitate full congressional involvement in the establishment of the Organization, the chairman of the Committee on Foreign Affairs of the House of Representatives shall designate at least three members of that committee, and the chairman of the Committee on Foreign Relations of the Senate shall designate at least three members of that committee, who shall be kept fully and currently informed by the executive branch of all negotiations or discussions with donor countries and recipient countries concerning the establishment of the Organization.

(3) CONGRESSIONAL REVIEW OF AGREEMENT.—The President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a copy of the text of any agreement which he proposes to sign providing for the establishment of and United States participation in the Organization no less than 60 days prior to his signature. The United States shall not participate in the implementation of any such agreement for at least 60 days after such transmittal. During that 60-day period, there shall be full and formal consultations with and review by those committees in accordance with procedures applicable to reprogramming notifications pursuant to section 634A of the Foreign Assistance Act of 1961.

SEC. 715. MILITARY EXERCISES IN CENTRAL AMERICA.

For fiscal years 1986 and 1987, the President shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate 30 days in advance of assigning or detailing members of the United States Armed Forces to, or otherwise introducing members of the United States Armed Forces into, any country in Central America for the purpose of commencing joint military exercises with the armed forces of any Central American country.

SEC. 716. EXPANDED USE OF EMPLOYEE STOCK OWNERSHIP PLANS.

(a) FINDINGS.—The Congress finds that—

(1) employee stock ownership plans can be an important component in achieving United States goals in Central America and the Caribbean; and

(2) employee stock ownership plans should be used as an instrument in financing growth and transfers of equity in industrial, farming, banking, and other enterprises in the region, in reorganzing state-owned enterprises into viable employee-owned businesses, in expanding political and economic pluralism, and in strengthening democratic institutions in the region.

(b) PLAN FOR EXPANDED USE OF ESOP's.—The President is urged to develop a plan for the expanded use of employee stock ownership plans in all development efforts of the United States in Central America and the Caribbean, with an emphasis on policy and infrastructural changes needed to encourage voluntary employee stock ownership initiatives by multinational corporations and other private sector enterprises which have investments, are considering making new investments, or are interested in management contracts and joint ventures in the region.

(c) REPORT.—Within six months after the date of enactment of this Act, the President should submit a report to the Congress on the feasibility of expanding employee stock ownership plans in Central America and the Caribbean, with recommendations on how this can best be achieved.

SEC. 717. INTERNATIONAL ADVISORY COMMISSION FOR THE CARIBBEAN REGION.

(a) FINDINGS.—The Congress finds that—

(1) many of the social, agricultural, educational, and economic problems which confront nations in the Caribbean Region result primarily from social and economic injustice and inadequate economic and agricultural development;

(2) such problems are not addressed sufficiently by current United States policies toward that region;

(3) the development of the Caribbean Region is of vital importance to the economic and strategic interests of the United States and its allies; and

(4) for purposes of defining development plans, providing an international forum for Caribbean Region development issues, and providing expert advice to donor-aid countries, an international commission is needed as the prime institution for promoting economic cooperation and development in the Caribbean Region.

(b) INVITATIONS TO PARTICIPATE IN COMMISSION.—

(1) INVITATION TO CARIBBEAN COUNTRIES.—The President shall invite the countries which comprise the Caribbean Region to participate with the United States in a commission to be known as the International Advisory Commission for the Caribbean Region (hereafter in this section referred to as the "Commission").

(2) INVITATION TO CERTAIN OTHER COUNTRIES.—The President shall also invite the Netherlands, the United Kingdom, France, Canada, the Commonwealth of Puerto Rico, and the Virgin Islands to participate in the Commission.

(c) FUNCTIONS OF COMMISSION.—It is the sense of the Congress that the Commission should—

(1) examine social, agricultural, educational, and economic issues which affect the Caribbean Region; and

(2) consult with leaders of the countries in the Caribbean Region and with representatives from public and private organizations involved in matters related to the Caribbean Region in order to evaluate the problems and needs of such countries.

(d) FUNDING FOR ORGANIZATIONAL MEETING OF COMMISSION.—Of the funds authorized to be appropriated to carry out section 106 of the Foreign Assistance Act of 1961 (relating to development assistance for energy, private and voluntary organizations, and selected development activities), up to a total of $100,000 for fiscal years 1986 and 1987 shall be available to—

(1) pay reasonable administrative expenses associated with the organizational meeting of the Commission; and

(2) pay reasonable travel and lodging expenses incurred by commissioners from other participant governments incident to their attendance at the organizational meeting of the Commission.

(e) REQUEST TO CONGRESS RELATING TO UNITED STATES PARTICIPATION IN THE COMMISSION.—The President should provide cost estimates and request authorization from the Congress in order to provide for the participation of the United States in the Commission (other than United States participation associated with the organizational meeting).

(f) APPOINTMENT OF UNITED STATES REPRESENTATIVE AND OBSERVERS.—Upon the creation of the Commission—

(1) the President shall consider appointing one individual as the United States representative to the Commission;

(2) the Speaker of the House of Representatives shall consider appointing two Members of the House, one from each major political party, as observers at the Commission; and

(3) the majority leader of the Senate shall consider appointing two Members of the Senate, one from each major political party, as observers at the Commission.

SEC. 718. EXEMPTION OF CERTAIN SAFETY-RELATED EQUIPMENT FROM PROHIBITION ON MILITARY SALES TO CHILE.

Section 726 of the International Security and Development Cooperation Act of 1981 is amended by adding at the end thereof the following new subsection:

"(c) The prohibition contained in subsection (b) does not prohibit the sale, or the licensing for export, of cartridge actuated devices, propellant actuated devices, and technical manuals for the F-5E/F and A/T-37 aircraft supplied to the Chilean Air Force by the United States before 1974, so long as the items are provided only for purposes of enhancing the safety of the aircraft crew.".

SEC. 719. RURAL ELECTRIFICATION.

It is the sense of the Congress that funds appropriated for the fiscal years 1986 and 1987 under section 103(a)(2) of the Foreign Assistance Act of 1961 should be used for a comprehensive rural electrification program in Central America in order to establish conditions of stability and a foundation for economic development.

SEC. 720. FACILITATING INTERNATIONAL COMMERCE THROUGH MEXICO.

(a) FINDING.—Recognizing that increased levels of balanced international trade are an essential component in an economic development program for the region and that the United States has traditionally been the most important trading partner for each of the nations of Latin America, it is the sense of the Congress that current procedures and laws of the Government of Mexico, and practices of its officials, constitute a significant impediment to the transit of vehicles carrying the commodities of international trade through Mexican territory.

(b) NEGOTIATIONS AND COOPERATIVE STEPS CONCERNING TRANSIT.—As the Government of Mexico has played a valuable role in assisting and encouraging the economic and political development of the region, and in offering advice to the United States as to constructive policies this nation might pursue with respect to peace and prosperity in the area, the Secretary of State, acting independently or with representatives of other Latin America nations, shall initiate negotiations with the Government of Mexico aimed at eliminating or reducing those impediments to international trade. The agenda for such negotiations should include discussions to encourage the Government of Mexico to accede to existing international custom conventions on international in-transit shipments. Such actions are to be taken in concert with the institution by the United States, and the nations of the region where the transiting shipments originate, of appropriate and cooperative steps to make sealed-truck, no-inspection transit administratively acceptable to the Government of Mexico and other transited countries. Similar bilateral or multilateral negotiations by the Secretary of State with nations respecting the same international customs conventions is also encouraged.

(c) REPORT.—The Secretary of State shall report the status of these negotiations to Congress by January 1, 1986.

SEC. 71. CONFLICT IN NICARAGUA.

(a) HUMANITARIAN ASSISTANCE FOR NICARAGUAN DEMOCRATIC RESISTANCE.—Effective upon the enactment of this Act, there is authorized to be appropriated $27,000,000 for humanitarian assistance to the Nicaraguan democratic resistance. Such assistance shall be provided to such department or agency of the United States as the President shall designate, except the Central Intelligence Agency or the Department of Defense. The assistance authorized by this subsection is authorized to remain available for obligation until March 31, 1986. One-third of the assistance authorized by this subsection shall be available for obligation upon the enactment of this Act, an additional one-third shall be available for obligation upon submission of the first report required by subsection (e), and the remaining one-third shall be available for obligation upon submission of the second such report. As used in this subsection, the term "humanitarian assistance" means the provision of food, clothing, medicine, and other humanitarian assistance, and it does not include the provision of weapons, weapons systems, ammunition, or other equipment, vehicles or material which can be used to inflict serious bodily harm or death.

(b) ASSISTANCE FOR IMPLEMENTATION OF A CONTADORA AGREEMENT.—Effective upon the enactment of this Act, there is authorized to be appropriated $2,000,000, to remain available until expended, for payment by the Secretary of State for the expenses arising from implementation by the Contadora nations (Mexico, Panama, Colombia, and Venezuela) of an agreement among the countries of Central America based on the Contadora Document of Objectives of September 9, 1983, including peacekeeping, verification, and monitoring systems.

(c) PROHIBITIONS.—

(1) APPLICATION OF PROHIBITIONS.—The prohibitions contained in section 8066(a) of the Department of Defense Appropriations Act, 1985 (as contained in section 101 of Public Law 98-473) and section 801 of the Intelligence Authorization Act for Fiscal Year 1985 (Public Law 98-618) shall, without limitation as to fiscal year, apply with respect to funds authorized to be appropriated by subsections (a) and (b).

(2) CONSTRUCTION OF PROHIBITIONS.—Nothing in this section, section 8066(a) of the Department of Defense Appropriations Act, 1985 (as contained in section 101 of Public Law 98-473) or section 801 of the Intelligence Authorization Act for Fiscal Year 1985 (Public Law 98-618) shall be construed to prohibit the United States Government from exchanging information with the Nicaraguan democratic resistance, or the obligation and expenditure, but only for the purposes for which they are expressly made available, of the funds authorized to be appropriated by subsections (a) and (b).

(d) POLICIES WITH RESPECT TO NICARAGUA.—The President is urged—

(1) to vigorously pursue the use of diplomatic and economic steps to resolve the conflict in Nicaragua, including negotiations to—

(A) implement the Contadora Document of Objectives of September 9, 1983; and

(B) at the same time, develop trade and economic measures in close consultation and cooperation with other nations which will encourage the Government of Nicaragua to take the necessary steps to resolve the conflict;

(2) to suspend military maneuvers in Honduras and off Nicaragua's coast, and to lift the embargo on trade with Nicaragua, if the Government of Nicaragua agrees to a ceasefire, to open a dialog with the Nicaraguan democratic resistance and to suspend the state of emergency; and

(3) to resume bilateral discussions with the Government of Nicaragua with a view to encouraging—

(A) a church-mediated dialog between the Government of Nicaragua and the Nicaraguan democratic resistance in support of internal reconciliation, as called for by the Contadora Document of Objectives; and

(B) a comprehensive, verifiable agreement among the nations of Central America, based on the Contadora Document of Objectives.

(e) REPORTS.—

(1) REQUIREMENT.—The President shall submit a report to the Congress every 90 days on the activities carried out in accordance with subsection (d) and on the assistance provided under subsections (a) and (b). Such reports shall describe the willingness of the Nicaraguan democratic resistance and the Government of Nicaragua to negotiate and the progress of efforts to achieve the objectives set out in paragraph (3) of subsection (d) and shall provide a detailed accounting of the disbursement of any such assistance.

(2) HUMAN RIGHTS ABUSES.—As part of each of the reports submitted pursuant to paragraph (1), the President shall submit to the Congress a report on alleged human rights violations by the Nicaraguan democratic resistance and the Government of Nicaragua. With respect to the alleged violations the report shall include information on who is responsible for such human rights violations.

(f) SUBMISSION OF REQUEST FOR ADDITIONAL ASSISTANCE FOR THE CENTRAL AMERICA PEACE PROCESS.—If the President determines at any time after the enactment of this Act that—

(1) negotiations based on the Contadora Document of Objectives of September 9, 1983, have produced an agreement, or show promise of producing an agreement, or

(2) other trade and economic measures will assist in a resolution of the conflict, or to stabilization in the region,

the President may submit to the Congress a request for budget and other authority to provide additional assistance for the furtherence of the Central America peace process.

(g) STATEMENT TO BE INCLUDED.—The President's request pursuant to subsection (f) shall include a detailed statement as to progress made to resolve the conflict in the region.

(h) CONSULTATION WITH THE CONGRESS.—In formulating a request pursuant to subsection (f), the President shall consult with the Congress.

(i) CONGRESSIONAL ACTION.—(1) The provisions of this subsection apply, during the 99th Congress, to the consideration in the House of Representatives of a joint resolution with respect to the request submitted by the President pursuant to subsection (f).

(2) For purposes of this subsection, the term "joint resolution" means only a joint resolution introduced within 3 legislative days after the Congress receives the request submitted by the President pursuant to subsection (f)—

(A) the matter after the resolving clause of which is as follows: "That the Congress hereby approves the additional authority and assistance for the Central America

peace process that the President requested pursuant to the International Security and Development Cooperation Act of 1985, notwithstanding section 10 of Public Law 91-672.";

(B) which does not have a preamble; and

(C) the title of which is as follows: "Joint Resolution relating to Central America pursuant to the International Security and Development Cooperation Act of 1985.".

(3) A joint resolution shall, upon introduction, be referred to the appropriate committee or committees of the House of Representatives.

(4) If all the committees of the House to which a joint resolution has been referred have not reported the same joint resolution by the end of 15 legislative days after the first joint resolution was introduced, any committee which has not reported the first joint resolution introduced shall be discharged from further consideration of that joint resolution and that joint resolution shall be placed on the appropriate calendar of the House.

(5)(A) At any time after the first joint resolution placed on the appropriate calendar has been on that calendar for a period of 5 legislative days, it is in order for any Member of the House (after consultation with the Speaker as to the most appropriate time for the consideration of that joint resolution) to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of that joint resolution. The motion is highly privileged and is in order even though a previous motion to the same effect has been disagreed to. All points of order against the joint resolution under clauses 2 and 6 of Rule XXI of the Rules of the House are waived. If the motion is agreed to, the resolution shall remain the unfinished business of the House until disposed of. A motion to reconsider the vote by which the motion is disagreed to shall not be in order.

(B) Debate on the joint resolution shall not exceed ten hours, which shall be divided equally between a Member favoring and a Member opposing the joint resolution. A motion to limit debate is in order at any time in the House or in the Committee of the Whole and is not debatable.

(C) An amendment to the joint resolution is not in order.

(D) at the conclusion of the debate on the joint resolution, the Committee of the Whole shall rise and report the joint resolution back to the House, and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion.

(6) As used in this subsection, the term "legislative day" means a day on which the House is in session.

(7) This subsection is enacted—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of the House to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House, and of the right of the Committee on Rules to report a resolution for the consideration of any measure.

(j) SUBMISSION OF REQUEST FOR ADDITIONAL ASSISTANCE FOR NICARAGUAN DEMOCRATIC RESISTANCE.—If the President determines at any time after the enactment of this Act that—

(1) negotiations based on the Contadora Document of Objections of September 9, 1983, have failed to produce an agreement, or

(2) other trade and economic measures have failed to resolve the conflict,

the President may submit to the Congress a request for budget and other authority to provide additional assistance for the Nicaraguan democratic resistance.

(k) STATEMENT TO BE INCLUDED.—The President's request pursuant to subsection (j) shall include a detailed statement as to why the negotiations or other measures have failed to resolve the conflict in the region.

(l) CONSULTATION WITH THE CONGRESS.—In formulating a request pursuant to subsection (j), the President shall consult with the Congress.

(m) CONGRESSIONAL ACTION.—(1) The provisions of this subsection apply, during the 99th Congress, to the consideration in the House of Representatives of a joint resolution with respect to the request submitted by the President pursuant to subsection (j).

(2) For purposes of this subsection, the term "joint resolution" means only a joint resolution introduced within 3 legislative days after the Congress receives the request submitted by the President pursuant to subsection (j)—

(A) the matter after the resolving clause of which is as follows: "That the Congress hereby approves the additional authority and assistance for the Nicaraguan democratic resistance that the President requested pursuant to the International Security and Development Cooperation Act of 1985, notwithstanding section 10 of Public Law 91-672.";

(B) which does not have a preamble; and

(C) the title of which is as follows: "Joint Resolution relating to Central America pursuant to the International Security and Development Cooperation Act of 1985.".

(3) A joint resolution shall, upon introduction, be referred to the appropriate committee or committees of the House of Representatives.

(4) If all the committees of the House to which a joint resolution has been referred have not reported the same joint resolution by the end of 15 legislative days after the first joint resolution was introduced, any committee which has not reported the first joint resolution introduced shall be discharged from further consideration of that joint resolution and that joint resolution shall be placed on the appropriate calendar of the House.

(5)(A) At any time after the first joint resolution placed on the appropriate calendar has been on that calendar for a period of 5 legislative days, it is in order for any Member of the House (after consultation with the Speaker as to the most appropriate time for the consideration of that joint resolution) to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of that joint resolution. The motion is highly privileged and is in order even though a previous motion to the same effect has been disagreed to. All points of order against the joint resolution under clauses 2 and 6 of Rule XXI of the Rules of the House are waived. If the motion is agreed to, the resolution shall remain the unfinished business of the House until disposed of. A motion to reconsider the vote by which the motion is disagreed to shall not be in order.

(B) Debate on the joint resolution shall not exceed ten hours, which shall be divided equally between a Member favoring and a Member opposing the joint resolution. A motion to limit debate is in order at any time in the House or in the Committee of the Whole and is not debatable.

(C) An amendment to the joint resolution is not in order.

(D) At the conclusion of the debate on the joint resolution, the Committee of the Whole shall rise and report the joint resolution back to the House, and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion.

(6) As used in this subsection, the term "legislative day" means a day on which the House is in session.

(7) This subsection is enacted—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the Rules of the House, but applicable only with respect to the procedure to be followed in the House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of the House to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House, and of the right of the Committee on Rules to report a resolution for the consideration of any measure.

SEC. 722. CONDEMNING HUMAN RIGHTS VIOLATIONS AND THE SUBVERSION OF OTHER GOVERNMENTS BY THE GOVERNMENT OF CUBA.

(a) CONDEMNATION OF CERTAIN ACTION BY THE GOVERNMENT OF CUBA.—The Congress condemns—

(1) the consistent pattern of gross violations of internationally recognized human rights by the Cuban Government, including—

(A) cruel, inhumane, and degrading treatment and punishment of prisoners;

(B) the suppression of free speech, press, and assembly; and

(C) restrictions on religious activity and the freedom to emigrate; and

(2) the provision by the Cuban government of material aid and personnel support for the purposes of subversion.

(b) CALL UPON THE GOVERNMENT OF CUBA.—The Congress calls upon the Government of Cuba to restore civil liberties and cease in the violation of human rights of the Cuban people and cease the subversion of other governments through material and personnel support.

SEC. 723. CONDITIONS ON HUMANITARIAN ASSISTANCE TO THE NICARAGUAN DEMOCRATIC RESISTANCE.

(a) PREVENTING DIVERSION OF ASSISTANCE.—The President shall establish appropriate procedures to ensure that any humanitarian assistance provided by the United States Government to the Nicaraguan democratic resistance is used only for the intended purpose and is not diverted (through barter, exchange, or any other means) for acquisition of weapons, weapons systems, ammunition, or other equipment, vehicles or material which can be used to inflict serious bodily harm or death.

(b) RESPECT FOR HUMAN RIGHTS.—If the President determines that Nicaraguan democratic resistance forces are engaging in a consistent pattern of human rights violations, the President shall suspend all United States humanitarian assistance to those forces. The Secretary of State shall report to the Congress every six months on the human rights practices of the Nicaraguan democratic resistance forces.

SEC. 724. REPORTS ON FOREIGN DEBT IN LATIN AMERICA.

(a) FINDINGS.—The Congress finds that—

(1) the foreign debt of Latin American countries has soared from $27,000,000,000 in 1970 to over $350,000,000,000 in 1983;

(2) the foreign debt of Latin American countries is a serious obstacle to their economic progress, threatens their stability, and endangers the democratic processes in those nations; and

(3) the economic and political futures of many of the Latin American countries hang in the balance and depend upon a successful resolution of the foreign debt crisis.

(b) REPORT.—Not later than January 1, 1986, the Secretary of State shall prepare and transmit to the Congress a report on—

(1) the magnitude of the foreign debt crisis in this hemisphere;

(2) the impact of the foreign debt crisis on the economies of the countries of Latin America;

(3) the degree to which the national security interests of the United States are implicated in this crisis; and

(4) the steps being taken and the policy being pursued by the United States aimed at dealing with this crisis.

SEC. 725. ECONOMIC ASSISTANCE FOR URUGUAY.

Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund), $15,000,000 for fiscal year 1986 and $15,000,000 for fiscal year 1987 shall be available only for Uruguay.

TITLE VIII—AFRICA

SEC. 801. BALANCE-OF-PAYMENTS SUPPORT FOR COUNTRIES IN AFRICA.

(a) ESF COMMODITY IMPORT AND SECTOR PROGRAMS.—Agreements with countries in Africa which provide for the use of funds made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for the fiscal years 1986 and 1987 to finance imports by those countries (under commodity import programs or sector programs) shall require that those imports be used to meet long-term development needs in those countries in accordance with the following criteria:

(1) Spare parts and other imports shall be allocated on the basis of evaluations, by the agency primarily responsible for administering part I of that Act, of the ability of likely recipients to use such spare parts and imports in a maximally productive, employment generating, and cost effective way.

(2) Imports shall be coordinated with investments in accordance with the recipient country's plans for promoting economic development. The agency primarily responsible for administering part I of that Act shall assess such plans to determine whether they will effectively promote economic development.

(3) Emphasis shall be placed on imports for agricultural activities which will expand agricultural production, particularly activities which expand production for export or to reduce reliance on imported agricultural products.

(4) Emphasis shall also be placed on a distribution of imports having a broad development impact in terms of economic sectors and geographic regions.

(5) In order to maximize the likelihood that the imports financed by the United States under such chapter are in addition to imports which would otherwise occur, consideration shall be given to historical patterns of foreign exchange uses.

(6)(A) Foreign currencies generated by the sale of such imports by the government of the country shall be deposited in a special account established by that government and, except as provided in subparagraph (B), shall be available only for use in accordance with the agreement for economic development activities which are consistent with the policy directions of section 102 of the Foreign Assistance Act of 1961 and which are the types of activities for which assistance may be provided under section 103 through 106 of that Act.

(B) The agreement shall require that the government of the country make available to the United States Government such portion of the amount deposited in the special account as may be determined by the President to be necessary for requirements of the United States Government.

(b) ANNUAL EVALUATIONS.—The agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 shall conduct annual evaluations of the extent to which the criteria set forth in this subsection have been met.

SEC. 802. ECONOMIC SUPPORT ASSISTANCE FOR SOUTHERN AFRICA.

(a) SOUTHERN AFRICA REGIONAL PROGRAM.—

(1) FUNDS FOR REGIONAL PROGRAMS.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, $40,000,000 for fiscal year 1986 and $40,000,000 for fiscal year 1987 shall be available only for regional programs in southern Africa. Not less than 50 percent of each of these amounts shall be allocated to assist sector projects supported by the Southern Africa Development Coordination Conference (SADCC) to enhance the economic development of the nine member states forming this important regional institution, especially in the following sectors: transportation, agricultural research and training, manpower development, and institutional support for the SADCC secretariat.

(2) STUDIES.—

(A) EVALUATION OF ASSISTANCE.—The administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 shall conduct a study which evaluates (i) the assistance which that agency provides to the Southern Africa Development Coordination Conference and other African regional institutions and economic development organizations, and (ii) ways to improve such assistance.

(B) COORDINATING MECHANISM IN AID FOR ASSISTANCE.—The administrator shall also conduct a study which assesses what type of bureaucratic mechanism within that agency might be established to coordinate assistance to all African regional institutions.

(C) SUBMISSION TO CONGRESS.—The administrator shall submit the results of the studies conducted pursuant to this paragraph to the Congress within 3 months after the date of enactment of this Act.

(b) SOUTH AFRICA EDUCATIONAL TRAINING PROGRAMS.—Funds available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 1986 and fiscal year 1987 which are used for education or training programs in South Africa may not be used for programs conducted by or through organizations in South Africa which are financed or controlled by the Government of South Africa, such as the "homeland" and "urban council" authorities. Such funds may only be used for programs which in both their character and organizational sponsorship in South Africa clearly reflect the objective of a majority of South Africans for an end to the apartheid system of separate development.

(c) HUMAN RIGHTS FUND FOR SOUTH AFRICA.—Of the amount allocated for the Human Rights Fund for South Africa under chapter 4 of part II of the Foreign Assistance Act of 1961 for each of the fiscal years 1986 and 1987, not less than 50 percent shall be used for direct legal and other assistance to political detainees and prisoners and their families and for support for actions of black-led community organizations to resist the implementation of apartheid policies such as—

(1) removal of black populations from certain geographic areas on account of race or ethnic origin,

(2) denationalization of blacks, including any distinctions between the South African citizenships of blacks and whites,

(3) residence restrictions based on race or ethnic origin,

(4) restrictions on the rights of blacks to seek employment in South Africa and to live wherever they find employment in South Africa, and

(5) restrictions which make it impossible for black employees and their families to be housed in family accommodations near their place of employment.

SEC. 803. PROMOTING DEMOCRACY AND AN END TO THE APARTHEID POLICIES IN SOUTH AFRICA

(a) PURPOSE.—It is the purpose of this section to encourage funding for programs that would promote democracy and seek to end the apartheid policies in South Africa, and that would be in addition to the programs funded in accordance with sections 802 (b) and (c).

(b) USIA GRANTS TO THE NATIONAL ENDOWMENT FOR DEMOCRACY.—It is the sense of the Congress that the Director of the United States Information Agency should make a grant of up to $500,000 for each of the fiscal years 1986 and 1987 to the National Endowment for Democracy (in addition to grants otherwise made by the Director to the Endowment) for use by the Endowment in providing financing for programs that are designed to promote democracy and that seek to end the apartheid policies in South Africa.

(c) PROGRAMS DESIGNED TO END THE APARTHEID POLICIES.—The programs funded pursuant to this section shall be programs of support for actions of non-white led community organizations in South Africa to terminate apartheid policies such as those listed in Section 802(c).

(d) ELIGIBLE ORGANIZATIONS IN SOUTH AFRICA.—Any program funded in accordance with this section, which is to be carried out within South Africa, should be a program which in both its character and organizational sponsorship in South Africa clearly reflects the aspirations of the indigenous majority of South Africans for the establishment of democratic institutions and for an end to the apartheid system of separate development, and should not be a program which is financed or controlled by the Government of South Africa.

SEC. 804. ASSISTANCE FOR ZAIRE.

(a) ECONOMIC SUPPORT ASSISTANCE.—Funds allocated for assistance for Zaire under chapter 4 of part II of the Foreign Assistance Act of 1961 for each of the fiscal years 1986 and 1987 shall be used only for assistance which is provided in accordance with the provisions applicable to assistance under chapter 1 of part I of the Foreign Assistance Act of 1961. Such assistance shall be provided, to the maximum extent practicable, through private and voluntary organizations.

(b) MILITARY ASSISTANCE.—For each of the fiscal years 1986 and 1987—

(1) the value of assistance provided under chapter 2 of part II of the Foreign Assistance Act of 1961 for Zaire may not exceed $4,000,000; and

(2) financing may not be provided under the Arms Export Control Act for Zaire.

SEC. 805. ASSISTANCE FOR TUNISIA.

(a) POLICY CONCERNING SECURITY ASSISTANCE.—The United States provides security assistance to Tunisia in recognition of the traditional friendship between the United States and Tunisia and our common interests in the region. The provision of such assistance is also based on the expectation that political stability and development in Tunisia will be best advanced through continued growth of democractic institutions.

(b) EARMARKING OF ESF.—Of the amounts authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961, $20,000,000 for fiscal year 1986 and $20,000,000 for fiscal year 1987 shall be available only for Tunisia.

SEC. 806. POLITICAL SETTLEMENT IN SUDAN.

(a) FINDINGS.—The Congress finds that—

(1) friendship and mutual interests bind the United States and Sudan; and

(2) the peace, security, and economic development of Sudan depend in large part on addressing the problems associated with the traditional north-south division in that country through political rather than military means.

(b) UNITED STATES POLICY.—It is, therefore, the policy of the United States that the provision of security assistance to Sudan shall be based on the expectation that the Government of Sudan will make progress toward reaching a political settlement with all parties to the conflict in the south of Sudan.

SEC. 807. ELECTIONS IN LIBERIA.

In recognition of the special relationship that the United States has with Liberia and of the wide variety of interests that the United States has in Liberia, security assistance for Liberia for fiscal years 1986 and 1987 is based on the expectation of a successful completion of free and fair elections, on a multiparty basis, in October 1985 as proposed by the Government of Liberia and on a return to full civilian, constitutional rule as a consequence of those elections.

SEC. 808. WESTERN SAHARA.

(a) UNITED STATES POLICY.—The policy of the United States shall be to support a negotiated political solution to the conflict in the Western Sahara taking into account the principle of self-determination as outlined in the 1981 Nairobi resolution, to encourage a peaceful internationally recognized settlement, and to maintain direct contacts with all the parties to the conflict. As part of this policy, the United States should carefully consider each type of military assistance it furnishes to any of the parties to the conflict and should seek to insure that the furnishing of such military assistance is consistent with United States policy which seeks a negotiated settlement.

(b) FURTHER STATEMENT OF POLICY.—It is the further policy of the United States to support Morocco's legitimate defense needs and to discourage aggression by any country in North Africa against another.

(c) LIMITATION ON ACTIVITIES OF UNITED STATES MILITARY PERSONNEL IN THE WESTERN SAHARA.—Members of the United States Armed Forces may not perform defense services under the Foreign Assistance Act of 1961 or the Arms Export Control Act or conduct international military education and training activities under chapter 5 of part II of the Foreign Assistance Act of 1961 in the Western Sahara so long as there is not an internationally recognized settlement in the Western Sahara.

SEC. 809. SAHEL DEVELOPMENT PROGRAM.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—The third sentence of section 121(c) of the Foreign Assistance Act of 1961 is amended to read as follows: "In addition to the amounts authorized in the preceding sentences and to funds otherwise available for such purposes, there are authorized to be appropriated to the President for purposes of this section $91,476,000 for fiscal year 1986 and $91,476,000 for fiscal year 1987.".

(b) IMPROVING ADMINISTRATIVE CAPABILITIES OF HOST GOVERNMENTS.—Section 121 of such Act is amended by adding at the end thereof the following new subsection:

"(e) Grants shall be made under this section to Sahel Development Program host governments in order to help them enhance their administrative capabilities to meet the administrative requirements resulting from donor country projects and activities.".

SEC. 810. AFRICAN DEVELOPMENT FOUNDATION.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—Section 510 of the African Development Foundation Act is amended to read as follows:

"SEC. 510. AUTHORIZATIONS OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title, in addition to amounts otherwise available for that purpose, $3,872,000 for fiscal year 1986 and $3,872,000 for fiscal year 1987. Funds appropriated under this section are authorized to remain available until expended.".

(b) EXTENSION OF AUTHORITIES.—Section 511 of such Act is amended by striking out "1985" and inserting in lieu thereof "1990".

SEC. 811. REPEAL OF CLARK AMENDMENT.

Section 118 of the International Security and Development Cooperation Act of 1980 (prohibiting assistance for military or paramilitary operations in Angola) is repealed.

SEC. 812. PROHIBITION ON ECONOMIC ASSISTANCE FOR MOZAMBIQUE.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act may be used for assistance for Mozambique under chapter 1 of part I (relating to development assistance) or chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961, including assistance provided through regional programs for projects or activities in Mozambique.

(b) TERMINATION OF PROHIBITION.—The prohibition contained in subsection (a) shall cease to be effective if the President certifies to the Congress, not later than September 30, 1986, that the number of foreign military advisers and troops in Mozambique does not exceed 55.

SEC. 813. FAILURE OF THE ETHIOPIAN GOVERNMENT TO RESPONSIBLY AMELIORATE FAMINE CONDITIONS.

(a) FINDINGS.—The Congress finds that—

(1) many thousands of Ethiopian people have suffered and died, and an additional ten million people are in danger of death, through starvation caused by prolonged drought;

(2) it has been suggested that the United States Government has been negligent in its efforts to ameliorate the tragic conditions present in Ethiopia;

(3) the Government of the United States has a continuing commitment to the emergency fund under title II of the Agricultural Trade Development and Assistance Act of 1954 (the Food For Peace Act);

(4) United States emergency food assistance for Africa in fiscal year 1985 is more than twice the amount provided in fiscal year 1984, and is the largest amount contributed by any single donor;

(5) the Ethiopian Government, as a client state of the Soviet Union, has considered the equipage and modernization of its five hundred thousand-person military organization more vital than alleviating the suffering of its people caused by drought;

(6) the Ethiopian Government has considered the funding of its military organization more vital than promoting a viable national agrarian policy;

(7) there is evidence that the Government of Ethiopia has used the drought-caused famine to induce cooperation from certain dedicated Ethiopians who seek to bring about fundamental changes in their country;

(8) the United States Government is concerned about the seizure by the Ethiopian Government of an Australian aid ship in an attempt to cut off food to its citizens in the northern regions, an area most severely stricken by famine; and

(9) the Ethiopian Government deems the appearance and status of its socialist system more worthy of attention than its citizens and agricultural policies in need.

(b) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) the Government of Ethiopia should be condemned for failing in its responsibility to sufficiently ameliorate the severe drought and famine conditions throughout its agrarian countryside;

(2) the Government of Ethiopia should allocate more of its resources toward the development of a more balanced and effective agrarian system;

(3) human rights monitoring groups can be a positive force for human rights in Ethiopia and should be allowed to function and should be supported;

(4) the Government of Ethiopia should initiate a genuine policy of national reconciliation;

(5) the continued improvement of Ethiopia's treatment of the Ethiopian people and respect for human rights would better relations between the United States and Ethiopia;

(6) the President or his representatives should convey to Ethiopian officials the concerns of the Congress expressed in this section at every opportunity; and

(7) the President or his representatives should also convey these concerns of the Congress to the governments of United States allies and urge the cooperation of those governments in efforts to ensure a more responsible Ethiopian Government.

(c) PROHIBITION ON IMPORTS AND EXPORTS.—

(1) DETERMINATION OF HUMAN RIGHTS.—The President shall determine within 30 days after the enactment of this Act whether the Ethiopian regime is conducting a deliberate policy of starvation of its people and has not granted fundamental human rights to its citizens. The President shall submit that determination, and the basis for that determination, to the Congress.

(2) JOINT RESOLUTION APPROVING DETERMINATION.—The prohibition described in paragraph (3) shall take effect if the Congress enacts a joint resolution approving the determination of the President submitted to the Congress under paragraph (1).

(3) PROHIBITION.—If the conditions specified in paragraphs (1) and (2) are met—

(A) goods and services of Ethiopian origin may not be imported into the United States; and

(B) except for emergency relief assistance, goods and services of United States origin may not be exported (directly or indirectly) to Ethiopia.

(d) PROHIBITION ON ECONOMIC ASSISTANCE.—The President shall suspend all forms of economic assistance to the Government of Ethiopia. This section shall not be construed to prevent the furnishing of international disaster assistance under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) or economic assistance which will directly benefit needy people in accordance with section 116 (22 U.S.C. 2151n) of that Act.

TITLE IX—FOOD AND AGRICULTURAL ASSISTANCE

SEC. 901. INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT.

Section 103(g) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(g)(1) In order to carry out the purposes of this section, the President may continue United States participation in and make contributions to the International Fund for Agricultural Development.

"(2) There are authorized to be appropriated such sums as may be necessary to meet the United States pledge for the second replenishment for the International Fund for Agricultural Development.

"(3) Amounts appropriated under this subsection are authorized to remain available until expended.".

SEC. 902. PUBLIC LAW 480 TITLE II MINIMUMS.

(a) MINIMUM AND SUBMINIMUM DISTRIBUTION REQUIREMENTS.—Section 201(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by striking out paragraphs (1) through (3) and inserting in lieu thereof the following:

"(1) for fiscal year 1987 shall be 1,800,000 metric tons, of which not less than 1,300,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program;

"(2) for fiscal year 1988 shall be 1,900,000 metric tons, of which not less than 1,400,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program; and

"(3) for fiscal year 1989 and each fiscal year thereafter shall be 2,000,000 metric tons, of which not less than 1,500,000 metric tons for nonemergency programs shall be distributed through nonprofit voluntary agencies and the World Food Program;".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1986.

SEC. 903. EXPRESS AUTHORITY FOR TITLE II DIRECT DISTRIBUTION, SALE, AND BARTER.

Section 202(a) of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting after the first sentence the following new sentence: "Such commodities may be furnished for direct distribution, sale, barter, or other appropriate disposition in carrying out the purposes set forth in section 201.". It is the sense of the Congress that the general categories for sale and barter of commodities under this section are: sale and barter during emergency food aid situations when the local currency proceeds are needed to pay for in-country distribution and related costs; partial sale to finance education, health, nutrition, income generating food for work materials, and other developmental activities; and full monetization for economic and community and agricultural cooperative development projects.

SEC. 904. ROLE OF PRIVATE VOLUNTARY ORGANIZATIONS AND COOPERATIVES.

(a) NUTRITIONAL AND DEVELOPMENT OBJECTIVES.—Section 202(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new paragraph:

"(4) In the case of commodities distributed under this title by nonprofit voluntary agencies, consideration shall be given to nutritional and development objectives as established by those agencies in light of their assessment of the needs of the people assisted.".

(b) FOOD FOR DEVELOPMENT PROGRAMS.—Section 302(c)(4) of such Act is amended by inserting "and of United States nonprofit voluntary agencies and cooperatives" immediately after "agriculture".

SEC. 905. MULTIYEAR AGREEMENTS WITH PVOS.

Section 202 of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following:

"(c)(1) In agreements with nonprofit voluntary agencies for nonemergency assistance under this title, the President is encouraged, if requested by the nonprofit voluntary agency, to approve multiyear commitments to make agricultural commodities available for distribution by that agency. Such commitment shall be subject to the availability each fiscal year of the necessary appropriations and agricultural commodities.

"(2) Paragraph (1) does not apply to an agreement which the President determines should be limited to a single year because of the past performance of the nonprofit voluntary agency or because the agreement involves a new program of assistance.

"(3) In carrying out a multiyear agreement pursuant to this subsection, a nonprofit voluntary agency shall not be required to obtain annual approval from the United States Government in order to continue its assistance program pursuant to the agreement, unless exceptional and unforeseen circumstances have occurred which the President determines require such approval.".

SEC. 906. CHILD IMMUNIZATION.

(a) AMENDMENTS TO PUBLIC LAW 480.—The Agricultural Trade Development and Assistance Act of 1954 is amended—

(1) in paragraph (11) of section 109 by inserting immediately before the period at the end thereof ", including the immunization of children";

(2) in the first sentence of section 206 by striking out "or" before "(B)", and by inserting immediately before the period at the end thereof ", or (C) health programs and projects, including immunization of children"; and

(3) in the second sentence of section 301(b) by inserting "(including immunization of children)" immediately after "health services".

(b) IMMUNIZATION TARGET.—In the implementation of health programs undertaken in relation to assistance provided under the Agricultural Trade Development and Assistance Act of 1954, it shall be the target for the organizations and agencies involved to provide for the immunization by fiscal year 1987 of at least three million more children annually than receive immunizations under such programs in fiscal year 1985. Such increased immunization activities should be taken in coordination with similar efforts of other organizations and in keeping with any national plans for expanded programs of immunization. The President shall include information concerning such immunization activities in the annual reports required by section 634 of the Foreign Assistance Act of 1961, including a report on the estimated number of immunizations provided each year pursuant to this subsection.

SEC. 907. USE OF LOCAL CURRENCIES FOR EDUCATION PROGRAMS UNDER TITLE III.

Section 301(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting "education," immediately after "nutrition," in the second sentence.

SEC. 908. FARMER-TO-FARMER PROGRAM.

(a) MINIMUM FUNDING LEVEL.—Notwithstanding any other provision of law, not less than one-tenth of 1 percent of the funds available for each of the fiscal years 1986 and 1987 to carry out the Agricultural Trade Development and Assistance Act of 1954 shall be used to carry out paragraphs (1) and (2) of section 406(a) of that Act. Any such funds used to carry out paragraph (2) of such section 406(a) shall not constitute more than one-fourth of the funds used pursuant to this subsection, shall be used for activities in direct support of the farmer-to-farmer program under paragraph (1) of such section, and shall be administered wherever possible in conjunction with programs under title XII of chapter 2 of part I of the Foreign Assistance Act of 1961.

(b) REPORT.—Not later than 120 days after the enactment of this Act, the Administrator of the Agency for International Development, in conjunction with the Secretary of Agriculture, shall submit to the Congress a report indicating the manner in which the Agency intends to implement the provisions of section 406(a) (1) and (2) of the Agricultural Trade Development and Assistance Act of 1954 with the funds made available pursuant to subsection (a) of this section.

SEC. 909. TITLE II PROGRAMMING REPORTS.

Section 408(b) of the Agricultural Trade Development and Assistance Act of 1954 is amended by striking out "title I" both places it appears and inserting in lieu thereof "titles I and II".

SEC. 910. FOOD FOR PROGRESS PROGRAM AND PRIVATE ENTERPRISE PROMOTION.

Title III of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new sections:

"SEC. 311. (a) The President is authorized to negotiate and carry out agreements with developing countries, that have made commitments to agricultural policy reforms, providing for the furnishing of agricultural commodities to such countries, on a loan or grant basis, to support reform and implementation of agricultural policy decisions based on free market principles. Such agreements may provide for commodities to be furnished on a multiyear basis. The agreement between the United States Government and a recipient country which provides for the furnishing of commodities under this section shall be called a Food for Progress Program.

"(b) Before entering into an agreement with a developing country for the furnishing of agricultural commodities under this section, the President shall be satisfied that such country is committed to carry out, or is carrying out, policies that promote economic freedom, private production of food commodities for domestic consumption, and the creation and expansion of efficient domestic markets for the purchase and sale of such

commodities. Such policies may provide for, among other things—

"(1) access, on the part of farmers in such country, to private, competitive markets for their products;

"(2) market pricing of commodities to foster adequate private sector incentives to individual farmers to produce food on a regular basis for the country's domestic needs;

"(3) establishment of market-determined foreign exchange rates;

"(4) timely availability of production inputs, such as seed, fertilizer, or pesticides, to farmers; and

"(5) access to technologies appropriate to the level of agricultural development in such country.

"SEC. 312. (a) The purpose of this section is to make United States agricultural commodities available in a manner which will generate local currency loans for economically productive activities by private enterprise, particularly in agriculture and agriculture-related fields. The President is authorized to negotiate and carry out agreements with friendly countries for the sale of agricultural commodities for foreign currencies for the uses specified in subsection (b).

"(b) Foreign currencies received from the sale of agricultural commodities under this section (and any proceeds from the use of those currencies) shall be used, under such terms and conditions as the President may determine, for the following purposes:

"(1) Loans to financial intermediaries within the recipient countries, for use for loans to private individuals, cooperatives, corporations or other nongovernmental entities for economically productive activities within those countries. To the maximum extent practicable, the intermediaries shall give preference to the financing of agricultural and agriculturally related activities by the loan recipients.

"(2) Payment of United States obligations (including obligations entered into pursuant to other laws of the United States).

"(c) Before entering into agreements under this section, the President shall be assured that the recipient country is pursuing policies to encourage increased agricultural production in that country.

"(d) Section 105 of this Act and section 1306 of title 31, United States, shall not apply with respect to foreign currency received and used pursuant to this section.

"SEC. 313. (a) Notwithstanding any other provision of law, the Commodity Credit Corporation is authorized to use funds appropriated to carry out title I of this Act in carrying out sections 311 and 312. The Commodity Credit Corporation shall make available to the President such agricultural commodities determined to be available under section 401 as the President may request for purposes of section 311 and 312.

"(b) Any new spending authority provided by sections 311 and 312 shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance in appropriation Acts.

"(c) Any reference to 'this title' in section 301 through 307 of this title shall not apply with respect to sections 311 and 312.".

SEC. 911.

Subsection (b) of section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431(b)) is amended by inserting ", rice," after "Dairy products" in the first sentence thereof and by inserting ", rice," after "dairy products" in the third and eighth sentences thereof.

SEC. 912. SUPPORT FOR ADEQUATE FUNDING FOR FOOD AND AGRICULTURAL ASSISTANCE PROGRAMS.

It is the sense of the Congress that the programs carried out by the International Fund for Agricultural Development and the programs carried out pursuant to the Agricultural Trade Development and Assistance Act of 1954 are valuable programs, and that those programs should receive adequate funding to carry out their purposes.

TITLE X—PEACE CORPS

SEC. 1001. AUTHORIZATIONS OF APPROPRIATIONS.

Section 3(b) of the Peace Corps Act is amended by amending the first sentence to read as follows: "There are authorized to be appropriated to carry out the purposes of this Act $131,744,800 for fiscal year 1986 and $131,744,800 for fiscal year 1987.".

SEC. 1002. INCREASE IN NUMBER OF PEACE CORPS VOLUNTEERS.

(a) STATEMENT OF POLICY.—Section 2 of the Peace Corps Act (22 U.S.C. 2501) is amended—

(1) by inserting "(a)" immediately after "SEC. 2."; and

(2) by adding at the end thereof the following new subsection:

"(b) The Congress declares that it is the policy of the United States and a purpose of the Peace Corps to provide, to the maximum extent possible, opportunities for service in the Peace Corps to at least 10,000 individuals by the end of the fiscal year 1989 and thereafter.".

(b) ANNUAL REPORT.—Section 11 of the Peace Corps Act (22 U.S.C. 2510) is amended by adding at the end thereof the following new sentence: "The President shall also include in the report a description of the plans developed and implemented to carry out the policy set forth in section 2(b) of this Act.".

SEC. 1003. LIMITATION ON SERVICE.

Section 7(a)(2) of the Peace Corps Act (22 U.S.C. 2506(a)(2)) is amended—

(1) in subparagraph (A) by striking out "five" and inserting in lieu thereof "seven and a half"; and

(2) in the third sentence by inserting "(other than the provisions of section 309)" after "1980".

SEC. 1004. PEACE CORPS PUBLICATIONS.

Section 15 of the Peace Corps Act is amended by adding at the end thereof the following new subsection:

"(e) Technical publications produced by the Peace Corps may be sold at cost in furtherance of the purposes of this Act. Up to $200,000 of the proceeds of such sales in each fiscal year may, to such extent as may be provided in advance in appropriation Acts, be credited to the currently applicable appropriation of the Peace Corps, notwithstanding section 3302(b) of title 31, United States Code.".

TITLE XI—OTHER POLICY PROVISIONS RELATING TO UNITED STATES ASSISTANCE

SEC. 1101. NOTICE TO CONGRESS OF USE OF CERTAIN AUTHORITIES RELATING TO HUMAN RIGHTS CONDITIONS.

Section 502B of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(g) Whenever the provisions of subsection (e) or (f) of this section are applied, the President shall report to the Congress before making any funds available pursuant to those subsections. The report shall specify the country involved, the amount and kinds of assistance to be provided, and the justification for providing the assistance, including a description of the significant improvements which have occurred in the country's human rights record.".

SEC. 1102. PROHIBITIONS AGAINST ASSISTANCE.

Section 620(f) of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(1)" immediately after "(f)";

(2) by redesignating clauses (1), (2), and (3) as clauses (A), (B), and (C), respectively; and

(3) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, the President may remove a country, for such period as the President determines, from the application of this subsection, and other provisions which reference this subsection, if the President determines and reports to the Congress that such action is important to the national interest of the United States. It is the sense of the Congress that when consideration is given to authorizing assistance to a country removed from the application of this subsection, one of the factors to be weighed, among others, is whether the country in question is giving evidence of fostering the establishment of a genuinely democratic system, with respect for internationally recognized human rights.".

SEC. 1103. LAND REFORM PROGRAMS.

Section 620(g) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following sentence: "This prohibition shall not apply to monetary assistance made available for use by a government (or a political subdivision or agency of a government) to compensate nationals of that country in accordance with a land reform program, if the President determines that monetary assistance for such land reform program will further the national interests of the United States.".

SEC. 1104. NUCLEAR NON-PROLIFERATION CONDITIONS ON ASSISTANCE FOR PAKISTAN.

Section 620E of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(e) No assistance shall be furnished to Pakistan and no military equipment or technology shall be sold or transferred to Pakistan, pursuant to the authorities contained in this Act or any other Act, unless the President certifies in writing to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance is to be furnished or military equipment or technology is to be sold or transferred, that Pakistan does not possess a nuclear explosive device and that the proposed United States assistance program will reduce significantly the risk that Pakistan will possess a nuclear explosive device.".

SEC. 1105. SUSPENSION OF ASSISTANCE TO COUNTRIES VIOLATING U.S. EXPORT LAWS IN ORDER TO MANUFACTURE A NUCLEAR EXPLOSIVE DEVICE.

(a) SUSPENSION OF ASSISTANCE BECAUSE OF ILLEGAL EXPORTS.—Subsection (a)(1) of section 670 of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(A)" after "country which";

(2) by inserting immediately before the period at the end thereof ", or (B) is a non-nuclear-weapon state which, on or after the date of enactment of the International Security and Development Cooperation Act of 1985, exports illegally (or attempts to export illegally) from the United States any material, equipment, or technology which would contribute significantly to the ability of such country to manufacture a nuclear ex-

plosive device, if the President determines that the material, equipment, or technology was to be used by such country in the manufacture of a nuclear explosive device"; and

(3) by adding at the end thereof the following: "For purposes of clause (B), an export (or attempted export) by a person who is an agent of, or is otherwise acting on behalf of or in the interests of, a country shall be considered to be an export (or attempted export) by that country.".

(b) CONFORMING AMENDMENTS.—Such section 670 is amended—

(1) in the section caption by inserting "ILLEGAL EXPORTS FOR NUCLEAR EXPLOSIVE DEVICES," after "TRANSFERS,"; and

(2) by striking out "(5) As used in this subsection" and inserting in lieu thereof "(c) As used in this section".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SEC. 1106. REPORTS ON ECONOMIC CONDITIONS IN CERTAIN COUNTRIES.

(a) EXTERNAL DEBT BURDEN OF CERTAIN COUNTRIES RECEIVING UNITED STATES ASSISTANCE.—The Congress finds that the Governments of Egypt, Israel, Turkey, and Portugal each have an enormous external debt burden which may be made more difficult by virtue of financing provided for those governments under various United States assistance programs.

(b) ANNUAL REPORTS ON ECONOMIC CONDITIONS.—

(1) REQUIREMENT FOR REPORTS.—In order to assist the Congress in examining United States assistance for these countries, the President shall report to the Congress annually regarding economic conditions prevailing in Egypt, Israel, Turkey, and Portugal which may affect their respective ability to meet their international debt obligations and to stabilize their economies.

(2) SUBMISSION OF REPORTS.—The reports required by paragraph (1) shall be submitted to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate not later than January 15 of each year.

SEC. 1107. EGYPTIAN-ISRAELI RELATIONS.

The Congress notes the recent effort of Egypt to move the peace process forward. However, the Congress continues to be concerned about the less than normal relations between Egypt and Israel. It is the sense of the Congress that all United States foreign assistance to Egypt is provided in the expectation that the Egyptian Government will continue in its efforts to bring peace to the region and that it will continue to support and fulfill the provisions of the Camp David Accords and the Egyptian-Israeli Peace Treaty, including the return of the Egyptian ambassador to Israel.

SEC. 1108. UNITED STATES POLICY TOWARD THE REPUBLIC OF KOREA.

(a) FINDINGS.—The Congress finds that—

(1) the Government of the Republic of Korea has taken several significant and encouraging steps in liberalizing the political system in that country;

(2) among the steps which have facilitated a more democratic environment are the release of hundreds of student demonstrators, the lifting of a political ban on more than 300 opposition leaders, and the holding of a vigorously contested election for the National Assembly in which the opposition made substantial gains;

(3) despite these steps, the people of the Republic of Korea, who have become increasingly better educated and prosperous as a result of Korea's extraordinarily rapid economic development, have the desire and the capability to participate more fully and effectively in the government of their own country; and

(4) while internationally recognized human rights are clearly respected much more in the Republic of Korea than in the Democratic People's Republic of Korea, continued progress toward democratization in the south is in the interests of both the Republic of Korea and the United States, inasmuch as long-term political stability cannot be assured in the absence of further progress towards democratic government.

(b) UNITED STATES POLICY.—It is the policy of the United States to provide assistance to the Republic of Korea in order to help that country defend itself against external aggression. It is the hope of the United States that the continuing close relations between our two countries, including such assistance, will encourage the establishment of a genuinely democratic system in the Republic of Korea, in which internationally recognized human rights, including freedom of the press, freedom of association, and freedom of assembly are observed.

SEC. 1109. ASSISTANCE FOR THE PHILIPPINES.

(a) UNITED STATES POLICY.—It is the sense of the Congress that the United States should use all appropriate means to ensure that the people of the Philippines and the entire East Asia region understand that United States assistance to the Philippines—

(1) is provided to support democracy, to encourage an effective effort against the communist insurgency, and to maintain and foster friendly relations between the people of the United States and the people of the Philippines; and

(2) is not intended to imply support for any particular Philippine regime.

(b) OBJECTIVES.—To that end, United States foreign assistance furnished to the Philippines each fiscal year should be used to encourage and promote objectives such as—

(1) full observance of internationally recognized human rights in accordance with sections 116 and 502B of the Foreign Assistance Act of 1961, including an end to "salvagings" and torture, as well as full respect for other fundamental human rights, including freedom of speech, freedom of the press, and freedom of assembly;

(2) the revitalization of democratic institutions in the Philippines, including—

(A) the process of free, fair, and open elections, one element of such process being the existence of a genuinely independent and respected electoral commission, and

(B) limiting the use of the President's emergency decree-making power to genuine emergencies;

(3) maintenance of an independent judiciary and legal due process, including the release of prisoners held without charge and an end to arrests by presidential order without court warrants and bail;

(4) accountability and a fair judicial process in the Aquino assassination trial;

(5) progress toward implementation of structural economic reforms and a strengthening of the private sector, including the elimination of corruption and monopolies and an improvement in the social conditions of the poorest Filipinos and in the distribution of income and wealth;

(6) the increased professional capability of the Philippine armed forces and security forces (including the Philippine Constabulary and the Civilian Home Defense Forces) in order to instill a greater respect for human rights on their part, to enhance the military effectiveness of these forces in dealing with the growing communist insurgency, and to facilitate a process of peaceful national reconciliation;

(7) efforts of Filipinos to deal with the political, economic, and social root causes of the growing communist movement and insurgency, as well as the appropriate military measures to stem the insurgency; and

(8) the maintenance of the common security objectives of the United States and the Philippines, including United States access to the facilities at Clark Field and Subic Bay.

(c) REPORTS TO THE CONGRESS.—

(1) PROGRESS TOWARDS OBJECTIVES.—The President shall report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the extent to which the Government of the Philippines has made progress in the objectives identified in subsection (b), including the extent to which those objectives have been agreed to by the Government of the Philippines and concrete steps taken to achieve those objectives.

(2) ASSISTANCE TRANSFERRED.—Each report pursuant to this subsection shall also describe the amount of assistance actually transferred by the United States to the Philippines during the preceding 6 months, the purposes for which it is to be used, the beneficiaries of the assistance, and the specific steps the United States has taken to publicize the various programs and projects for which our assistance has been utilized. Such reports shall also include the text of any memorandum or agreement between the United States Government and the Government of the Philippines regarding the use of local currencies generated from assistance furnished to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund) or generated from the sale of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954.

(3) DISTRIBUTION OF ASSISTANCE THROUGH PVO'S, COOPERATIVES, AND OTHER NONGOVERNMENTAL ENTITIES.—The reports pursuant to this subsection shall include an analysis of the effectiveness of the private distribution of United States food and development assistance to the Philippines and of efforts to increase the use of private distribution pursuant to subsection (d).

(4) TIME FOR SUBMISSION OF REPORTS.—Reports pursuant to this subsection shall be submitted semi-annually, beginning on October 1, 1985, and every six months thereafter until October 1, 1987.

(d) CONGRESSIONAL OVERSIGHT.—The Congress, in determining future aid levels for the Philippines, will take into account not only our military bases agreement with that country, but also the extent to which the objectives identified in subsection (b) have been implemented. The Congress may defer assistance for the Philippines under both chapter 2 of part II of the Foreign Assistance Act of 1961 and the Arms Export Control Act if—

(1) significant progress is not achieved with respect to the objectives identified in subsection (b), or

(2) the Congress finds that such assistance is used to violate the internationally recognized human rights of the Filipino people.

(e) DISTRIBUTION OF DEVELOPMENT AND PUBLIC LAW 480 ASSISTANCE THROUGH PVO'S, COOPERATIVES, AND OTHER NONGOVERNMENTAL ENTITIES.—

(1) MINIMUM DISTRIBUTION REQUIREMENTS.—Except as provided in paragraph (2), for each of the fiscal years 1986 and 1987—

(A) not less than one-fourth of the assistance provided for the Philippines under chapter 1 of part I of the Foreign Assistance Act of 1961, and

(B) not less than one-fourth of the total amount of assistance provided for the Philippines under title I (including title III) and title II of the Agricultural Trade Development and Assistance Act of 1954,

shall be provided through private and voluntary organizations, cooperatives, and other nongovernmental entities.

(2) DISTRIBUTION OF LESSER AMOUNTS.—The amount of assistance distributed through private and voluntary organizations, cooperatives, and other nongovernmental entities for fiscal year 1986 or for fiscal year 1987 may be an amount which is less than the amount specified in subparagraph (A) or (B) of paragraph (1) if the Administrator of the Agency for International Development reports to the Congress, during the first 60 days of that fiscal year, that such lesser amount is the maximum amount which those entities can distribute effectively in that fiscal year.

SEC. 1110. POLITICAL SETTLEMENT IN SRI LANKA.

(a) FINDINGS.—The Congress finds that—

(1) the Government and people of Sri Lanka and the Government and people of the United States share a common devotion to independence, democracy, and human rights;

(2) the United States is concerned over the armed clashes between the security forces of the Government of Sri Lanka and some Sri Lankans who seek through violent means, including terrorist attacks, to divide that nation;

(3) there have been acts of terrorism committed against members of the Sri Lankan security forces, as well as against civilians, and there have been human rights abuses by members of the security forces against civilians, particularly Tamils, despite the efforts of the Government to put an end to those abuses;

(4) the differences and grievances in Sri Lanka cannot be resolved through the use of force; and

(5) the United States is a proud participant through its economic assistance programs in Sri Lanka's highly regarded development efforts and looks forward to enhanced cooperation and assistance in the context of a political settlement in Sri Lanka leading to the kind of peaceful climate in which additional aid could be effectively utilized.

(b) POLITICAL SETTLEMENT.—It is, therefore, the sense of the Congress that—

(1) all parties in Sri Lanka, from all communities in and out of government, should renew their efforts to achieve a joint political settlement which meets the legitimate concerns of all the people of Sri Lanka, while preserving the territorial integrity of Sri Lanka; and

(2) all parties outside Sri Lanka should do nothing which would impede progress toward such a settlement.

SEC. 1111. ASSISTANCE FOR AFGHANISTAN.

(a) AUTHORIZATION.—The President may make available funds authorized to be appropriated to carry out the provisions of chapter 1 of part I (relating to development assistance) and chapter 4 of part II (relating to the economic support fund) of the Foreign Assistance Act of 1961 for the provision of food, medicine, or other humanitarian assistance to the Afghan people, notwithstanding any other provision of law.

(b) EARMARKING OF FUNDS.—Each fiscal year, not less than $15,000,000 of the aggregate amount of funds available to carry out chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 shall be available only for humanitarian assistance to the Afghan people pursuant to subsection (a) of this section.

(c) EFFECTIVE DATES.—This section shall take effect on the date of enactment of this Act, except that subsection (b) does not apply to fiscal year 1985.

SEC. 1112. PROHIBITION ON ASSISTANCE TO COUNTRIES WHICH OPPOSE THE UNITED STATES POSITION IN THE UNITED NATIONS GENERAL ASSEMBLY MORE OFTEN THAN THE SOVIET UNION.

Assistance may not be provided under the Foreign Assistance Act of 1961 or the Arms Export Control Act to the government of any country whose votes in the most recent session of the United Nations General Assembly coincided with the United States position less frequently on a percentage basis than the votes of the Soviet Union coincided with the United States position, using for this purpose the percentage-of-voting-coincidences compiled by the Permanent Representative of the United States to the United Nations and set forth in the annual report to Congress on the degree of support being provided by each foreign country for the foreign policy of the United States, unless the President determines, and reports to the Congress, that national security or humanitarian reasons justify furnishing such assistance to that country.

TITLE XII—MISCELLANEOUS PROVISIONS

SEC. 1201. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act shall take effect on October 1, 1985.

SEC. 1202. PROCUREMENT OF CONSTRUCTION AND ENGINEERING SERVICES.

Section 604(g) of the Foreign Assistance Act of 1961 is amended—

(1) by inserting "(1)" after "(g)"; and

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

"(2) Paragraph (1) does not apply with respect to an advanced developing country which—

"(A) is receiving direct economic assistance under chapter 1 of part I or chapter 4 of part II of this Act, and

"(B) if the country has its own foreign assistance programs which finance the procurement of construction or engineering services, permits United States firms to compete for those services.".

SEC. 1203. COMPLETION OF PLANS AND COST ESTIMATES.

Section 611 of the Foreign Assistance Act of 1961 is amended—

(1) in subsection (a) by striking out "$100,000" and inserting in lieu thereof "$500,000"; and

(2) in subsection (b) by striking out "the procedures set forth in the Principles and Standards for Planning Water and Related Land Resources, dated October 25, 1973, with respect to such computations" and inserting in lieu thereof "the principles, standards, and procedures established pursuant to the Water Resources Planning Act (42 U.S.C. 1962, et seq.) or acts amendatory or supplementary thereto".

SEC. 1204. REPROGRAMMING NOTIFICATIONS TO CONGRESS.

Section 634A of the Foreign Assistance Act of 1961, as amended by title I of this Act, is further amended by adding at the end thereof the following new subsection:

"(c) The President shall notify the chairman of the Committee on Foreign Relations of the Senate and the chairman of the Committee on Foreign Affairs of the House of Representatives concerning any reprogramming of funds in the International Affairs Budget Function, the authorizations of appropriations for which are in their respective jurisdictions, to the same degree and with the same conditions as the President notifies the Committees on Appropriations. The requirements of this subsection are in addition to, and not in lieu of, other notification requirements.".

SEC. 1205. REPEAL OF OBSOLETE PROVISIONS AND CORRECTION OF TECHNICAL REFERENCES.

(a) REPEALS.—The Foreign Assistance Act of 1961 is amended as follows:

(1) The third sentence of section 105(a) is repealed.

(2) Section 106(b)(1) is amended by striking out "(A)" and by striking out subparagraph (B).

(3) Section 110 is amended by striking out "(a)" and by striking out subsection (b).

(4) Chapter 10 of part I is repealed.

(b) CORRECTION OF CROSS-REFERENCES.—

(1) FOREIGN SERVICE ACT.—Section 636(a)(14) of such Act is amended by striking out "the Foreign Service Act of 1946, as amended (22 U.S.C. 801 et seq.)" and inserting in lieu thereof "the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.)".

(2) TITLE 31 OF THE U.S. CODE.—Section 611(a) of such Act is amended by striking out "section 1311 of the Supplemental Appropriation Act, 1955 as amended (31 U.S.C. 200)" and inserting in lieu thereof "section 1501 of title 31, United States Code".

(3) ITAR REGULATIONS.—Section 47(6) of the Arms Export Control Act is amended by striking out "combat" and inserting in lieu thereof "military".

SEC. 1206. CODIFICATION OF POLICY PROHIBITING NEGOTIATIONS WITH THE PALESTINE LIBERATION ORGANIZATION.

(a) UNITED STATES POLICY.—The United States in 1975 declared in a memorandum of agreement with Israel, and has reaffirmed since, that "The United States will continue to adhere to its present policy with respect to the Palestine Liberation Organization, whereby it will not recognize or negotiate with the Palestine Liberation Organization so long as the Palestine Liberation Organization does not recognize Israel's right to exist and does not accept Security Council Resolutions 242 and 338.".

(b) REAFFIRMATION AND CODIFICATION OF POLICY.—The United States hereby reaffirms that policy. In accordance with that policy—

(1) no officer or employee of the United States Government, and no agent or other individual acting on behalf of the United States Government, shall negotiate with the Palestine Liberation Organization or any representatives thereof, and

(2) the United States shall not recognize the Palestine Liberation Organization,

unless and until the Palestine Liberation Organization recognizes Israel's right to exist, accepts United Nations Security Council Resolutions 242 and 338, and renounces the use of terrorism.

SEC. 1207. COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD.

(a) PURPOSE.—Because the fabric of a society is strengthened by visible reminders of the historical roots of the society, it is in the national interest of the United States to encourage the preservation and protection of

the cemeteries, monuments, and historic buildings associated with the foreign heritage of United States citizens.

(b) ESTABLISHMENT.—There is established a commission to be known as the Commission for the Preservation of America's Heritage Abroad (hereafter in this section referred to as the "Commission").

(c) DUTIES.—The Commission shall—

(1) identify and publish a list of those cemeteries, monuments, and historic buildings located abroad which are associated with the foreign heritage of United States citizens from eastern and central Europe, particularly those cemeteries, monuments, and buildings which are in danger of deterioration or destruction;

(2) encourage the preservation and protection of such cemeteries, monuments, and historic buildings by obtaining, in cooperation with the Department of State, assurances from foreign governments that the cemeteries, monuments, and buildings will be preserved and protected; and

(3) prepare and disseminate reports on the condition of and the progress toward preserving and protecting such cemeteries, monuments, and historic buildings.

(d) MEMBERSHIP.—

(1) The Commission shall consist of 21 members, of whom 7 shall be appointed by the President, 7 shall be appointed by the Speaker of the House of Representatives, and 7 shall be appointed by the President pro tempore of the Senate.

(2)(A) Except as provided in subparagraphs (B), (C), and (D), members shall be appointed for terms of 3 years.

(B) Of the members first appointed by the Speaker of the House of Representatives, 5 shall be appointed for a term of 2 years. Of the members first appointed by the President pro tempore of the Senate, 5 shall be appointed for 2 years.

(C) A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the member's predecessor was appointed.

(D) A member may retain membership on the Commission until the member's successor has been appointed.

(3) The President shall designate the Chairman of the Commission from among its members.

(e) MEETINGS.—The Commission shall meet at least once every 3 months.

(f) COMPENSATION AND PER DIEM.—

(1) Members of the Commission shall receive no pay on account of their service on the Commission.

(2) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(g) AUTHORITIES.—

(1) The Commission or any member it authorizes may, for the purposes of carrying out this section, hold such hearings, sit and act at such times and places, request such attendance, take such testimony, and receive such evidence, as the Commission considers appropriate.

(2) The Commission may appoint such personnel (subject to the provisions of title 5 of the United States Code which govern appointments in the competitive service) and may fix the pay of such personnel (subject to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates) as the Commission deems desirable.

(3) The Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay then in effect for grade GS-18 of the General Schedule (5 U.S.C. 5332(a)).

(4) Upon request of the Commission, the head of any Federal department or agency, including the Secretary of State, may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this section.

(5) The Commission may secure directly from any department or agency of the United States, including the Department of State, any information necessary to enable it to carry out this section. Upon the request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(6) The Commission may accept, use, and dispose of gifts or donations of money or property.

(7) The Commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(8) The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(h) REPORTS.—The Commission shall transmit an annual report to the President and to each House of Congress as soon as practicable after the end of each fiscal year. Each report shall include a detailed statement of the activities and accomplishments of the Commission during the preceding fiscal year and any recommendations by the Commission for legislation and administrative actions.

SEC. 1208. SOVIET POLICY REGARDING SOVIET JEWRY.

(a) FINDING.—The Congress finds that President Reagan recently stated that "Soviet Jewry . . . suffers from persecution, intimidation, and imprisonment within Soviet borders", that "We will never relinquish our hope for their freedom and we will never cease to work for it", and that "If the Soviet Union truly wants peace, truly wants friendship, then let them release Anatoly Shcharansky and free Soviet Jewry".

(b) POLICY.—Therefore, in support of the President's position, the Congress calls on the Soviet Union, as an initial gesture—

(1) to release immediately Anatoly Shcharansky, Yosef Begun, and all other prisoners of conscience, and allow them to leave the Soviet Union;

(2) to issue immediately exit permits to the many known long-term "refuseniks" such as Ida Nudel and Vladimir Slepak; and

(3) to allow those thousands of Jews, who wish to join their relatives abroad, to leave the Soviet Union this year and to pledge that such cases will be dealt with expeditiously and in a humanitarian way during the next three years, thus enabling those who have requested exit permits to leave.

SEC. 1209. EFFORTS BY JAPAN TO FULFILL SELF-DEFENSE RESPONSIBILITIES.

(a) FINDINGS.—The Congress finds that—

(1) the Japan-United States security relationship is the foundation of the peace and security of Japan and the Far East, as well as a major contributor to the protection of the United States and to the democratic freedoms and economic prosperity enjoyed by both the United States and Japan;

(2) the threats to our two democracies have increased significantly since 1976, principally through the Soviet invasion of Afghanistan, the expansion of Soviet armed forces in the Far East, the invasion of Cambodia by Vietnam, and the instability in the Persian Gulf region as signified by the continuing Iran-Iraq conflict;

(3) in recognition of these and other threats, the United States has greatly increased its annual defense spending through sustained real growth averaging 8.8 percent yearly between fiscal years 1981 and 1985, and cumulative real growth of 50 percent in that period;

(4) the United States Government appreciates the May 1981 statement by the Prime Minister of Japan that, pursuant to the Treaty of Mutual Cooperation and Security between his country and the United States and pursuant to Japan's own Constitution, it was national policy for his country to acquire and maintain the self-defense forces adequate for the defense of its land area and surrounding airspace and sealanes, out to a distance of 1,000 miles;

(5) the United States Government applauds the policy of Japan to obtain the capabilities to defend its sea and air lanes out to 1,000 miles and expects that these capabilities should be acquired by the end of the decade, and recognizes that achieving those capabilities would significantly improve the national security of both Japan and the United States;

(6) the United States Government appreciates the contribution already made by Japan through the Host Nation Support Program and its recent efforts to increase its defense spending; and

(7) thus far, Japan has not provided sufficient funding to enable Japan, in cooperation with the United States, to be in a position to make a sufficiently effective contribution to common defense objectives.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that Japan, in order to make a more effective contribution to its own defense in cooperation with the United States, which would include among other efforts the development of a 1,000 mile airspace and sea lanes defense capability, should be strongly encouraged in its plans to develop and implement a 1986-1990 Mid-Term Defense Plan containing sufficient funding, program acquisition, and force development resources to achieve 1,000 mile self-defense capabilities by the end of the decade, including the allocation of sufficient budgetary resources annually to reduce substantially the ammunition, logistics, and sustainability shortfalls of Japan's forces.

SEC. 1210. STATE TERRORISM.

It is the sense of the Congress that all civilized nations should firmly condemn the increasing use of terrorism by certain states as an official instrument or promoting their policy goals, as evidenced by such examples as the brutal assassination of Major Arthur D. Nicholson, Jr., by a member of the Soviet armed forces.

SEC. 1211. STUDY OF MEASURES TO ENHANCE CRISIS STABILITY AND CONTROL.

(a) The Secretary of State and the Director of the Arms Control and Disarmament Agency shall conduct a detailed and complete study and evaluation of additional measures which both enhance the security of the United States and reduce the likelihood of nuclear weapons use by contributing to crisis stability and/or crisis control capabilities, including specific consideration of the following measures:

(1) Increased redundancy of direct communications link circuits, including the creation of new survivable circuits and terminals, located outside the national capitals which have access to the command and control system of the country in which they are located.

(2) Establishment of redundant, survivable direct communications links between and among all nuclear-armed states.

(3) Conclusion of an agreement creating "non-target" sanctuaries only for certain direct communications link circuits to enhance survivability of communications.

(4) Creation in advance of standard operating procedures for communicating, and possibly cooperating, with the Soviet Union and other states in the event of nuclear attacks by third parties on either the United States or Soviet Union.

(5) Addition to the Incidents At Sea agreement of a prohibition on the "locking on" of fire control radars on ships and planes of the other side, an agreement on the separation of naval forces during specified periods of crisis, and other such measures relevant to the Incidents At Sea agreement.

(6) Placement by the United States and the Soviet Union of unmanned launch sensors in the land-based missile fields of both countries.

(7) Establishment of anti-submarine operations free zones designed to enhance the security of ballistic missile submarines.

(8) Installation of permissive action links aboard the ballistic missile submarines of the United States, which might possibly be activated or deactivated at various levels of alert, and encouragement of the Soviet Union to do the same.

(9) Establishment of training programs for National Command Authority officials to familiarize them with alert procedures, communications capabilities, nuclear weapons release authority procedures, and the crisis control and stability implications thereof.

(10) Include in standard operating procedure the relocation in a crisis of a National Command Authority official outside Washington, D.C. to a secure location with access to the strategic command and control system, and announce the institution of this procedure to relevant foreign governments.

(b) The Secretary of State and the Director of the Arms Control and Disarmament Agency shall submit a report of the study and evaluation under subsection (a) to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives by January 1, 1986. Such report should be available in both a classified, if necessary, and unclassified format.

SEC. 1212. DAMAGES RESULTING FROM DELAYS IN THE CONSTRUCTION OF THE UNITED STATES EMBASSY IN MOSCOW

(a) Within 30 days after the enactment of this Act the Secretary of State shall initiate actions to begin the inter-national arbitration process, which is provided for in the embassy construction agreement between the United States and the Union of Soviet Socialist Republics, in order to resolve all United States claims against the Soviet Union for damages arising from delays in the construction of the new United States Embassy complex in Moscow.

(b) Within one year after the enactment of this act the Secretary of State shall submit to the Congress of the United States a report on the final resolution of claims as described in subsection (a).

(c) In the event that the Soviet Union refuses to participate in or abide by the results of the arbitration process in subsection (a), the Secretary of State shall not permit the Soviet Union to occupy the chancery building at its new Embassy complex in Washington, D.C. (or to occupy any other new facilities in the Washington, D.C. metropolitan area), until such arbitration is completed and until any damages determined in such arbitration are paid in full.

(d) The President of the United States may suspend the restrictions in subsection (c) in the national security interest of the United States in the event that a substantial number of the claims described in subsection (a) are settled and that resolution of any remaining claims is proceeding in a satisfactory manner.

SEC. 1213. FEDERAL COAL EXPORT COMMISSION.

(a) ESTABLISHMENT.—The Secretary of Commerce shall establish, within ninety days after the date of enactment of this Act, a Federal Coal Export Commission (hereafter in this section referred to as the "Commission").

(b) MEMBERSHIP.—The Commission shall be composed of thirty members appointed by the Secretary of Commerce, as follows:

(1) FEDERAL GOVERNMENT REPRESENTATIVES.—Ten members shall be representives of the International Trade Administration, the Department of Energy, the Department of State, the Department of Transportation, the Office of the United States Trade Representative, and a Federal institution involved in export financing.

(2) PRIVATE SECTOR REPRESENTATIVES.—

(A) Five members shall be representatives of export coal producers, including traders and brokers.

(B) Five members shall be representatives of coal labor.

(C) Five members shall be representatives of transporters of export coal, including representatives of rail and barge carriers and port authorities.

(D) Five members shall be representatives of institutions having a substantial interest in United States export coal financing.

(c) EXPENSES.—Members of the Commission shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(d) COOPERATION.—All Federal departments and agencies are authorized to cooperate with the Commission and to furnish information, appropriate personnel, and such assistance as may be agreed upon by the Commission and the Federal department or agency involved.

(e) ACTIVITIES.—The Commission shall convene not less than four times a year for consultation on activities leading to increased cooperation among entities involved in United States coal exports, with the goal of expanding the United States share of the international coal market. Activities of the Commission shall include, but are not limited to, the identification of—

(1) diplomatic channels to facilitate the exportation of United States coal and methods to increase the coordination of diplomatic efforts relating to such exports;

(2) domestic and international impediments to coal exports;

(3) foreign markets for United States export coal, with emphasis on increasing United States coal sales to developing nations and expanding the participation of the United States International Development Cooperation Agency in such an effort;

(4) availability of, and methods of, financing United States coal exports, including the feasibility of increasing Federal export financial and economic assistance; and

(5) methods to promote, market, and coordinate United States coal on the international market.

The Commission shall also examine the potential for small- and medium-sized coal companies to enter the export coal trade through export trading companies with respect to the marketing, transportation, and financial services which such trading companies may provide pursuant to the Export Trading Company Act of 1982 (Public Law 97-290).

(f) REPORT.—The Commission shall submit to the President and the Congress, within two years after its first meeting, a report which details its findings pursuant to subsection (e) and, based upon such findings, makes recommendations which would lead to the expansion of the United States share of the international metallurgical and steam coal market.

(g) TERMINATION.—The Commisison shall cease to exist upon submission of its report pursuant to subsection (f).

SEC. 1214. REPRESENTATION OF MINORITIES AND WOMEN IN THE FOREIGN SERVICE

(a) DEVELOPMENT OF PROGRAM.—The head of an agency using the Foreign Service personnel system shall develop, to the extent practicable, an affirmative action effort designed to increase significantly the number of members of minority groups and women in the Foreign Service in that agency.

(b) EMPHASIS ON MID- AND SENIOR-LEVELS.—The affirmative action efforts developed pursuant to this section shall place particular emphasis on achieving significant increases in the numbers of minority group members and women who are in the mid-levels and senior-levels of the Foreign Service.

(c) GOAL.—The goal of the program developed pursuant to this section shall be to have the representation of minority groups and women in the Foreign Service at least equivalent to those groups' respective proportions within the labor force of the United States.

(d) REPORTS TO CONGRESS.—The head of an agency shall report annually to the Congress on the affirmative action effort developed pursuant to this section as part of the report required to be submitted pursuant to section 105(d) (2) of the Foreign Service Act of 1980. Subsequent reports pursuant to that section shall include reports on the implementation of these efforts, giving particular attention to the progress being made in increasing, through advancement and promotion, the numbers of members of minority groups and women in the mid-levels and senior-levels of the Foreign Service.

SEC. 1215. EMPLOYEES OF THE UNITED NATIONS.

(a) INITIAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall report to the Congress on whether, and the extent to which, international civil servants employed by the United Nations, including those seconded to the United Nations, are required to return all or part of their salaries to their respective governments. The Secretary shall also include in this report a description of the steps taken by the Department of State and by the United States Representative to the United Nations to correct this practice.

(b) REPORT ON STEPS TO CORRECT PRACTICE.—The Secretary of State shall determine and report to the Congress on whether substantial progress has been made by January 1, 1987, in correcting the practice of international civil servants employed by the United Nations being required to return all or part of their salaries to their respective governments.

(c) REDUCTION IN CONTRIBUTION IF SUBSTANTIAL PROGESS NOT MADE.—If the Secretary of State determines pursuant to subsection (b) that substantial progress has not been made in correcting this practice, the United States shall thereafter reduce the amount of its annual assessed contribution to the United Nations by the amount of that contribution which is the United States proportionate share of the salaries of those international civil servants employed by the United Nations who are returning any portion of their salaries to their respective governments.

SEC. 1216. REFUGEES IN THAILAND.

(a) APPRECIATION FOR THE RESPONSE OF THE GOVERNMENT OF THAILAND.—The Congress recognizes and expresses appreciation for the extraordinary willingness of the Government of Thailand to respond in a humanitarian way to the influx of refugees fleeing Vietnamese communist oppression.

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

(1) Cambodians, Laotians, and Vietnamese seeking asylum and refuge in Thailand should not be involuntarily repatriated or otherwise put at risk; and

(2) every effort should be made to provide increased security for refugees in camps in Thailand which should include an increased presence by international humanitarian organizations.

(c) REVIEW OF CERTAIN CAMBODIAN REFUGEES.—

(1) The Secretary of State should—

(A) work with the Government of Thailand and the United Nations High Commissioner for Refugees to conduct a review of the status of Cambodians who have not been permitted to register at refugee camps in Thailand; and

(B) implement a humanitarian solution to their plight.

(2) The Secretary of State, with the assistance of appropriate agencies, should conduct a review of those Cambodians who have been rejected for admission to the U.S. to ensure such decisions are consistent with the letter and spirit of United States refugee and immigration law.

(3) The Secretary of State, with the assistance of appropriate agencies, should institute as expeditiously as possible a family reunification program for those refugees in Thailand, including those at the border who have family members in the United States.

(4) The Secretary of State should provide for a program of educational assistance for Cambodians in the border camps and for improved literacy training in all camps.

TITLE III

SEC. 1301. PROHIBITION ON MILITARY ASSISTANCE FOR MOZAMBIQUE

None of the funds authorized to be appropriated by this act may be used for military assistance for Mozambique.

TITLE XIV. BAN ON IMPORTING URANIUM AND COAL FROM SOUTH AFRICA AND NAMIBIA

(a) PROHIBITION.—Notwithstanding any other provision of law, the following products of South Africa and Namibia may not be imported into the customs territory of the United States; coal, uranium ore, and uranium oxide.

(b) EFFECITVE DATE.—The prohibition contained in subsection (a) shall not apply to a contract or agreement entered into before the date of the enactment of this Act.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: "A bill to authorize international development and security assistance programs and Peace Corps programs for fiscal years 1986 and 1987, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 1555) was laid on the table.

PROVIDING FOR THE CONSIDERATION OF H.R. 1383, AGRICULTURE PRODUCTIVITY ACT OF 1985

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 201 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 201

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1383) to direct the Secretary of Agriculture to take certain actions to improve the productivity of American farmers, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against the consideration of the bill for failure to comply with the provisions of section 401(a) of the Congressional Budget Act of 1974 (Public Law 93-344) are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and each section of said substitute shall be considered as having been read. At the conclusion of the 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, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. 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. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Missouri [Mr. TAYLOR], for purposes of debate only, pending which I yield myself such time as I may consume.

□ 1620

Mr. MOAKLEY. Mr. Speaker, House Resolution 201 is an open rule that provides for the consideration of H.R. 1383, the Agricultural Productivity Act of 1985. The rule provides for 1 hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture.

Mr. Speaker, House Resolution 201 waives all point of order against consideration of the bill for failure to comply with the provisions of section 401(a) of the Congressional Budget Act and also makes in order the Agriculture Committee amendment in the nature of a substitute to be considered as original text, with each section considered as read. The rule also provides one motion to recommit with or without instructions.

Mr. Speaker, section 401(a) of the Congressional Budget Act prohibits the consideration of legislation providing new contract authority unless such authority is limited to amounts provided in advance in appropriation acts. Since section 8 of the bill as introduced would provide new contract authority which is not limited to advance appropriations, the bill would violate section 401(a) of the Budget Act and thus the waiver was granted. However, the Agriculture Committee substitute which provides that any new spending authority granted in the bill be effective for any fiscal year only to the extent or in such amount as provided in appropriation acts, would cure the Budget Act violation.

Mr. Speaker, H.R. 1383, the Agricultural Productivity Act of 1985, would establish a research program to collect and analyze data from research projects over a 5-year period on the effects of a transition from energy intensive farming practices to systems which make use of organic type farming methods to reduce production costs, conserve water and energy, and control erosion.

H.R. 1383 would direct the Secretary of Agriculture to implement pilot research projects on working farms in order to improve productivity through the use of organic farming techniques. H.R. 1383 would address two problems. First, the environmental and health problems associated with the widespread use of chemical products. The use of these chemical products to kill weeds and insects has contaminated freshwater supplies and has had cancerous effects on some consumers that eat these treated foods. Second, the use of agricultural techniques that require the complete clearing of fields

for the planting of crops that result in the depletion of valuable soil.

The research programs authorized by H.R. 1383 would enhance agricultural productivity and would alleviate some of the problems that are associated with the energy and chemical intensive practices now widely used.

Mr. Speaker, during the 98th Congress the House passed a similar bill, H.R. 2714, which authorized $10.5 million for the enactment of the research programs. However, this measure was never considered by the other body. Mr. Speaker, H.R. 1383 would authorize such sums as may be necessary for the implementation of the research program. The Committee on Agriculture estimates that the cost would be no less than $7.2 million in fiscal years 1986 through 1990.

Mr. Speaker, this bill is not without controversy, but under this rule the issues of controversy can be thoroughly and fairly addressed. I urge adoption of House Resolution 201 so that the House may proceed on this legislation.

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

Mr. Speaker, House Resolution 201 is an open rule under which the House will consider establishing a 5-year research program to study whether organic-type farming can improve farm productivity.

The rule waives section 401(a) of the Budget Act for the bill. As introduced, H.R. 1383 violated the Budget Act because it contained new contract authority not limited to advance appropriations.

Mr. Speaker, the version of H.R. 1383 reported by the Committee on Agriculture made changes necessary to comply with the Budget Act, and this waiver is therefore technical in nature and is necessary to permit consideration of the bill and the committee amendment.

The rule makes in order an Agriculture Committee amendment as original text for the purpose of amendments, under the 5-minute rule. The amendment, which is printed in the bill, will be considered by sections.

Finally, the rule allows for one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 1383 authorizes an estimated $7.2 million over a 5-year period for the Department of Agriculture to conduct research projects on the effects of organic farming, such as the use of biological pest control, legume-based crop rotation, and the use of municipal sludge as fertilizer.

Mr. Speaker, several of the members of the Committee on Agriculture oppose the bill. There is no opposition to this rule, however, and I urge that it be adopted.

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

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMERICAN CONSERVATION CORPS ACT OF 1985

The SPEAKER pro tempore. Pursuant to House Resolution 195 and rule XXIII, 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. 99.

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. 99) to provide for the conservation, rehabilitation, and improvement of natural and cultural resources located on public or Indian lands, and for other purposes with Mr. COLEMAN of Texas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

The gentleman from Ohio [Mr. SEIBERLING] will be recognized for 15 minutes, the gentleman from Montana [Mr. MARLENEE] will be recognized for 15 minutes, the gentleman from California [Mr. MARTINEZ] will be recognized for 15 minutes, and the gentleman from Vermont [Mr. JEFFORDS] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Ohio [Mr. SEIBERLING].

Mr. SEIBERLING. Mr. Chairman, I yield myself 8 minutes.

Mr. Speaker, I am pleased to bring to the floor H.R. 99, the American Conservation Corps Act of 1985.

This bill is nearly identical to the one which passed both the House and the Senate at the end of the 98th Congress, but was pocket-vetoed by the President after Congress had adjourned.

In the House, 145 Members have cosponsored H.R. 99 and companion legislation has been introduced in the Senate by Senators MOYNIHAN and MATHIAS (S. 27) with 17 cosponsors.

As with the previous legislation, H.R. 99 was jointly referred to both the Interior and Education and Labor Committees. Both committees reported it favorably with the recommendation that it pass the House.

To summarize briefly, the purpose of H.R. 99 is to authorize a program for the conservation, rehabilitation, and improvement of natural and cultural resources located on public or Indian lands by providing employment and training for young men and women.

H.R. 99 would establish a Youth Conservation Work Program modeled after the civilian Conservation Corps of the 1930's. Called the American Conservation Corps [ACC], the program would have both year-round (ages 16-25) and summer (ages 15-21) components. While open to all eligible youths, special efforts would be made to enroll and recruit youth who are economically disadvantage, as defined in the Job Training Partnership Act.

Regulations for the program would be developed by the Secretaries of Interior and Agriculture, in consultation with the Secretary of Labor and with public participation.

Corps work could include conservation of forests, fish, wildlife, rangelands and soils; revitalization of urban areas and preservation of historic and cultural sites; development and maintenance of recreational areas, roads and trails, erosion and pest control; energy conservation and production of renewable energy; and emergency rehabilitation services and other functions.

The bill also provides for educational and training opportunities. Appropriations, at such sums as may be necessary, would be authorized for fiscal years 1986 through 1988. Fifty percent of the funding would be shared by States and local governments and 5 percent by Indian tribes; the remainder would be used by the Departments of Agriculture and Interior and other Federal agencies; for example, TVA and the Corps of Engineers. Provisions are also included for evaluations to be made of the program.

The purpose of H.R. 99 is twofold—to provide jobs and training for unemployed youth and to rehabilitate and improve the Nation's public lands and community resources.

Youth unemployment stands out as one of our Nation's most troubling and intransigent social and economic problems. Even during times of general economic recovery, high rates of youth joblessness persist. Of the 8.4 million Americans who were unemployed in May, over 40 percent were under the age of 25. Unemployment among teenagers currently is 18.9 percent, more than twice the overall unemployment rate. Among minority youth, unemployment continues to hover at the inexcusably high level of around 40 percent. These are youth who are looking for, but unable to find, jobs. Tragically, many more have stopped looking.

Meanwhile, the amount of conservation work that needs to be done is enormous and growing. Recent reports have shown, for example, that on U.S. Forest Service lands alone there is a backlog of projects worth $1.25 billion over a 5-year period which could be carried out by a youth conservation work program such as the one in H.R. 99. Similar needs have been document-

ed by other Federal, State, and local land and resources-managing agencies.

The program authorized under H.R. 99 is expected to be a relatively modest one to provide over 85,000 youth with conservation-related jobs. Additional youth would be served as funds are leveraged at the State and local levels. There are presently 11 year-round State corps programs similar to the ACC; a total of 35 State and local corps, including summer programs. Other potential new ones would get inspiration and a signficiant boost from Federal support provided by H.R. 99.

Studies have shown that comparable programs have proven both productive and cost effective. The national average for a program like the ACC has been the equivalent of $1.20 in value for each dollar spent; many specific projects have produced even higher returns. These figures do not take into account the long-term increased value of the resources themselves nor the training benefits received by the young workers nor reductions in the other public costs that inevitably flow from high youth unemployment.

The version of H.R. 99 before the House today is the substitute which was reported by the Education and Labor Committee. The only change from the Interior Committee's bill relates to the funding authorization. The Interior Committee version would have contained a specific provision of $75 million a year for 3 years, fiscal 1986-88; the Education and Labor Committee version would change that to a provision of "such sums as may be necessary" for the same period of time.

While I authored and supported the initial $75 million funding levels, I believe that the new provision is also acceptable. This is only an authorization bill and our expectation is that the appropriations would not exceed those recommended in the budget—for which, I might add, the Interior Committee did recommend $75 million for fiscal 1986.

In closing, I would simply like to thank our colleagues MO UDALL and DON YOUNG, the chairman and ranking member, respectively, of the Interior Committee for their continuing support for this legislation. I would also like to thank Mr. AUGUSTUS HAWKINS and Mr. JIM JEFFORDS, chairman and ranking member of the Education and Labor Committee, and Mr. MATTHEW MARTINEZ, chairman of the Subcommittee on Employment Opportunities.

Several staff members have also been very helpful on this legislation, including Loretta Neumann and Janet Chisolm of the staff of the Interior Committee; Richard Johnson, Beth Buehlmann, and Eric Jensen of the staff of the Education and Labor Committee and Pope Barrow of the Office of Legislative Counsel.

I would also like to commend Mr. Syd Howe of the Human Environment Center and Mr. Frank Slobig of the Roosevelt Centennial Youth Project for their outstanding work on behalf of our Nation's young people and for sharing their knowledge and invaluable expertise with us. I intend to ask permission from the House to insert following my remarks a list of the many organizations who have supported the legislation, as well as a copy of the recent release of the Roosevelt Centennial Youth Project which analyzes the youth employment situation as of June 1985.

Mr. Chairman, H.R. 99 is a bill whose time has truly come. I urge all Members to vote for it.

□ 1630

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. MARLENEE].

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

Mr. Chairman, with all due respect to the author and cosponsors of this bill, I must say that I believe we are considering a special-interest bill which is cleverly disguised as "mom, pop, and the kids and apple pie." In closing, I am going to address the question of: Can we afford the apple pie, the dessert, when we are hard-pressed to prove a square meal for Social Security or even for the Job Corps which provides real training skills for the unemployed and for the youth of this Nation?

This bill is touted as "put the kids to work" legislation, but at its best it will temporarily employ 30,000 of the 3.4 million kids looking for work. I emphasize that it will temporarily put to work less than 1 percent of those seeking employment in the youth category.

This bill is touted as "give the kids some training," and in truth it has no mandatory training requirements and in truth provides merely "make-work," low-priority jobs.

This bill is touted as "help the kids" when in fact it teaches them no job-related skills but directs them toward special-interest work such as:

No. 1, wildlife habitat conservation, rehabilitation, and improvement;

No. 2, rangeland conservation, rehabilitation, and improvement;

No. 3, recreational area development, maintenance, and improvement;

No. 7, road and trail maintenance and improvement.

All this indicates a special interest in an environmental task force.

No. 9, for instance, stream, lake, and waterfront harbor and port improvement, and pollution control;

No. 13 of the goals listed in the bill for this program, recovery of biomass from public lands, particularly forestlands; and

No. 15, forestry, nursery, and silvicultural operations.

That is raking leaves and building outhouses, low-priority work for the youth of this Nation, when we could be spending the money for the Job Corps. Maybe we will have to cut it out of the Job Corps.

Well, it is all very nice to have a program like this, but the Forest Service and the Interior Department both testified that they are already spending $4 billion on land management programs, on the projects that need to be done and are being done. On top of that, 27 States and local and nonprofit youth conservation groups are spending a total of $108 million annually.

This so-called apple pie legislation is like dessert after a heavy meal of spending and is going to give the taxpayers of this country who have to pay for it a bad case of indigestion.

I would say to my colleagues and the people of America that this vote, this vote of yes or no, is an extremely important weathervane for every Member of this House of Representatives and will show whether he wants to go down the road of creating new Government programs and increasing spending or whether he truly wants to reduce the deficit and stop Government growth. It is that simple.

The cost of this program is estimated by testimony in the Committee on Interior and Insular Affairs to be a minimum of $75 million per year or $225 million for 3 years. But how can we estimate the cost of a bill that we are considering here when it is open-ended?

One source said it would cost $2,000 per kid with an estimated 3 million looking for work. We could spend a pile on this kind of legislation.

Let us pinpoint the cost that would be required if we vote for this dessert legislation. Now, these are taken from the bill, and I do this because I want to emphasize the point that these are the costs that we are going to vote for if we vote for this legislation.

Grants for construction of conservation centers, including residential housing for kids. That is section 4(g) of the bill.

□ 1640

Page 43 of the bill, purchase of equipment for the centers, hiring of supervisory staffs.

Page 49, section 5(b) of the bill, limited and emergency medical care, transportation from conservation centers to work sites. They have to purchase vans and transportation equipment.

Section 6(a) of the bill, non-Federal program agencies shall be required as a minimum to provide tort claims protection and work related injury benefits to enrollees and crew leaders.

Page 54, section 9, more costs of the bill. The rate of pay.

Page 56 of the bill, demonstrations, demonstration projects and research projects.

Finally, this is an excellent piece of legislation if you want to increase Federal employment. It might even be termed the Federal Employees Apprenticeship Act.

Let me cite chapter and verse from the committee report, on page 15 in reference to section 6 of the bill. Enrollees and crew leaders are exempted from Federal law relating to recruitment and hiring.

First we exempt the crew leaders from laws regarding recruitment and hiring and then we say, but would be considered Federal employees for the purposes of Federal provisions relating to liability, and if they later go to work for the Federal Government, their services would qualify for retirement credit.

Page 16, section 9 establishes the rate of pay for enrollees to be the equivalent of 95 percent of the rate for members of the armed forces in enlisted grade E-1 with 4 or more months on active duty.

Pay raises based on Government standards paid by the Federal Government, supervised by the Federal Government, doing Federal Government work, and finally, if they go to work for the Federal Government, they receive credits for the time served.

If by not all standards these are Federal employees, then they darn sure are apprentices, apprentices for Federal employment.

Mr. Chairman, I have shown beyond doubt that this new program increases spending, is duplicative and is unneeded and contributes to Government growth.

In closing I would quote the administration's opposition. The administration in a letter of June 3, 1985, wrote to me stating:

The administration strongly opposes the enactment of H.R. 99, the American Conservation Corps of 1985, because it is costly, ill-conceived and unnecessary for either employment training or for management of the Federal public lands. The administration urges a no vote on this legislation and threatens a veto.

The following is the full text of the letter:

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, June 3, 1985.

Hon. RON MARLENEE,
House of Representatives,
Washington, DC.

DEAR RON: The Administration strongly opposes enactment of H.R. 99, The American Conservation Corps Act of 1985, because it is costly, ill-conceived and unnecessary for either employment training or for management of the Federal public lands. This bill is not substantially different from H.R. 999, the American Conservation Corps Act of 1984, which the President vetoed on October 30, 1984. Should H.R. 99 be passed by the Congress, the Office of Management and Budget together with the Departments of Agriculture, Interior, and Labor will recommend that the President again withhold his approval.

The proposed American Conservation Corps [ACC] would, in effect, reestablish the programs of the Youth Conservation Corps [YCC] and Young Adult Conservation Corps [YACC] which were terminated in 1981 by the Congress at the Administration's request. These programs have been opposed because they were expensive, not programmatically essential, and based on the discredited approach to youth employment that relies on temporary public sector employment in lieu of long term employment in the private sector.

The ACC is unnecessary for employment training because programs established under the Administration supported Job Training Partnership Act [JTPA] provide training for 1.2 million people (including 300-400 thousand persons 21 or under) per year at about one-tenth of the cost per trainee under the ACC program ($1,600 per trainee and about $7,000 per slot per year under the JTPA versus $14,000 per year of ACC employment).

In addition, the existing Job Training Partnership Act addresses the fundamental problem of employability, by providing training in skills identified by business as needed for jobs in the local area, while the ACC does not.

Finally, the JTPA provides training where the needy are and where the most jobs are to be found, which the ACC would not.

The ACC is also unnecessary to management of the Federal public lands. The Federal government already employs about 90,000 staff years annually to manage the Federal lands and present employment and contracting practices manage the public lands at a lower cost than would an ACC approach.

The ACC is, in short, a make-work program providing temporary jobs involving public sector skills not necessarily in demand by the private sector.

The Administration believes the best approach to expanding employment opportunity is to provide incentives for expansion of the private sector. A counterproductive and inefficient new Federal program potentially costing hundreds of millions of dollars per year cannot be supported at a time when we and the Congress are striving to reduce the current budget deficit.

Accordingly, we strongly urge that the House reject H.R. 99.

Sincerely,

DAVID A. STOCKMAN,
Director.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MARTINEZ] for 15 minutes.

Mr. MARTINEZ. Mr. Chairman, let me start off by saying that one of the first things that happened to me when I was elected to Congress, I was approached by people in the Forestry Service in part of the national forest that is in my district in Azusa and one of the things they asked me to do when I came to Washington was to look at the possibility of gaining legislation which would provide a pilot program in that part of the forest, to provide for maintenance service there on a user fee basis. People coming into the park and using the park would be charged a fee and this fee would contribute toward the maintenance of it.

When I asked the reasons why, they expressed to me a great consternation over the deterioration of the forest itself and the national grounds there, so when I speak today, I speak with that in mind.

As chairman of the Employment Opportunities Subcommittee, I rise today to ask support for H.R. 99, the American Conservation Corps Act. The purpose of this act is to establish a corps of teenagers and young adults to maintain and improve our Federal and non-Federal public lands. This legislation will offer thousands of our young unemployed workers, particularly the economically disadvantaged, the opportunity to gain employment and training and at the same time preserve and protect our Nation's most valuable and needed resources.

Mr. Chairman, our nation is facing a crisis of high unemployment, resulting in a tragedy of wasted future human potential. At the same time, our country's valuable natural and historical resources continue to deteriorate. This bill offers us, as policymaker, the rare opportunity to address both these major concerns in one comprehensive solution. The 98th Congress, both House and Senate, responded to a call for positive action by overwhelmingly passing legislation essentially identical to the current American Conservation Corps Act of 1985. Unfortunately, the President failed to heed the will of Congress and he pocket-vetoed the bill, terming it "costly", "unnecessary", and a "temporary make-work Federal job program". Using those misleading terms is indeed unfortunate. For they belie the fact that he championed and signed similar legislation in California as Governor. Further, ample available evidence underscores the fact that the act will be cost-effective, not only in achieving needed youth training and employment, but in restoring our previous natural resources. In recent OMB-approved evaluations of similar current programs, it was found that each $1 spent on the young adult conservation corps produced work that would have cost $1.20 by the cheapest alternative means. It's easy to recognize that the potential benefits of the ACC will far outweigh its costs.

The General Accounting Office, the American Forestry Association, and national conservation groups have all urged that our country's national forests, wildlife resources, historical and cultural sites receive vitally needed maintenance and rehabilitation. The American Forestry Association observed that "things will not get done without a youth conservation corps * * * without repair and maintenance, natural resources and parks will deteriorate." GAO has found that,

despite the $1.5 billion currently devoted to this problem many of the Federal facilities do not meet basic health and safety standards. An American conservation corps would have the capacity to deal effectively with these maintenance needs, allowing the Nation as a whole to profit from the efforts of youth workers.

In addition, the act will help to alleviate the crisis of high youth unemployment by placing thousands of teenagers and young adults in employment which develops a healthy, productive attitude toward work. The potential benefits of an ACC in combating double digit youth unemployment cannot be emphasized enough.

I urge my colleagues to join me in support of this legislation. Your vote for H.R. 99 is an investment in the protection of two of our most valuable national resources: Our land and our youth.

The CHAIRMAN. The Chair will now make a correction with respect to the Member to be recognized for 15 minutes.

Under the rule, the gentleman from Wisconsin [Mr. GUNDERSON] is now recognized for 15 minutes.

Mr. GUNDERSON. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, when this piece of legislation came before our committee, I used a phrase that has been heard around Washington recently. That phrase goes something like this: "There you go again."

My Education and Labor Committee should be doing one thing and that is trying to protect the programs that are presently on the books, that are now being debated in the Budget Committee. We may lose money on JPPA. We may lose money on the Job Corps. We may lose money on the WIN Program, all three programs which are proven programs, programs that prepare people for jobs that exist, programs that also have educational components to them, and here we are talking about some new program when we cannot even get funding for programs that we truly need.

You know, the most foolish thing I have read is a statement that says, "The bill establishes a youth conservation work program modeled after the Civilian Conservation Corps of 1933." That would be the most ridiculous thing we could possibly do. In 1933 we were in a worldwide depression. We were pretty much a rural area. We did not have unemployable youth. We did not have unemployable people. We had people that were unemployed. They had a skill. We are talking about people who do not have a skill. At that time these farm kids had a saw and a hammer and a chisel in their hands before they ever had a pacifier in their mouths. They knew how to do the jobs that were out there that had to be done.

So we certainly should not jeopardize programs that are proven programs, tried programs, programs that prepare people for things that exist by coming up with another program that we would all like to see, but we do not have money in order to do it.

So my hope is that we will defeat this bill and then put our efforts where they should be, making sure that those who are conferees—I am not fortunate enough to be one because I was not as gung ho for defense as other people probably thought I should have been, so I did not get to be a conferee. I am not there to protect the Job Corps. I am not there to protect WIN. I am not there to protect JPPA.

□ 1650

But we all sure had better be trying to protect all those programs that are worthy programs, that are workable programs rather than coming up with another program at this time when we cannot finance programs that we presently have on the books. Let us use our heads and be practical. Save what is good, and then we will talk about additions to the program, and we will talk about programs that are truly designed to take unemployable youth, not unemployed youth, unemployable youth and train them and educate them, as we are in the Job Corps, to do the kinds of things that are out there that have to be done.

Mr. SEIBERLING. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Chairman, I rise in support of H.R. 99 and the American Conservation Corps [ACC] which this legislation will create. I am a member of both committees which have joint jurisdiction over this bill, the Education and Labor Committee and the Interior and Insular Affairs Committee. As a member of these committees I can appreciate the important benefits of H.R. 99, both for the disadvantaged youth who will participate in the program and for the improvement and preservation of our national lands. The program will instill in these young people an appreciation for the outdoors, a sense of public service and a work ethic while they perform necessary conservation work on Federal lands in a cost-effective manner. The Congressional Research Service estimates that in comparable programs the Federal Government received $1.20 in benefits for each dollar expended. For certain labor-intensive tasks, the benefits reached $5 to $6 for each dollar expended.

These are not leaf-raking jobs that we envision for the ACC. The types of projects include conservation of wildlife habitats, rangelands, and recreation areas; the clearing of roads and trails; erosion and flood control; energy conservation; strip mine reclamation; and reforestation. While programs exist to combat youth unemployment—State youth conservation employment programs, the Federal Job Training Partnership Act, and others—they do not afford the year-round work opportunity that would be provided by the American Conservation Corps. I urge my colleagues to give the ACC the same strong support they gave the program last year when it passed the House and Senate with overwhelming bipartisan support.

Mr. MARLENEE. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico [Mr. LUJAN].

Mr. LUJAN. I thank the gentleman for yielding.

Let me start off by saying that I am a cosponsor of this bill. I have worked with the gentleman from Ohio [Mr. SEIBERLING] over the years on this particular type of legislation.

But something happened at the beginning of this year as we brought from our Science and Technology Committee three biils. Those were the first three appropriations bills that were brought in which were NASA, National Science Foundation, and the National Bureau of Standards. Something happened in this House, we kind of adopted a policy of 1985 freeze.

So I took that very seriously, and so I have changed my mind about this particular piece of legislation, not because I do not like the bill or the purposes of the bill. Certainly everybody likes the purposes of the bill.

It says "For the conservation, rehabilitation and improvement of natural and cultural resources located on public or Indian lands." Everyone likes to have the kids working. I think it is very important that they have a source of income and that they keep busy.

The purposes of fixing up a trail and fixing up public lands in general, that is all excellent. To generally do conservation work, who could oppose that sort of thing? All are worthy goals.

However, things are different. Things are different because we have a $200 billion deficit.

We are now in conference on the budget, and between everything that is going on we are looking for $50 to $56 billion in savings in 1986, besides which we already have about $8.5 billion in general kinds of employment and training programs.

You know, the point has been made that this bill is going to be vetoed anyway, and probably will be. The Office of Management and Budget, the Secretary of Agriculture, the Secretary of Interior, the Secretary of Labor are all going to recommend to the President to veto the bill.

The argument will be made that last time it only got 87 votes against it. I

can tell you that this time it is going to get at least 88 because here is another one that is going to vote the other way.

And I am sure that what will happen is it will come close to 145 negative votes, and a veto can be sustained.

And even though, as I say, I like the objectives of the bill, I think that our No. 1 priority has got to be the economy of this country, and to try to do something to reduce Government spending and bring that budget into line as much as we can.

For that reason, that reason only, Mr. Chairman, I will have to reluctantly oppose this legislation.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. LUJAN. I will be glad to yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, I am disappointed in the gentleman's change of position because has has been a strong supporter of this.

I would like to point out that this bill does not appropriate one single cent. It does not authorize any particular level.

But it would be a bill in place if we should have an economic downturn in the next 3 years, and then we would have to waste time on more authorizations.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS, Mr. Chairman, I am please again this year to be an original cosponsor on this bill, as I have been at each time it has been introduced.

The opposition to this bill gives us an old tale. They want to do something about youth unemployment, but they do not want to do it just yet, and they do not want to do it this way. They want to do something about the rehabilitation that is necessary for America's public lands, but they do not want to do it this year, and they do not quite want to do it this way.

What this bill does is link together two great national problems and provide them with a solution. The first problem, of course, is youth unemployment. Last month youth unemployment remained at more than 18 percent, and during those 30 days, 590,000 jobs were lost in this country, and 72 percent of them were lost by young people.

The second problem this bill addresses is the necessary rehabilitation work, maintenance and repair work for our great national recreation areas. The Forest Service tells me that there are more than $300 million of labor-intensive maintenance and rehabilitation work needed on America's recreational facilities and trails. The Interior Department assures me that more than 5,000 youth could be effectively put to work in our national parks for maintenance and repair work.

This bill puts many of those young people to work, and thus joins two problems in a solution.

Now, let us understand something. This meets the compromise position that was inherited from last year's conference committee. I urge my colleagues on both sides of the aisle to support the joining of this solution to two American problems.

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes to the distinguished ranking member of the Education and Labor Committee, the gentleman from Vermont [Mr. JEFFORDS].

Mr. JEFFORDS. Mr. Chairman, I rise in continuing support of this legislation. As was pointed out a minute ago, we are not talking here about an appropriation. We are talking about an authorization with no specific sums.

We are talking about putting on the books a program which would be available at such time as this Congress, with the administration's approval, would want to implement it.

My reasoning is that I know that to fund a new program right now is probably not something we should do. In my experience in dealing with the unemployment problems of this country though, what generally happens is that by the time we get around to doing something about the unemployment problem, and finally get a law in place, it is always too late.

□ 1700

What happens is we have a recession, unemployment rises, and Congress starts to act. We gnash our teeth and work around trying to find out how to put a program into place that will do something.

Very often in that real rush we end up with something that does not create any jobs, like the last time. With this bill we have an opportunity to put a meaningful program on the books. It is not a new program in the strictest sense. It is a combination of things that we have tried, and they have worked well.

H.R. 99 creates a Youth Conservation Work Program to carry out conservation and rehabilitation projects on public lands. The thrust of the program is twofold, to provide work experience and training for unemployed youth, with a particular emphasis on the disadvantaged, and to help with the vast backlog of work that needs to be done on public lands and communities throughout the Nation.

Youth unemployment rates continue to persist at unacceptably high levels, more than twice that for adults. Even though the economy has improved, with the creation of 4.18 million net new jobs created since the beginning of the economic recovery in 1982, fewer than 102,000, or 2.4 percent of those jobs went to youth.

Even fewer of these jobs went to minority or disadvantaged youth. Additionally, despite the estimated 5 to 6 million jobs that will become available this summer, this number still falls short of the demand and will have only a limited impact on the mounting year-round jobless rate for youth. If we expect our young people to become productive adults we have to provide them with the opportunity to participate in the work force during their teenage years.

Experience demonstrates that when the Congress faces the issue of seriously high unemployment rates, it turns to programs such as the one created in this bill to resolve the problem. Unfortunately, our actions usually turn out to be ill-timed. Before we have completed the legislation process, the problem will have passed us by and it will be too late. The potential benefits of such a program cannot be reaped. Rather, if programs such as the ACCA are on the books, we have the ability to respond quickly instead of being out of sync.

Without a timely response to this problem, there will be a cohort of young people who have little training and no work experience. They represent a vastly underused resource that should be encouraged to participate in serving our society in a constructive manner. Without such incentive, disadvantaged youth are more likely to become dependent on Government assistance and income support programs rather than becoming productive working adults. Such an outcome is not an acceptable resolution to the problem. The costs are too high.

H.R. 99 is one means by which youth unemployment can be addressed in a constructive manner. The program created under the bill would be labor intensive. Through participation in the program, youth might also develop values and attitudes that go with responsible adulthood. Further, language in this bill recognizes the importance of linking education, training, and work experience, especially for disadvantaged youth. This provision enhances the likelihood that participation in the program will have long-term effects on employment and earnings prospects.

My own feelings are that I would like to see this bill funded now. I enthusiastically support this bill because it has the potential of providing youth with meaningful jobs and skills which, in the long run, can benefit more than just the youth involved. It is important to have this kind of authorization in place whether or not the program is funded. I urge my colleagues to support and vote for this bill, not as a new program necessarily to be implemented this year, but rather to have it available in the event of an economic downturn. With this law in place, we have the capability of creating jobs for unemployed and disadvantaged youth

when the need arises, not after the fact. Our youth are our most important resource. We do not want today's unemployed youth to become tomorrow's unemployed adult. We have an opportunity to do something, to do something good for this country.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield to me?

Mr. JEFFORDS. I yield to the gentleman from Ohio [Mr. SEIBERLING].

Mr. SEIBERLING. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I commend the gentleman on his position and on his very fine statement.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO], chairman of the Subcommittee on National Parks.

Mr. VENTO. Mr. Chairman, I want to commend the gentleman from Ohio [Mr. SEIBERLING], the chairman of the Interior and Insular Affairs Subcommittee on Public Lands, and the gentleman from California [Mr. MARTINEZ], chairman of the Education and Labor Subcommittee on Employment Opportunities, for their fine work in bringing this important legislation to the House floor today. I rise in strong support of H.R. 99, a bill authorizing the American Conservation Corps.

Under this bill, such sums as may be necessary are authorized for this youth and young adult employment program. Persons between ages 15 and 21 would be eligible for summer employment and persons between ages 16 and 25 would be eligible for year-round jobs. Special consideration would be given to disadvantaged youths and young adults. The bill earmarks half of the amounts that may be appropriated for the States, which in turn must match Federal funding with 25 percent local funding. The U.S. Department of Agriculture and the Interior Department as well as other Federal agencies and Indian tribes would divide the remaining amounts of any future appropriation to further conservation projects.

Mr. Chairman, if there is one lesson that we should have learned by now it is that it pays to invest in people. The concept embodied in H.R. 99 comes from the Civilian Conservation Corps [CCC] of the 1930's which employed thousands of unemployed young men across the country to work in our national parks and forests on conservation projects. Much of the work of the CCC has been preserved to the present day in our national parks and at other locations. The Youth Conservation Corps is also a more current successor to the earlier CCC program. Thousands of young people across this country have developed a strong appreciation for our natural and cultural resources and have also developed self-confidence and improved basic work skills because of these programs. As our society has changed over the years, we find that young people have fewer opportunities to work in close contact with our natural resources and on the land. It is essential that we provide meaningful opportunities for our young people to develop a work ethic and to develop an appreciation for the importance of conservation through first-hand experience. This legislation will enable young people to work in conservation, by planting trees, by building or improving hiking trails, by clearing brush, and by doing numerous other tasks where they will be working to preserve our natural and cultural resources close to our land in our natural environment.

My State of Minnesota has had a Youth Conservation Corps since 1971 and a Young Adult Conservation Corps since 1978. Before the Reagan administration budget cuts, between 500 to 600 young Minnesotans participated in these programs every year. After the administration cut funding for these programs, in 1981–82, only about 200 young Minnesotans were able to participate. These Minnesota youth conservation programs were instrumental in renovating historic Fort Snelling near the Twin Cities, as well as Gooseberry Falls State Park in northeastern Minnesota which persist today as a prime tourist attraction on the North Shore of Lake Superior. Youth conservation programs have been very cost effective. In fact, for every dollar that we have invested in these programs, the return on the investment has been at least $1.20 in tangible benefit. The benefit in people would I'm certain multiply this investment many times over.

Mr. Chairman youth unemployment today stands at more than 18 percent. The unemployment rate for minority youth is estimated at an appalling 42 percent! While we have enacted other programs to deal with this difficult problem and while many States and local governments have also made valiant efforts to address youth unemployment, the current programs are far short of meeting the need. We should note that this legislation authorizing the American Conservation Corps would create a year-round employment opportunity for many young adults not just a seasonal experience. Furthermore, by helping these young adults to improve their work skills, they will ultimately be more employable in the private sector economy. By earmarking half of the funding for the States, we will also be helping the States to improve existing youth conservation programs and leveraging the national dollars with additional State resources providing a true Federal partnership.

As chairman of the Interior and Insular Affairs Subcommittee on National Parks, I have gained first-hand knowledge about the needs of our national parks. Many of our finest natural and cultural resources are in severe need of maintenance and repair. The American Conservation Corps would make a significant contribution to help renovate, restore, and preserve these natural resources.

Mr. Chairman, I urge my colleagues to vote for this important and needed legislation today. We have an opportunity before us to cast a vote of confidence in our youth and to cast a vote for the ethic of conservation of our natural cultural and historic resources.

Mr. MARLENEE. Mr. Chairman, I yield 3 minutes to my colleague and friend, the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, it has been very interesting, as we have listened to the debate on this in subcommittee and also in committee. It was patterned after the Civilian Conservation Corps boys that we all knew in the 1930's. Those people did a great job in those days. They used to refer to them as "mud, mules and men;" they straightened up the erosion, they cleaned up forests, they worked in the parks, they did a fantastic job, and I think we should be proud of it. But as we look at that era we see that it was a time of tremendous unemployment. We did not have what we have today in the 1980's.

Now we are standing here on the floor of this House trying to say that this is what happened in the 1930's and this is what we are doing in the 1980's. Let us compare these two as the chairman, Mr. SEIBERLING, for whom I have the greatest respect, has in all of these settings. We have talked about unemployment.

The Forest Service in 1937 had 25,923 employees; today the Forest Service has 41,667 that are dedicated to this work. The Park Service did not even have records in that day. But in 1960 they had 4,036 people and today they have 16,455 people.

Mr. Chairman, just let me say we have a number of dissenting viewpoints on this. The administration, as has been stated, is totally against this thing.

It is a price we cannot afford. It is interesting the Washington Post made an editorial about this. The Washington Post is hardly in my mind a very conservative paper that wants to give everything away. This is what they said:

> If your goal is to reduce the hardship of high unemployment, this is not a good approach. Youth unemployment is chronically high, but most of the young people seeking jobs are not in dire straits. The majority of unemployed people in real trouble right now are adults—especially those with families to support. Two years in the woods isn't going to do them much good.

I am afraid I would have to concur with this.

I think, as I look at this high price that we are paying, I heard one of the gentlemen not too long ago saying people want to do something for the youth, but not now, maybe another time. I think we should really reverse that kind of thinking and say people who want to cut the budget, who want to cut the size of government, want to really do something, but not now, possibly another time. If we are ever, when we took the pledge around here on the budget resolution, when both sides got up and berated each other by saying if we are going to do it now let's cut it now. This to me is a test case. This is one we should herald as the case we look at to see where our hearts really are; are we really sincere about cutting the size of the Federal deficit? This one is one where we should put our money where our mouth is because we have so many other sources.

I come from a State that has some of the largest pieces of Federal Government. More parks, more national monuments than any other State. I can hardly see where we are not doing the job now.

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

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the honorable gentleman from Texas [Mr. PICKLE].

Mr. PANETTA. Mr. Chairman, would the gentleman yield to me briefly?

Mr. PICKLE. I am glad to yield to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, I rise in strong support of H.R. 99, the American Conservation Corps Act of 1985. I am pleased to be an original cosponsor of this legislation because it represents an important investment in the lands and young people of this country.

Today our generation enjoys the benefits from a similar investment made in the Great Depression through the Civilian Conservation Corps. My colleagues need only look as far as the magnificient Skyline Drive of Virginia's Shenandoahs to behold the benefits of the CCC. Much conservation work in our Nation's parks, forests and public lands continue to go neglected. In my own district along the Big Sur coast of California much conservation work remains to be done. Erosion control along coastal roads and trails, forestry management, fishery improvements, fire prevention efforts and essential park improvements are all needed.

This bill makes an investment not only in these needed conservation efforts but in the future of our country: Our Nation's young people. The Conservation Corps funded through this program will bring together young people of varying backgrounds in a common effort to better themselves and their environment. While this bill is in no way a panacea for the national tragedy of youth unemployment, it is an important step in the right direction by providing greater opportunities for our youth to serve.

I would also like to commend the gentleman from Ohio [Mr. SEIBERLING] and the senior Senator from New York [Mr. MOYNIHAN], for providing a greater share of this measures funding to State and local conservation corps efforts. It is indeed heartening to note that some 32 State and local youth conservation corps have sprung into existence over the last several years. These localities have recognized an important need in their communities and have devised innovative programs to meet them with scarce resources. Yet even with this local commitment, these programs are severely underfunded and have not achieved their full potential. These programs serve national needs and I believe deserve national help. Indeed, I have introduced legislation, H.R. 888, the Voluntary National Youth Service Act to expand upon this assistance to State and local service corps which provide community services ranging from care for the elderly to daycare for our preschool children to weatherization of the homes of low-income families to literacy tutoring for educationally disadvantaged adults. I believe the American Conservation Corps is one piece of a much larger program of voluntary national service.

I strongly believe that such an approach makes budgetary sense. Today, we spend over $10 billion on job training, drug enforcement, unemployment compensation, and compensatory education to deal with unemployed youth. Indeed, the President is proposing a $100 million program to setup enterprise zones to deal with this issue.

A modest Federal program to encourage local and State governments to provide service opportunities to our youth could greatly reduce spending in all these areas. In this time of budget restraint, there is a growing realization that Government alone cannot fulfill all the unmet social needs of this country. Yet, while these social needs go unfulfilled, there exists a great reservoir of young people looking to make a constructive contribution to their society. Youth unemployment is currently over 18 percent and minority youth unemployment is over 40 percent. A shocking 1.3 million of our youth (ages 20-24 with high school diplomas) are officially unemployed, with nearly 210,000 of these individuals looking for work having never had a job before. Economists have come to realize that much of this unemployment is of a structural nature; our economic recovery has simply passed by many of these young people.

Frankly, the cost of our not doing something to confront these problems is tremendous. The cost of youth crime, prisons, welfare dependency—not to mention the wasted potentials of these young people who could be constructively contributing to our society—far exceed the costs of these youth programs. A recent Justice Department study estimated that the costs of youth crime alone are more than $5 billion. More importantly, however, studies done on the cost-effectiveness of youth service programs have shown that for every dollar spent on these projects at least $1.20 worth of direct benefits are produced in terms of work performed and services provided by youth service participants.

Money spent on these youth service programs is an essential investment not only in the future of our youth but in need services for our local communities. Finally, I would call on President Reagan under who's Governorship the California Ecology Corps was founded—the predecessor of the California Conservation Corps—to support this measure. The California Conservation Corps in the President's home State has enjoyed tremendous bipartisan support and I believe an American Conservation Corps deserves his support. I thank my colleagues for their attention and urge a "yes" vote on H.R. 99.

Mr. PICKLE. Mr. Chairman, I speak in behalf of the authorization for the American Conservation Corps.

I have risen before this body many times in the past to speak on behalf of the Job Corps Program and other programs designed to aid young people in their efforts to find a job and get the training they need to become healthy, productive, taxpaying citizens. I believe the American Conservation Corps Program, as established in this bill, will do those things. It certainly will help.

Many of us in this country do not have to face the frustrations of being unemployed. Because of opportunities given to us we have been able to receive the training and education that enabled us to find a productive role in society and to make a worthwhile contribution. This is not true with many of our people. There are many persons between the ages of 15 and 21 who want to work, but just cannot find the opportunity. In our cities this problem has become particularly serious. We have to face it. Government has got to keep its priorties focused on helping these young people in some way.

Earlier in my career, I was fortunate to work with Lyndon Johnson during the period when he was the State director of the Texas branch of the National Youth Administration. The NYA, as it was called, gave young people, who could not find a job, a chance to work, earn some money for themselves and their families, and gain that feeling of self-respect so im-

portant to someone just starting out in life. The program was instrumental in teaching both young men and women the importance of getting the training and education needed to make it in this world. The accomplishments on behalf of the State of Texas were also great. If you have ever driven through Texas and made the use of a roadside park, you can thank the young people with the Texas NYA in those early days for developing and following through on the idea to start the roadside park program.

The measure before us is a great opportunity to provide today's unemployed or disadvantaged youth with the same opportunity the NYA, and other programs, have given so many young men and women. We can take these people out of the cities and put them in the vast wilderness of our national parks and put them to work preserving the natural beauties of our parklands that all of us cherish. They can learn the meaning of a hard day's work while contributing to our Nation's natural wealth. All this at a minimal cost of the American taxpayer.

Recently the Texas Conservation Corps was established in Texas to do the same kinds of projects the American Conservation Corps would do. I have talked to the people in Texas in charge of the project and they say that this measure will help them greatly in their efforts. By providing some Federal assistance we can be sure that the Texas Conservation Corps, and similar efforts across the country, will succeed in combating the rising tide of unemployment among the youth of this country.

□ 1710

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. HENRY].

Mr. HENRY. Mr. Chairman, the measure before us is laudable. I support its intent in terms of the kinds of opportunities it is trying to provide our young people. The reason our young people are unemployable is for too long they have been unemployed, and they develop patterns that make it hard for them to find meaningful work in their adult years.

I support the conservationist efforts and implications of this bill. They, too, are laudable and I am still proud to say I was an original cosponsor of this bill, but I came as a freshman and I began to realize the deficit estimate was not going down; it was going up.

Within several weeks of having put my name on this bill, and I am proud to have done so, I have become convinced that the deficit issue is the primary issue before this Nation and before this Congress.

The CBO estimates that an 8-week experience under this job will cost us roughly about $2,000. A little bit more than Youth Conservation Corps, because they suggest that the administration costs will be a little bit more, and it comes out to about $2,000 per 8 weeks of employment.

It may very well be that the public benefit in terms of service received, relative to the initial cost, is favorable. I do not know if that is the case, but I do know that at a time when we are borrowing interest to pay interest on the debt, the compounded effect of that $2,000 for every job amounts to an addition of the deficit of $128,000 for every $2,000 job you fund by the time that young person reaches the age of 65.

The simple rule of 72: At 9-percent interest compounded from the age of 20 to 65. We are adding $128,000 to the deficit burden that child will bear when he or she reaches retirement. To me, that is not a very good investment.

I voted to freeze defense, I am fighting to save WIM, but we do not have the money for this. Where is the dough?

Mr. SEIBERLING. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON], a member of our subcommittee.

Mr. RICHARDSON. Mr. Chairman, there are seven reasons why we need to support this legislation, H.R. 99, the American Conservation Corps.

First, it provides necessary youth employment program. Youth unemployment exceeds 18 percent, 42 percent of minority youth are unemployed.

Second, it preserves public lands. Due to recent cutbacks in funds, public lands are suffering from lack of maintenance. The ACC includes conservation of forests, fish, rangelands, historic and cultural sites, energy conservation, road and trail maintenance. ACC provides supplementary workers which help with backlog of work.

Third, it is cost effective. The value of work for programs like the ACC, on a national average, has been the equivalent of $1.20 for every $1 spent. This amount does not include long-term benefits received by workers and public expenditures avoided due to employment rather than unemployment of citizens.

Fourth, it has strong public support. Due to the success of program, public support has increased.

Fifth, it fills an unemployment gap the private sector cannot. Not only are participants paid but they also gain invaluable work experience and training. Private sector opportunities are limited, as employers are unwilling and unable to pay for the training of new workers.

Sixth, it provides year-round work. While other youth employment programs do exist, they do not provide opportunities for year-round employment as the ACC does.

Last, it is an investment in our young people, one that will pay off in national spirit as well as dollars and cents.

The CHAIRMAN. The Chair will advise the Members that the gentleman from Montana [Mr. MARLENEE] has 2 minutes remaining; the gentleman from Ohio [Mr. SEIBERLING] has 2 minutes remaining; the gentleman from Wisconsin [Mr. GUNDERSON] has 8 minutes remaining; and the gentleman from California [Mr. MARTINEZ] has 7 minutes remaining.

The Chair recognizes the gentleman from Montana [Mr. MARLENEE].

Mr. MARLENEE. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Idaho [Mr. CRAIG].

Mr. CRAIG. Mr. Chairman, I appreciate my colleague from Montana yielding. I stand in opposition to H.R. 99, the American Conservation Corps Act of 1985.

I question its goals; and I certainly question the economic impact that it will have, short term and long term. We have a deficit to deal with. Adding to that deficit is not the method that this Congress should approach in handling the problem.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. BIAGGI].

Mr. BIAGGI. Mr. Chairman, I listened to the gentleman from Texas [Mr. PICKLE] just a short time ago, and I could not help but reflect upon my youth, where he may be a few years older than I, but I remember the impact of the CCC's; the impact in the community was tremendous; it was salutary; it was the kind of thing that gave help and encouragement in a period of despair.

Sure, it has been properly said that times are not quite the same as today, and we are happy about that, but for some, the time is still the same, the conditions are still the same.

It has been said clearly we have more than 18 percent unemployment among the youth; and some 40 percent among the minority. Well, as far as they are concerned, they are still in a state of despair.

This is a proposal that has no one really speaking against it, as far as the concept and the purpose. It is amazing; and yet we find some resistance. I understand the concerns of the individuals who have stated their position in opposition to the legislation; but I think that is what legislation is about; that is why we are here. There is a crying need out there.

Clearly there is a need to provide some assistance in the conservation area. We know that the wildlife needs some assistance with trails and that whole panoply of concerns must be addressed; and we know there has been neglect, notwithstanding increased

employment in the Parks Department. We know that.

Then there is a need that is even more desperate: We have young men who are really looking somewhere for an opportunity, for a sign of hope so they can get involved, at least across the threshold of labor. For many of them, they have never worked, and this would give them an opportunity to get out there and provide some inspiration, some dignity.

It is aruged that we cannot afford this legislation. Let me respond: We cannot afford not to have this legislation. I clearly urge support of this legislation.

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes to my distinguished colleague on the committee, the gentleman from Texas [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, it is with some amazement, given the enormity of the Federal deficit and particularly the impasse of the budget this particular week that we find ourselves on the floor with this bill at this time at all.

The term freeze, budget freeze, has been attached to almost everything in this session, as well it should be, from NASA, to Defense, to Job Corps, to food stamps, and yet here we find in the face of $200 billion deficits at an impasse at the deficit at the budget table a new Federal spending program with authorizations of such sums that we do not even know how much it is going to cost.

Leaving aside the deficit argument, although that is an enormous one, I think it is important that we also think about the merits and demerits of this proposal itself.

We have heard a lot of reference to nostalgia, and no doubt the nostalgia of the National Youth Administration and the Civilian Conservation Corps would make this a bill to bring a great deal of nostalgia to the debate.

No doubt nostalgia is there, but the fact is it is not very helpful to the young people of the 1980's. The fact is, we know in this Nation we have a youth unemployment problem; 18 percent of our young people are out of work, and unemployment among minority youth is even higher, but H.R. 99 has nothing to do with solving that youth unemployment problem. Our young people need training in employable skills, real world skills where they live, that will enable them to find permanent employment when they return in order to support themselves and their families.

Instead, the American Conservation Corps would teach those young people how to clear trails, to plant trees, to rake leaves, and enjoy the great outdoors.

□ 1720

Now, I enjoy the outdoors. I am an outdoorsman myself. I enjoy hiking and the outdoors and the wilderness areas, but suggesting that clearing trails or maintenance of park areas is going to solve our youth unemployment problem is just simply not reality. It would convert the unemployed young people to unemployed adults. The unemployment rate can be reduced. The youth employment opportunity wage would provide valuable summertime training in real jobs to thousands, tens of thousands, perhaps hundreds of thousands of young people, but that measure, which would solve the youth unemployment problem, has yet to have a hearing in this House, has yet to have a markup, has yet to be debated on the floor of this House. Millions of young people are asking this Congress to get a chance to get a job, to obtain skills to become employed adults. H.R. 99 would succeed at nostaligia but fails at solving their problems.

No. 1, as a statement of congressional intent to do nothing about the deficit, this bill is a disaster. And, No. 2, as a proposal to solve youth unemployment, it is at least unconsequential and is probably counterproductive.

Mr. SEIBERLING. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. BOUCHER].

Mr. BOUCHER. Mr. Chairman, I am pleased to rise in support of H.R. 99, the American Conservation Corps Act of 1985.

The act is a carefully drawn measure which addresses two of the most pressing problems in our Nation—unemployment among youth and the declining condition of our Nation's public lands. Every Member is well aware of the chronically high rate of youth unemployment. The jobless rate among those under the age of 25 stands at 18 percent, and among minorities, it exceeds 40 percent.

The legislation before us is designed to reduce youth unemployment through the provision of public service jobs to our Nation's most disadvantaged young people. The program is based on the highly successful Civilian Conservation Corps of the 1930's which provided thousands of depression era youth with jobs, job skills, and the pride which is associated with having a job. In the absence of a strong Federal commitment to putting young people back to work, we can expect thousands of young people to grow up lacking job skills and the hope for permanent employment. Such a result is unacceptable.

The American Conservation Corps Act of 1985 would also advance many badly needed conservation projects on Federal, State, and local public lands. Under the provisions of the bill, many long overdue projects, ranging from soil conservation in our parks to urban revitalization in our cities would be accomplished at a relatively low cost to the Federal Government.

Clearly, unemployment among young people is one of the largest challenges facing this Nation, and its solution requires a number of different approaches. Under the Job Training Partnership Act, disadvantaged youth may receive various forms of training, education, and assistance in finding a job. However, JTPA and similar Federal programs offer few year-round opportunities for youngsters to obtain actual on-the-job experience. If enacted and funded, the American Conservation Corps would supplement these useful, though limited, programs by giving young people the chance to work.

It represents a sound, time-tested approach to both reducing unemployment and improving our public lands, and I urge my colleagues to adopt it.

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

Mr. MARTINEZ. Mr. Chairman, I yield 3 minutes to the illustrious gentleman from California [Mr. TORRES].

Mr. TORRES. Mr. Chairman, I wish to thank my distinguished colleagues, Mr. MARTINEZ and Mr. SEIBERLING, for allowing me to speak briefly on H.R. 99.

At a time of high deficits and an uneven economic recovery, our Nation must prepare for the future. The national unemployment rate is currently at 7.1, for youth that rate is at 18 percent, and for minority youth that rate is at 45 percent.

What kind of a future are we providing our young when they are unable to get a job? This situation is intolerable.

The opponents of this bill claim that the best way to combat unemployment is to hold down Federal spending and reduce the deficit. They make this claim while ignoring the statistics and the special problems of youth unemployment:

What will happen if our economy takes a downturn, and the current situation becomes worse?

Where will that leave our young people?

The time to prepare for the future is now, before the economy slips and makes it even harder for teenagers to find work.

This bill provides new opportunities and support to such existing programs as the Job Training Partnership Act and State Youth Conservation Employment Programs.

In Los Angeles County, which includes my district, Hispanic teenage unemployment was approximately 26 percent in 1984. This mixture of minority youth combined with an unemployment rate above the national average highlights the need for this program—for the young in my district.

An excellent example of what can be accomplished with limited funds is the California Conservation Corp, an example of what can be done nationally.

We need to continue such successful efforts.

The Congressional Budget Office estimates that for every 1 percent increase in unemployment, about $25 billion more is added to the deficit. Our Nation cannot afford not to authorize H.R. 99.

I ask my colleagues, how many programs undertaken by the Federal Government address several unmet needs at the same time? Well this program does.

I'm disappointed that my colleague from New Mexico has withdrawn his support in spite of his acknowledgment that it is a positive and worthwhile national effort. We should vote for H.R. 99 and show our young people that their Nation cares enough to help them with a job and an opportunity for a bright future.

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes to my distinguished friend and colleague, the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I did not intend to rise and speak on this issue today, but I think it is important that at least one Democrat comes to the well of the House to say that we cannot afford this new program.

If we really want to help deal with the unemployment issue in our society among youth as well as among adults, we have got to get the Federal budget deficit down. And you do not get the Federal budget deficit down by creating new programs and spending more money.

There is some value to the kinds of things you want to accomplish with this program. But rather than creating a new program, maybe we ought to look at all of the job programs on the books and find a way to incorporate this kind of a principle into those programs within existing budgets.

I do not think that we do the future of the country any favor by telling them that the answer to every problem that faces society is to create a new Federal program. All of these programs start out with an authorization, and so we say, "Let's pass the authorization, that does not cost us any money." Then we spend a little money, and it always starts out small, and then we spend more and more and more. That is how we got into the deficit mess we are in, and we are never going to get out of it until we learn to say no.

At a time when we do not even have enough money to adequately fund existing job programs, we cannot go out and create a new one.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. I thank the gentleman for yielding.

Mr. Chairman, I just heard a talk about the deficit. This House passed today on voice vote $13 billion to go out of this country, and I did not hear any deficit rhetoric through the whole process.

I represent a district that lost 55,000 jobs in the last 8 years, has almost 60 percent minority unemployment. When we talk about aid to Americans, we talk about the budget deficit and the national debt. When we talk about billions of dollars going overseas, we talk about frugal peacekeeping.

One of the greatest threats in America today will rise up in America's streets because we have two types of concepts going on. Gentlemen, you either have welfare or you have jobs. And if you are going to keep knocking people for welfare, what else is there for them?

What other mechanism has been devised for the tragic problem that exists in unemployment for American youth? I am talking youth now, not even addressing ourselves to the growing poverty rate in this country and total unemployment. If this country does not need a total jobs bill, something is wrong. But if we are going to argue deficits, let us argue deficits when it appears here and counts in America, too, as well.

I just want to say this: I recommend the people who brought this bill forward and those people who will look at it very conscientiously in the House here today. Many of the Members have already left. We are talking about a program for America, and Members have left.

□ 1730

I think they should all be here and their vote should be recorded.

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

Yes; we can talk about deficits and about what we spend or need for programs, and there are sponsors on that side of the aisle who pay no heed to the amount of spending. There are also sponsors of this kind of legislation that say, yes, we have got to cut the deficit, we have got to cut the growth of Government, but not now, not in this kind of a program.

I would say if not now, then when are we going to make a stand for the taxpayers of the United States of America, for the economy of this country.

In closing, I would say the administration, again I would quote, "Strongly opposes the enactment of the American Conservation Corps Act." We recommend that the President again withhold his approval. The last sentence, "Accordingly, we strongly urge that the House reject H.R. 99."

I urge all of my colleagues to vote "no" on this particular piece of legislation.

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

Mr. GUNDERSON. Mr. Chairman, I think the first thing we better understand, if we are trying to be consistent, is that we should defeat this bill. My colleague from Ohio who preceded me here in the well suggested that we should not pass the foreign aid bill and then turn and say no to this.

The fact is, the distinguished chairman of the Foreign Affairs Committee and the distinguished ranking member came to this Congress with an amendment to freeze the foreign aid bill for 1986 at the 1985 level. They said we cannot spend new money. That is exactly what we are talking about here tonight. We have to ask ourselves the question, as the gentleman from Utah said earlier, Are we going to try to preserve and maintain the programs we have and fight the deficit or are we only going to continue on our merry way and say, "It sounds like a good program to me; I think I will vote for it."

The chart that I have here indicates exactly what I am talking about from an employment and training perspective, ladies and gentlemen. We have title IIA of the Job Training Partnership Act, training for disadvantaged youth and adults. The best we are going to get for that program this year is freezing it in fiscal year 1986 at the fiscal year 1985 level.

You take title IIB under JTPA, the Summer Youth Employment Program; the administration has asked for a significant cut of $160 million in this program; the other body has passed this $160 million cut. We would be very, very lucky to get in 1986 the same amount of money as we had in 1985.

You take a look at the Jobs Corps. The administration has zeroed that program out. The Senate has reduced it by 30 percent. We would be lucky to get anywhere close to fiscal year 1985 levels for that program. Now we are talking about introducing and authorizing new programs at as much as $75 million a year, possibly more.

You take a look at WIN; you take a look at vocational education; you take a look at adult education; on down the line, all are facing reductions. The challenge we face in 1985 is to No. 1, deal with the deficit, and No. 2, maintain the integrity of the employment and training programs that we have. Those who suggest this is the year to start Christmas presents and new programs do not understand the important needs of the economy in this country. We must deal responsibly with the deficit so that everyone, parents and children, can have jobs today and they can have a future tomorrow.

I encourage my colleagues, vote no on this well-intended piece of legislation. It is not the right time; it is not the right bill.

● Mr. LOWERY of California. Mr. Chairman, as a Member who support-

ed similar legislation last year, it is consistent that I again commend the spirit and intent of H.R. 99. Unfortunately, this year I cannot lend my support for this bill.

Youth unemployment, particularly among our minority population, is truly a national priority that deserves full congressional consideration. However, these times of staggering budget deficits dictate that the Congress refrain from establishing unproven programs, especially when budget conferees and others are desperately trying to save existing jobs programs.

Aside from the budgetary impact of at least $75 million and the likely Presidential veto, this bill has a greater flaw. Upgrading and revitalizing our public lands, although a worthy goal, will not provide our youths with marketable skills for their futures. Youth employment programs funded under the Job Training Partnership Act are much less costly per trainee, more likely to result in permanent private sector employment, and more tailored to today's needy youth. While I do not doubt that this program could instill a valuable work ethic for our young Americans, this justification alone is insufficient to support passage.

Finally, I am withholding support for H.R. 99 because similar projects already exist. There are currently in place over 27 State, local, or nonprofit youth conservation corps spending a total of $108 million annually. In addition, many of the jobs contemplated in this act are currently performed by U.S. Forest Service employees. A duplicative layer of Federal bureaucracy to these groups would only hinder their successes.

Again, while I wholeheartedly support the intent of this proposed legislation, I am regrettably constrained to oppose it due to the aforementioned circumstances.●

● Mr. DURBIN. Mr. Chairman, I rise in support of H.R. 99, the American Conservation Corps Act of 1985.

Teenage unemployment in the United States has reached an appalling level. It is a problem that erodes the confidence and dims the hopes of thousands of American youths. In the long term, it is a problem that will handicap our Nation's productivity.

Even during our most recent modest economic gains, joblessness among our youth persists. Youth unemployment is currently 18.2 percent, more than twice the overall unemployment rate. Among minority youth, unemployment stands at the inexcusable high level of 42 percent.

Concern for the problem of youth unemployment is abundent. Unfortunately, concrete action at the grassroots level is not. Today, we have an opportunity to support a program which will provide meaningful employment for unemployed youths.

The American Conservation Corps promotes a needed long-term investment in the future of hard-to-employ young adults. Unlike alternative approaches, such as the subminimum wage which provides only short-term summer relief, discriminates against youths who could be earning a higher wage and may displace older workers, the ACC is designed to address the fundamental causes of youth unemployment.

The ACC will provide year-round voluntary employment with the opportunity to advance to supervisory positions within the program, as well as protection for any displaced workers. In addition, it will teach responsibility, skills, and a work ethic necessary for economic advancement. The ACC will provide teenagers an atmosphere of hard work, and will reward those who perform well with an increased sense of accomplishment, civic pride, and above all, a renewed sense of confidence in their own ability.

Mr. Chairman, the ACC is an investment in the future of our country. It attacks the root causes of teen unemployment, especially minority unemployment, and offers hope and a special degree of training for the participant. We can no longer afford to benignly neglect the growing number of Americans who are offered no means of escape from perpetual unemployment and the social turmoil which that condition so often fosters.

It is my belief that enactment of the American Conservation Corps Act of 1985 would make a significant contribution to addressing the problem of youth unemployment in our country, and I urge my colleagues to support it.●

● Mr. MOLLOHAN. Mr. Chairman, I rise today in support of the American Conservation Corps Act of 1985 (H.R. 99), legislation to authorize programs for fiscal years 1986 through 1988.

This bill comes out of the Interior Committee, on which I serve, and I would like to congratulate the chairman of the full committee as well as the chairman of the subcommittee for their leadership regarding this legislation. The bill before us would authorize $75 million in funding for fiscal years 1986 through 1988 for establishment of a Youth Conservation Work Program modeled after the Civilian Conservation Corps of the 1930's. I frequently encounter people in my district who mention the success and benefits they received from the act. The 1980's version would distribute responsibility for funding among the States, local governments, Indian tribes, and other Federal agencies. The Federal Government will by no means have to bear the entire burden, ensuring responsible administration at the local level.

This bill would be of great benefit to youth in my State, West Virginia, and to young people across this great Nation.

Its enactment would provide both year round and summer employment for our youth. Not only would the act provide educational and training opportunities but it would also revitalize and conserve public lands. Special efforts would be made to recruit and enroll the economically disadvantaged.

The bill is practically identical to the one passed by both the House and Senate at the end of the 98th Congress. Contrary to the President's claims when he vetoed last year's bill, these types of programs have proven to be both productive and cost effective.

In the end, these programs are not only beneficial to the youths but also to the taxpayers.

I urge my colleagues to support the American Conservation Corps Act of 1985. Thank you.●

● Mr. ROYBAL. Mr. Chairman, I am proud to be able to speak in support of H.R. 99.

As we are all aware, both the House and Senate voted overwhelmingly during the last Congress to establish the American Conservation Corps, only to have the legislation pocket-vetoed by President Reagan. I was deeply disappointed that the President would ignore both the wishes of Congress and the extremely high youth unemployment rate in this Nation.

The passage of legislation to establish a program similar to the old Civilian Conservation Corps has been a very personal crusade for me, because I served in the original CCC. During the 1930's, I was a victim of the greatest period of unemployment this country has ever experienced: The Great Depression. The CCC provided work, something almost impossible for a minority youth in my circumstances to find during those economically desperate times. And, more importantly, it gave me a cause to which I could wholeheartedly commit myself. Instilling in me a deep sense of pride and dignity that so many around me had lost, the CCC provided the inspiration and the means for attending college. It also provided the impetus for my long career in public service.

How can we deny young people today the benefits of a similar experience, Many of our youth, particularly our minority youth, despair of ever finding steady employment. They desperately need a program like the ACC to take that first step from poverty, chronic unemployment and despair to job training, higher education and hope for the future. I have heard arguments that we cannot afford such a program during this period of record-high budget deficits. I say that if we really care about the future of this country, if we really care about a

strong America, we cannot afford not to establish the ACC.

In our mad scramble to spend billions for the very latest in super-weapons, we have been overlooking a vital measure of national strength—the condition of our civilian populace. Healthy, educated, employed, and committed Americans have made this country great. The prospect of a fair shake for everyone has kept Americans struggling to better themselves, rather than struggling to overthrow the Government. Every day, though, I hear from young Americans who no longer believe they can achieve the American dream. Isn't it worth the price of a missile to keep 85,000 American young people from sinking into despair and hopelessness?

I know what it feels like, because at one time, my future seemed very uncertain. Now here I am, a Member of the U.S. House of Representatives with a long career of public service behind me. And I have gotten countless letters from other ex-CCC'ers relating tales of successes small and large. The American Conservation Corps will also be a rich source of success stories. I am sure of it. I urge you all to join in passing H.R. 99.●

● Mr. MORRISON of Connecticut. Mr. Chairman, I rise in strong support of H.R. 99, the American Conservation Corps, which the House is considering today. This bill is almost identical to the bill which passed both the House and the other body at the end of the 98th Congress, but was pocket-vetoed by the President after Congress had adjourned. The program of conservation work established by this legislation would have significant benefits for both the youth involved in the program and for the Nation as a whole.

Disadvantaged youth, who have the highest rate of unemployment of any group in the country, would benefit from the program's year-round and summer components. And current workers would not be displaced because no grants would be made unless the program agency certifies that the project will not result in the displacement, including partial displacement, of individuals currently employed.

To ensure that deserving youth obtain the benefits of the program, the legislation requires that special efforts be made to enroll and recruit youth who are economically, socially, physicially, or educationally disadvantaged. Further, the bill provides for educational and training opportunities for the enrollees; up to 10 percent of the funds can be used to provide training and educational materials and educational services. Priority for these services would go to enrollees who have not graduated from high school or earned an equivalency diploma, and program agencies are directed to provide job guidance and placement information.

The Nation would clearly benefit from the work that these youth would perform. Corps work could include conservation of forests, fish, wildlife, rangelands, and soil; revitalization of urban areas and preservation of historic and cultural sites; development and maintenance of recreational areas, roads and trails; erosion and pest control; energy conservation and production of renewable energy; and emergency rehabilitation services.

This is important work that needs to be done. There have been numerous reports of deterioration in our national park and national forest facilities, caused, in part, by a policy of deferred maintenance. In 1980, the General Accounting Office reported that many Federal facilities did not meet health and safety standards, and estimated that $1.6 billion was needed to correct these deficiencies. The Forest Service recently estimated that it has a backlog of $1.25 billion in projects which could be undertaken by youth conservation program personnel. The Department of Interior estimates that it has a backlog of labor-intensive tasks of 460,000 work years.

Mr. Chairman, our experience with similar programs, which have been gutted by this administration, demonstrates that programs such as the American Conservation Corps are both cost-effective and have social benefits. For example, it is estimated that the value of work done by participants in the Young Adult Conservation Corps, which operated between 1978 and 1982 and provided year-round work to young adults, exceeded program expenditures by $12.3 million. A Library of Congress analysis estimates that, on the whole, the costs of both this program and the Youth Conservation Corps, which began operating in 1970 and continues to operate today at very curtailed levels, and provides summer employment for youth age 15 through 18, are less than the appraised value of the work accomplished.

Further, these benefit estimates are over and above the social value of the program, which have been demonstrated. A recent Congressional Research Service report summarizes the findings regarding the social benefits of these programs:

In addition to increased employability and earnings, these benefits could include certain direct savings to society through reduced welfare and unemployment insurance costs and lower crime rates. Further, less tangible but equally significant benefits could include greater appreciation for the work ethic, enhanced self-esteem, a sense of responsibility and discipline, the ability to work well with others, better health, development of positive social attitudes, and a sense of purpose.

Mr. Chairman, the American Conservation Corps is a worthwhile program—it helps our youth, it preserves the land we have deemed valuable enough to set aside from future development, and, in the long run, it saves us money in terms of future social costs. I strongly urge my colleagues in the House to vote for its passage.●

● Mr. OWENS. Mr. Chairman, I strongly support the passage of H.R. 99, the American Conservation Corps Act of 1985 which is being debated today. As an original cosponsor, I have followed its passage through the Committee on Interior and Insular Affairs and the Committee on Education and Labor on which I serve.

I was disappointed when this worthy, though minimal, effort to provide for the employment and training of our unemployed youth and the preservation of our lands received unfavorable Executive comment in April. The administration's continued opposition remains a disappointment.

The Civilian Conservation Corps represents a creative approach to the problem of youth unemployment. By utilizing funds which are already budgeted and providing for local matching funding, the program will expand the jobs available to youth and stimulate the States to participate in the process. The intergovernmental cooperation which results will help to make the Corps a success and stimulate additional programs in the States.

There are those who argue that we should not be creating job programs and that the unemployment problem will simply go away at some point. Unfortunately, the unemployed youth who are looking for work now and learning that there are no doors open to them will not be served by the creation of job opportunities at some time in the future. They need jobs now.

Every night we see the news and hear of the raging forest fires in California. Millions of acres totally stripped of vegetation which will become washed out when the rains come in the fall and spring. The only hope of avoiding this second disaster is to rapidly plant seeds and seedlings to hold the earth onto the hills. It is clear, that a Conservation Corps with its potential for this type of work would prove invaluable in the next few months. It would not be "make work" to provide the burned out areas with the labor that is needed to prevent the floods which follow massive fires. It would instill pride in the young people who could see the effects of their labor and know that they had helped to save a part of this land that can be both beautiful and demanding.

It is hard to imagine all of the uses to which a conservation corps could be put. And yet, I know that there is so much work to do and so many young people who desperately need jobs. It seems foolish to waste their talents and efforts instead of putting them to good use.

I urge all of my colleagues to support H.R. 99, the American Conservation Corps Act of 1985.●

● Mr. CONTE. Mr. Chairman, as an original sponsor of H.R. 99, I rise in support of this legislation. I want to commend Mr. SEIBERLING for introducing this bill to help resolve the terrible problems of high youth and minority unemployment.

Mr. Chairman, with an economic recovery underway, many may be tempted to ignore the needs of the unemployed. But the fact is that our Nation's unemployment rate is still 7.3 percent. When has there been a time in our Nation's history when 7.3 percent unemployment has been acceptable? There never has been.

Millions are out of work—millions more are underemployed—and countless people are too discouraged to look for work. Let's have truth in unemployment. In my own district in Massachusetts, the State with the lowest unemployment rate in the Nation, we have some towns with unemployment rates which exceed the national average. So the unemploymnent rate doesn't tell the whole story.

I've been saying for years that what we've got to do is go back to something like those old CCC camps back in the 1930's to help people through a trying time of unemployment. H.R. 99 would direct the Departments of Interior and Agriculture to administer American Conservation Corps programs to improve, maintain and conserve public lands and resources. The projects can include forestry, fish and wildlife habitat conservation, historical site preservation, urban revitalization and energy conservation. Eligibility for the program would be limited to those between 16-25 years old; summer employees must be between 15-21 years old.

This isn't a give-away. This is work that desperately needs to be done, and someone is going to have to do it. Just recently, one of the television networks did a documentary showing the sad shape that many of our national parks and forests are in. This bill would go a long way toward solving those problems.

To those who say we can't afford this program, I say we can't afford not to have it. Our Nation can't afford to have 18.2 percent of its young people out of work. Our Nation can't afford to have 41.9 percent of its minority youth out of work. Their suffering is untold, and we need this program to help these people. I urge its adoption.●

● Mr. MINETA. Mr. Chairman, I rise here today in support of the American Conservation Corps Act. This bill has the twofold benefit of giving our youth the opportunity to receive training, while offering our country a valuable service. Furthermore, this legislation not only benefits young people in general, but it provides for special efforts to be made in training those who are economically disadvantaged.

Mr. Chairman, the American Conservation Corps not only has the support of the entire Congress, but enjoys overwhelming popular support as well. This endorsement comes from a variety of people; the rangers who are in need of help in maintaining the park system, the parents who are eager to give their children an opportunity for growth, the young people themselves who have the opportunity to explore their limitations and capabilities.

I strongly endorse programs like the American Conservation Corps because I have seen from personal experience what can be achieved. In 1983, my son, David, had the opportunity to go to Yosemite as part of the Youth Conservation Corps. In David's own words, it was the best job he has ever had. He gained valuable training, he had the satisfaction of working on projects that were for the benefit of all, and he made great friends. But perhaps more importantly, this program helped him grow, gain self-confidence, and showed him the value of service to others.

Mr. Chairman, I urge my colleagues here today to vote in favor of the American Conservation Corps Act of 1985. In doing so we will establish a program that will benefit us all. It is money well spent and it is a solid investment in the youth of this country.●

● Mrs. BYRON. Mr. Chairman, I rise today in support of H.R. 99, the American Conservation Corps Act of 1985. As an original cosponsor, I feel strongly that this legislation will provide countless benefits to both the youth and natural resources of this Nation.

As my colleagues are well aware, this bill can be closely traced to such programs as the Youth Conservation Corps and the Civilian Conservation Corps, Depression-era programs which put millions of unemployed youths back to work. I can confidently say that this act's predecessors provided innumerable benefits for the six national parks within my district. At Mount Catoctin National Park alone, the Youth Conservation Corps constructed the salt storage shed, the wood storage shed, and countless other buildings which currently house park equipment. All trail maintenance at Catoctin was performed almost exclusively by the Youth Conservation Corps. Similar accomplishments were made in my five other parks as well.

While H.R. 99 is a more modest proposal, I believe that it will provide benefits similar to those which my parks and their visitors have reaped in the past. This bill would result in greater efforts to revitalize urban areas and preserve historic and cultural sites. It would contribute to the development of roads, trails, erosion and pest control; and it would provide for increased conservation of forests, fish, wildlife, rangelands, and soil.

Most important, however, this legislation would provide jobs for an estimated 18,500 youths in the first year of the program. The number would increase to 37,000 by the third year. Mr. Chairman, I can't think of a better goal than that of giving young Americans both an opportunity to work and to experience our Nation's invaluable natural resources. I urge my colleagues to support this worthwhile legislation.●

● Mr. BOSCO. Mr. Chairman, I have asked to speak in support of the American Conservation Corps Act of 1985 because of my firsthand knowledge of the California Conservation Corps [CCC]—a program that I believe serves as a model of what is possible nationwide, under Mr. SEIBERLING's H.R. 99.

If the existing programs in 13 other States are anything like the California program there are innumerable good reasons why we should support the creation of an American Conservation Corps. Since the CCC's inception in 1976, corps members have planted 13 million trees and cleared over 500 miles of salmon and steelhead streams. The corps has been instrumental in California park development, landscaping, trail building, and wildlife habitat restoration of all kinds. The corps also provides a lifesaving emergency response unit in times of fire, floods, earthquakes, and other natural disasters. Anyone who has been affected by a major natural disaster in the last 10 years in California will attest to the corps' value.

The benefits of establishing a program that employs thousands of young people, who perform much needed public services, are obvious. What is striking about the California program is that the work is performed in a cost-effective manner. A study I requested as a California legislator concluded that for each $1 of State funds spent on the CCC, $1.65 in benefits are returned.

H.R. 99 would make it possible for every State in the Union to establish a labor intensive, cost-effective, conservation corps employing the chronically unemployed—young people between the ages of 15 to 25. The $75 million expenditure called for in the 3 following fiscal years will reap substantial dividends for State participants. The 25-percent State match will foster a State-Federal partnership geared toward the development of effective programs. States such as California that already satisfy the match will be able to expand and substantially add to the total of over 17,000 young people that have successfully graduated from the CCC since its inception.

There is another kind of benefit from the corps' work that cannot be

measured as traditional economic benefits or evaluated in terms of cost-effectiveness. I am referring to the young minds and bodies that have been strengthened by the CCC. It is impossible to attach a dollar amount to the sense of usefulness and character building provided by the CCC experience in California. H.R. 99 will make it possible for young people throughout the country to benefit from this experience.●

The CHAIRMAN. All time under general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in boldface roman type in the bill will be considered as an original bill for the purpose of amendment under the 5-minute rule in lieu of the amendment recommended by the Committee on Interior and Insular Affairs. Each section shall be considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SHORT TITLE

SECTION 1. This Act may be cited as the "American Conservation Corps Act of 1985".

CONGRESSIONAL FINDINGS AND PURPOSE

SEC. 2. (a) FINDINGS.—The Congress finds that—

(1) conserving or developing natural and cultural resources and enhancing and maintaining environmentally important lands and waters through the use of the Nation's young men and women, is beneficial not only to the youth of the Nation by providing them with education and work opportunities, but is also beneficial for the Nation's economy and its environment; and

(2) through this work experience opportunity, the Nation's youth will further their understanding and appreciation of the natural and cultural resources in addition to learning basic and fundamental work ethics including discipline, cooperation, understanding to live and work with others, and learning the value of a day's work for a day's wages.

(b) PURPOSE.—It is the purpose of this Act to—

(1) enhance and maintain conservation, rehabilitation, and improvement work on Federal and non-Federal public lands and Indian lands, improve and restore Federal and non-Federal public lands and Indian lands, resources, and facilities, conserve energy and restore and maintain community lands, resources, and facilities;

(2) establish an American Conservation Corps to carry out a program to improve, restore, maintain, and conserve these lands and resources in the most cost-effective manner;

(3) assist State and local governments in carrying out needed non-Federal public land and resource conservation, rehabilitation, and improvement projects;

(4) provide for implementation of the program in such manner as will foster conservation and the wise use of natural and cultural resources through the establishment of working relationships among the Federal, State, and local governments, Indian tribes, and other public and private organizations; and

(5) increase (by training and other means) employment opportunities for young men and women including, but not limited to, those who are economically, socially, physically, or educationally disadvantaged and who may not otherwise be productively employed.

DEFINITIONS

SEC. 3. For purposes of this Act—

(1) The term "Federal public lands" means any lands or waters (or interest therein) owned or administered by the United States.

(2) The term "non-Federal public lands" means any lands or waters (or interest therein) owned or administered by any agency or instrumentality of a State or local government.

(3) The term "program" means the conservation, rehabilitation, and improvement program established by this Act.

(4) The term "program agency" means any Federal agency or instrumentality with responsibility for the management of any public or Indian lands, any State agency designated by the Governor to manage the program in that State, and the governing body of any Indian tribe.

(5) The term "Indian tribe" means any Indian tribe, band, nation, or other group which is recognized as an Indian tribe by the Secretary of the Interior. Such term also includes any Native village corporation, regional corporation, and Native group established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1701 et seq.).

(6) The term "Indian" means a person who is a member of an Indian tribe.

(7) The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for Indian tribes, and any real property held by Indian tribes which is subject to restrictions on alienation imposed by the United States.

(8) The term "employment security service" means the agency in each of the several States with responsibility for the administration of unemployment and employment programs, and the oversight of local labor conditions.

(9) The term "chief administrator" means the head of any program agency as that term is defined in paragraph (4).

(10) The term "enrollee" means any individual enrolled in the American Conservation Corps in accordance with section 5.

(11) The term "crew leader" means an enrollee appointed under authority of this Act for the purpose of supervising other enrollees engaged in work projects pursuant to this Act.

(12) The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(13) The term "economically disadvantaged" with respect to youths has the same meaning given such term in section 4(8) of the Job Training Partnership Act.

PUBLIC LANDS CONSERVATION, REHABILITATION, AND IMPROVEMENT PROGRAM

SEC. 4. (a) ESTABLISHMENT OF PROGRAMS.—There is hereby established within the Department of the Interior and the Department of Agriculture an American Conservation Corps.

(1) ESTABLISHMENT OF PROGRAM ON FEDERAL PUBLIC LANDS.—Not later than ninety days after the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, after consultation with the Secretary of Labor, shall establish and administer a conservation, rehabilitation, and improvement program on Federal public lands and shall establish a similar program on Indian lands with the consent of the respective tribe to carry out the purposes of this Act.

(2) ESTABLISHMENT OF PROGRAM ON NON-FEDERAL PUBLIC LANDS.—The Secretary of the Interior, after consultation with the Secretary of Agriculture and the Secretary of Labor, shall establish and administer a conservation, rehabilitation, and improvement program on non-Federal public lands to carry out the purposes of this Act.

(b) REGULATIONS AND ASSISTANCE.—The Secretary of the Interior and the Secretary of Agriculture, after consultation with the Secretary of Labor, shall jointly promulgate the regulations necessary to implement the programs established by subsection (a). Within thirty days after the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall establish procedures to give Federal and non-Federal program agencies and other interested parties, including the public, adequate notice and opportunity to comment upon and participate in the formulation of such regulations. The Secretary of the Interior and the Secretary of Agriculture shall provide assistance, consistent with the terms of this Act, to program agencies for the establishment and operation of residential and nonresidential American Conservation Corps centers and for the implementation by the American Conservation Corps of projects designed to carry out the purposes of this Act.

(c) PROJECTS INCLUDED.—The programs established under this section may include projects such as—

(1) wildlife habitat conservation, rehabilitation, and improvement;

(2) rangeland conservation, rehabilitation, and improvement;

(3) recreational area development, maintenance, and improvement;

(4) urban revitalization;

(5) historical and cultural site preservation and maintenance;

(6) fish culture and habitat maintenance and improvement and other fishery assistance;

(7) road and trail maintenance and improvement;

(8) erosion, flood, drought, and storm damage assistance and control;

(9) stream, lake, and waterfront harbor and port improvement, and pollution control;

(10) insect, disease, rodent, and fire prevention and control;

(11) improvement of abandoned railroad bed and right-of-way;

(12) energy conservation projects and renewable resource enhancement;

(13) recovery of biomass from public lands, particularly forestlands;

(14) reclamation and improvement of strip-mined land; and

(15) forestry, nursery, and silvicultural operations.

(d) PREFERENCE FOR CERTAIN PROJECTS.—The programs shall provide a preference for those projects which—

(1) will provide long-term benefits to the public;

(2) will instill in the enrollee involved a work ethic and a sense of public service;

(3) will be labor intensive; and

(4) can be planned and initiated promptly.

(e) LIMITATION TO FEDERAL AND NON-FEDERAL PUBLIC LANDS.—Projects to be carried out under the program shall be limited to projects on Federal and non-Federal public lands or Indian lands except where a project involving other lands will provide a documented public benefit as determined by the Secretary of the Interior or the Secretary of Agriculture. The regulations promulgated under subsection (b) shall establish the criteria necessary to make such determinations.

(f) CONSISTENCY.—All projects selected and carried out under this Act for conservation, rehabilitation, or improvement of any Federal or non-Federal public lands or Indian lands shall be consistent with the provisions of law and policies relating to the management and administration of such lands, with all other applicable provisions of law, and with all management, operational, and other plans and documents which govern the administration of the area.

(g) CONSERVATION CENTERS.—(1) Each program agency may apply for approval of conservation centers to carry out projects under this Act.

(2) Applications for approval of conservation centers on Federal public lands shall be submitted to the Secretary of the Interior or the Secretary of Agriculture in such manner as is provided for by the regulations promulgated under subsection (b). Applications for the approval of conservation centers on non-Federal public lands or Indian lands shall be submitted to the Secretary of the Interior. No application may be submitted to the Secretary of the Interior or the Secretary of Agriculture before the 30-day period for review and comment by the appropriate State Job Training Coordinating Council (established under the Job Training Partnership Act), if any, which shall consult with the appropriate Private Industry Council, or Councils, in the area in which a project is carried out. Comments of the State Job Training Coordinating Council and Private Industry Council shall be forwarded to the Secretary at the time the grant application is submitted.

(3) No grant or other agreement may be entered into under this section unless an application is submitted to and approved by the Secretary of the Interior or the Secretary of Agriculture, as the case may be. Each application shall contain—

(A) a comprehensive description of the objectives and performance goals for the conservation center and a description of the types of projects to be carried out, including a description of the types and duration of training and work experience to be provided;

(B) a plan to make arrangements for certification of the training skills acquired by enrollees under this Act;

(C) a plan to make arrangements for the award of academic credit by educational institutions and agencies to enrollees for competencies developed under training programs or from work experience under this Act;

(D) an estimate of the number of enrollees and crew leaders necessary for the proposed projects, the length of time for which the services of such personnel will be required and the services which will be required for their support;

(E) a description of the facilities and equipment to be available for use in the center;

(F) a plan for managing the conservation center, supplying the necessary equipment and material, and administering the payroll; and

(G) such other information as the Secretary of the Interior and the Secretary of Agriculture shall prescribe.

(4) In approving the location and type of conservation centers, the Secretary of the Interior and the Secretary of Agriculture shall give due consideration to—

(A) the proximity of the center to the work to be done;

(B) the cost and means of transportation available between the center and the homes of the enrollees who may be assigned to those centers;

(C) the access of economically, socially, physically, or educationally disadvantaged youths to the centers; and

(D) the cost of establishing the center.

Every effort shall be made to assign youths to residential or nonresidential centers as near to their homes as practicable.

(5)(A) Every conservation center shall have sufficient supervisory staff appointed by the chief administrator which may include enrollees who have displayed exceptional leadership qualities.

(B) No project shall be undertaken without the on-site presence of knowledgeable and competent supervision, and all projects undertaken shall be documented in advance in an approved written project plan.

(h) LOCAL GOVERNMENT PARTICIPATION.—Any State carrying out a program under this Act shall provide a mechanism under which local governments within the State may be approved by the State to participate in the program and to carry out projects in accordance with the requirements of this Act.

(i) AGREEMENTS.—Program agencies may enter into contracts and other appropriate arrangements with local government agencies and nonprofit organizations for the management of conservation centers under the program.

(j) JOINT PROJECTS.—

(1) DEPARTMENT OF LABOR.—The Secretary of the Interior and the Secretary of Agriculture are authorized to develop jointly with the Secretary of Labor regulations designed to allow, where appropriate, joint projects in which activities supported by funds authorized under this Act are coordinated with activities supported by funds authorized under employment and training statutes administered by the Department of Labor (including the Job Training Partnership Act). Such regulations shall provide standards for approval of joint projects which meet both the purposes of this Act and the purposes of such employment and training statutes under which funds are available to support the activities proposed for approval. Such regulations shall also establish a single mechanism for approval of joint projects developed at the State or local level.

"(2) DEPARTMENT OF DEFENSE.—The Secretary of the Interior and the Secretary of Agriculture may enter into agreements with the Secretary of Defense to assist the military by carrying out projects under this Act. Such projects may be carried out on a reimbursable basis or otherwise.

ENROLLMENT, FUNDING, AND MANAGEMENT

SEC. 5. (a) ENROLLMENT IN PROGRAM.—(1)(A) Enrollment in the American Conservation Corps shall be limited to individuals who, at the time of enrollment, are—

(i) unemployed;

(ii) not less than sixteen or more than twenty-five years of age (except that programs limited to the months of June, July, and August may include individuals not less than fifteen years and not more than twenty-one years of age at the time of their enrollment); and

(iii) citizens (including those citizens of the Northern Mariana Islands as defined in Public Law 98-213 (97 Stat. 1459)) or lawful permanent residents of the United States.

(B) Special efforts shall be made to recruit and enroll individuals who, at the time of enrollment, are economically disadvantaged.

(C) In addition to recruitment enrollment efforts required in subparagraph (B), the Secretary of the Interior and the Secretary of Agriculture shall make special efforts to recruit enrollees who are socially, physically, and educationally disadvantaged youths.

(D) Notwithstanding subparagraph (A), a limited number of special corps members may be enrolled without regard to their age so that the corps may draw upon their special skills which may contribute to the attainment of the purposes of the Act.

(2) Except in the case of a program limited to the months of June, July, and August, individuals who at the time of applying for enrollment have attained age sixteen but not attained age nineteen, and who are no longer enrolled in any secondary school shall not be enrolled unless they give adequate written assurances, under criteria to be established by the Secretary of the Interior and the Secretary of Agriculture, that they did not leave school for the express purpose of enrolling. The regulations promulgated under section 4(b) shall provide such criteria.

(3) The selection of enrollees to serve in the American Conservation Corps in any conservation center shall be the responsibility of the chief administrator of the program agency. Enrollees shall be selected from those qualified persons who have applied, to or been recruited by, the program agency, a State employment security service, a local school district with an employment referral service, an administrative entity under the Job Training Partnership Act, a community or community-based nonprofit organization, the sponsor of an Indian program, or the sponsor of a migrant or seasonal farmworker program.

(4)(A) Except for a program limited to the months of June, July, and August, any qualified individual selected for enrollment may be enrolled for a period not to exceed twenty-four months. When the term of enrollment does not consist of one continuous twenty-four-month term, the total of shorter terms may not exceed twenty-four months.

(B) No individual may remain enrolled in the American Conservation Corps after that individual has attained the age of twenty-six, except as provided in subsection (a)(1)(D) of this section.

(5) Within the American Conservation Corps the directors of centers shall establish and stringently enforce standards of conduct to promote proper moral and disciplinary conditions. Enrollees who violate these standards shall be transferred to other locations, or dismissed, if it is determined that their retention in that particular center, or in the Corps, will jeopardize the enforcement of such standards or diminish the opportunities of other enrollees. Such disciplinary measures will be subject to expeditious appeal to the appropriate Secretary.

(b) SERVICES, FACILITIES, SUPPLIES, ET CETERA.—The program agency shall provide quarters, board, limited and emergency medical care, transportation from conservation centers to work sites, and other serv-

ices, facilities, supplies, and equipment. Whenever possible, the Secretary of the Interior and the Secretary of Agriculture shall make arrangements with the Secretary of Defense to have such logistical support provided by a military installation near the proposed center, including the provision of temporary tent centers where needed. Basic standards of work requirements, health, nutrition, sanitation, and safety for all conservation centers shall be established and enforced.

(c) REQUIREMENT OF PAYMENT FOR CERTAIN SERVICES.—Enrollees shall be required to pay a reasonable portion of the cost of room and board provided at conservation centers into rollover funds administered by the appropriate Secretary. Such payments and rates are to be established after evaluation of costs of providing the services. The rollover funds established pursuant to this section shall be used solely to defray the costs of room and board for enrollees. The Secretary of the Interior and the Secretary of Agriculture are authorized to make available to program agencies surplus food and equipment as may be available from Federal programs.

FEDERAL AND STATE EMPLOYEE STATUS

SEC. 6. (a) IN GENERAL.—Enrollees, crew leaders, and volunteers are deemed as being responsible to, or the responsibility of, the program agency administering the project on which they work. Non-Federal program agencies shall be required as a minimum to provide tort claims protection and work related injury benefits to enrollees and crew leaders. Except as otherwise specifically provided in the following paragraphs, enrollees and crew leaders in Federal projects for which funds have been authorized pursuant to paragraphs (2), (3), (4), and (5) of section 13(a) shall not be deemed Federal employees and should not be subject to the provisions of law relating to Federal employment:

(1) For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, enrollees and crew leaders serving Federal program agencies shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provision of that subchapter shall apply, except—

(A) the term "performance of duty" shall not include any act of an enrollee or crew leader while absent from his or her assigned post of duty, except while participating in an activity authorized by or under the direction and supervision of the Secretary of the Interior or the Secretary of Agriculture or the conservation supervisory staff (including an activity while on pass or during travel to or from such post of duty); and

(B) compensation for disability shall not begin to accrue until the day following the date on which the injured enrollee's or crew leader's employment is terminated.

(2) For purposes of chapter 171 of title 28, United States Code, relating to tort claims procedure, enrollees and crew leaders or Federal projects shall be deemed employees of the United States within the meaning of the term "employee of the Government" as defined in section 2671 of title 28, United States Code.

(3) For purposes of section 5911 of title 5, United States Code, relating to allowances for quarters, enrollees and crew leaders shall be deemed employees of the United States within the meaning of the term "employee" as defined in that section.

(b) AMENDMENT OF TITLE 5.—Section 8332(b) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of paragraph (11);

(2) by striking out the period at the end of paragraph (12) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (12) the following new paragraph:

"(13) service as an enrollee or crew leader only if the enrollee or crew leader in the American Conservation Corps later becomes subject to this subchapter.".

USE OF VOLUNTEERS

SEC. 7. Where any program agency has authority to use volunteer services in carrying out functions of the agency, such agency may use volunteer services for purposes of assisting projects related to conservation centers established under this Act and may expend funds made available for those purposes to the agency, including funds made available under this Act, to provide for services or costs incidental to the utilization of such volunteers, including transportation, supplies, lodging, subsistence, recruiting, training, and supervision. The use of volunteer services permitted by this section shall be subject to the condition that such use does not result in the displacement of any enrollee.

TENNESSEE VALLEY AUTHORITY

SEC. 8. The Board of Directors of the Tennessee Valley Authority may accept the services of volunteers and provide for their incidental expenses to carry out any activity of the Tennessee Valley Authority except policy-making or law or regulatory enforcement. Such volunteers shall not be deemed employees of the United States Government except for the purposes of chapter 81 of title 5 of the United States Code, relating to compensation for work injuries, and shall not be deemed employees of the Tennessee Valley Authority except for the purposes of tort claims to the same extent as a regular employee of the Tennessee Valley Authority would be under identical circumstances.

SPECIAL RESPONSIBILITIES

SEC. 9. (a) PAY.—(1) The rate of pay for enrollees shall be the equivalent of 95 percent of the pay rate for members of the Armed Forces in the enlisted grade E-1 who have served for four months or more on active duty, from which a reasonable charge for enrollee room and board shall be deducted by the program agency.

(2) Enrollees shall receive $50 cash incentive stipends for every three months of enrollment in the program.

(3) The rate of pay for crew leaders shall be at a wage comparable to the compensation in effect for grades GS-3 to GS-7.

(b) COORDINATION.—The Secretary of the Interior and the Secretary of Agriculture and the chief administrators of other program agencies carrying out programs under this Act shall coordinate the programs with related Federal, State, local, and private activities.

(c) CERTIFICATION AND ACADEMIC CREDIT.—Pursuant to the provisions of paragraphs (B) and (C) of section 4(g)(3), the Secretary of the Interior and the Secretary of Agriculture shall provide guidance and assistance to program agencies in securing certification of training skills or academic credit for competencies developed under this Act.

(d) RESEARCH AND EVALUATION.—The Secretary of the Interior and the Secretary of Agriculture shall provide for research and evaluation to—

(1) determine costs and benefits, tangible and otherwise, of work performed under this Act and of training and employable skills and other benefits gained by enrollees, and

(2) identify options for improving program productivity and youth benefits, including improved alternatives for: organization, subjects, sponsorship, and funding of work projects; recruitment and personnel policies; siting and functions of conservation centers; work and training regimes for youth of various origins and needs; and cooperative arrangements with programs, persons, and institutions not covered under this Act.

(e) DEMONSTRATIONS.—The Secretary of the Interior and the Secretary of Agriculture may authorize pilot or experimental projects to demonstrate or test new or alternative arrangements or subjects of work and training for programs under this Act, which may include alternatives identified under subsection (d)(2).

(f) CCC SITES.—The Secretary of the Interior, after consultation with the Secretary of Agriculture, shall study sites at which Civilian Conservation Corps activities were undertaken for purposes of determining a suitable location and means to commemorate the Civilian Conservation Corps. Not later than one year after the date of the enactment of this Act, the Secretary of the Interior shall submit a report to the Congress containing the results of the study carried out under this section. The report shall include cost estimates and recommendations for any legislative action.

(g) STUDY.—(1) Program agencies shall not use more than 10 per centum of the funds available to them to provide training and educational materials and services for enrollees and may enter into arrangements with academic institutions or education providers, to include local education agencies, community colleges, four-year colleges, area vocational-technical schools and community based organizations, for academic study by enrollees during nonworking hours to upgrade literacy skills, obtain a high school diploma or its equivalency, or college degrees, or enhance employable skills. Enrollees who have not obtained a high school diploma or its equivalency shall have priority to receive services under this subsection. Whenever possible, an enrollee seeking study or training not provided at his or her conservation center shall be offered assignment to a conservation center providing such study or training.

(2) Standards and procedures with respect to the awarding of academic credit and certifying educational attainment in programs conducted under paragraph (1) shall be consistent with the requirement of applicable State and local law and regulations.

(h) GUIDANCE AND PLACEMENT.—Program agencies shall provide such job guidance and placement information and assistance for enrollees as may be necessary. Such assistance shall be provided in coordination with appropriate State, local, and private agencies and organizations.

ANNUAL REPORT

SEC. 10. The Secretary of the Interior and the Secretary of Agriculture shall prepare and submit to the President and to the Congress at least once each year a report detailing the activities carried out under this Act. Such report shall be submitted not later than December 31 of each year following the date of enactment of this Act. The report shall describe (1) conservation work procedures, accomplishments, and benefits;

(2) the short-term post-program experience of enrollees, including data on the number of those terminating from the program who are unemployed, employed, have left the labor force, and are enrolled in further education and shall also report on the long-term impacts of the program on the employability of enrollees; (3) other youth benefits; and (4) problems and opportunities encountered in carrying out the Act which require attention. The Secretary of the Interior and the Secretary of Agriculture shall include in such report such recommendations as each considers appropriate.

LABOR MARKET INFORMATION

SEC. 11. The Secretary of Labor shall make available to the Secretary of the Interior and the Secretary of Agriculture and to any program agency under this Act such labor market information as is appropriate for use in carrying out the purposes of this Act.

EMPLOYEE APPEAL RIGHTS

SEC. 12. (a) FEDERAL EMPLOYEES.—In the case of—

(1) the displacement of a Federal employee (including any partial displacement through reduction of nonovertime hours, wages, or employment benefits) or the failure to reemploy an employee in a layoff status, contrary to a certification under section 13 (b) (1) or (2), or

(2) the displacement of such a Federal employee by reason of the use of one or more volunteers under section 7 of this Act,

such employee is entitled to appeal such action to the Merit Systems Protection Board under section 7701 of title 5, United States Code.

(b) OTHER INDIVIDUALS.—In the case of—

(1) the displacement of any other individual employed (either directly or under contract with any private contractor) by a program agency or grantee, or the failure to reemploy an employee in layoff status, contrary to a certification under section 13(b) (1) or (2), or

(2) the displacement of such individual by reason of the use of one or more volunteers under section 7 of this Act,

the requirements contained in section 144 of the Job Training Partnership Act (Public Law 97-300) shall apply, and such individual shall be deemed an interested person for purposes of the application of such requirements.

(c) DEFINITION.—For purposes of this section, the term "displacement" includes, but is not limited to, any partial displacement through reduction of nonovertime hours, wages, or employment benefits.

AUTHORIZATION OF APPROPRIATIONS

SEC. 13. (a) DISTRIBUTION OF FUNDS.—Of the sums appropriated pursuant to subsection (g) to carry out this Act for any fiscal year—

(1) not less than 50 percent shall be made available to the Secretary of the Interior for expenditure by State program agencies;

(2) not less than 20 percent shall be made available to the Secretary of the Agriculture for expenditure by program agencies within the Department of Agriculture;

(3) not less than 5 percent shall be made available to the Secretary of Agriculture, under such terms as are provided for in regulations promulgated under section 4(b), for expenditure by other Federal program agencies and for demonstration projects or projects of special merit carried out by any program agency or by any nonprofit organization or local government which is undertaking or proposing to undertake projects consistent with the purposes of this Act.

(4) not less than 20 percent shall be made available to the Secretary of the Interior for expenditure by program agencies within the Department of Interior; and

(5) not less than 5 percent shall be made available to the Secretary of the Interior for expenditure by the governing bodies of participating Indian tribes.

Fifteen per centum of the amount disbursed to State program agencies under paragraph (1) (or to local governments within the State where subsection (c) applies) shall be divided equally among the States and 85 per centum of such amount shall be distributed among such States proportionately according to the total youth population of such States between the ages of fifteen and twenty-five (as determined on the basis of the most recent census). Any State receiving funds for the operation of any conservation center shall be required to provide not less than 25 per centum of the cost of operation of such center. Any State receiving funds for any fiscal year shall provide not less than 10 per centum of such funds to local governments approved by the State under section (4)(h) to carry out projects under this Act unless no such local government in that State is approved before the end of such fiscal year. In any case where no such local government is approved before the end of such fiscal year, such 10 per centum may be expended by the State in accordance with this Act.

(b) AWARDS OF GRANTS.—The Secretary of the Interior and the Secretary of Agriculture shall not fund any conservation center or enter into any agreement with any program agency for the funding of any conservation center under this Act unless the Secretary concerned or such agency certifies that projects carried out by the conservation center will not—

(1) result in the displacement of individuals currently employed (either directly or under contract with any private contractor) by the program agency concerned (including partial displacement through reduction of nonovertime hours, wages, or employment benefits);

(2) result in the employment of any individual when any other person is in a layoff status from the same or substantially equivalent job within the jurisdiction of the program agency concerned; or

(3) impair existing contracts for services.

(c) STATE SHARE TO LOCAL GOVERNMENTS.—If, at the commencement of any fiscal year, any State does not have a program agency designated by the Governor to manage the program in that State, then during such fiscal year each local government within such State may establish a program agency to carry out the program within the political subdivision which is under the jurisdiction of such local government. In any such case, the State share (or a reasonable portion thereof, including amounts authorized to be appropriated pursuant to subsection (f) for such State) may be made available by the Secretary of the Interior for expenditure by such local government program agencies to carry out the program within such political subdivisions. Such local government program agencies shall be in all respects subject to the same requirements as State program agencies. Where more than one local government within a State has established a program agency under this subsection, the Secretary of the Interior shall allocate funds between such agencies in such manner as he deems equitable.

(d) PAYMENT TERMS.—Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary of the Interior or the Secretary of Agriculture, as appropriate, finds necessary.

(e) USE OF FUNDS.—Contract authority under this Act shall be subject to the availability of appropriations. Funds provided under this Act shall only be used for activities which are in addition to those which would otherwise be carried out in the area in the absence of such funds. Not more than 10 per centum of the funds made available to any program agency for projects during each fiscal year may be used for the purchase of major capital equipment.

(f) ADMINISTRATIVE EXPENSES.—The regulations under section 4(b) shall establish appropriate limitations on the administrative expenses of Federal and non-Federal program agencies carrying out programs under this Act. Such limitations shall insure that administrative expenses of such programs shall be minimized to the extent practicable taking into consideration the purposes of this Act and the nature of the programs carried out under this Act.

(g) APPROPRIATION LEVELS.—There is authorized to be appropriated for the purposes of carrying out this Act such sums as may be necessary for each of the fiscal years 1986 through 1988. Funds appropriated under this Act shall remain available until expended.

Mr. SEIBERLING. Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

AMENDMENTS OFFERED BY MR. SEIBERLING

Mr. SEIBERLING. Mr. Chairman, I offer two technical amendments, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. SEIBERLING: Page 61, line 8, strike out "(f)" and substitute "(g)".

Page 59, strike out line 19 and all that follows down through line 2 on page 60 and substitute:

(1) the displacement of a Federal employee (including any partial displacement through reduction of nonovertime hours, wages, or employment benefits) or the failure to reemploy an employee in a layoff status, contrary to a certification under section 13(b)(1) or (2), or

Mr. SEIBERLING (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MARLENEE. Mr. Chairman, will the gentleman yield?

Mr. SEIBERLING. I yield to the gentleman from Montana.

Mr. MARLENEE. I thank the gentleman.

Mr. Chairman, we have examined both of the technical amendments and we find them acceptable and do accept the amendments.

Mr. SEIBERLING. I thank the gentleman and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Ohio [Mr. SEIBERLING].

The amendments were agreed to.

Mr. BARTON of Texas. Mr. Chairman, I move to strike the last word.

Mr. WEAVER. Mr. Chairman, is it not the rule that a member of the committee is recognized first?

Mr. BARTON of Texas. Mr. Chairman, I am a member of the committee.

Mr. WEAVER. Mr. Chairman, I do not have my glasses on; forgive me.

The CHAIRMAN. The gentleman from Texas [Mr. BARTON] is recognized for 5 minutes.

Mr. BARTON of Texas. Mr. Chairman, I would like to apologize to my distinguished colleague from Oregon for not identifying myself as a member of the committee.

Mr. WEAVER. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman.

Mr. WEAVER. Mr. Chairman, my profuse apologies. I was going to send over for my glasses, and I thought I would not need them in this debate. I apologize profusely.

Mr. BARTON of Texas. No apology is needed.

Mr. Chairman, I must rise in opposition to my distinguished colleague, Mr. SEIBERLING, on this bill. I am a member of the committee; I have studied the bill. I am in total agreement with the purpose of the bill. We want to provide employment for our youth. We want to make sure that our national parklands and public lands are well maintained, but this is not the way to do that.

We are currently spending on youth educational programs, youth training programs, $1.4 billion in Federal funds. Certain other local and State nonprofit youth conservation corps are spending an additional $108 million per year. It is estimated that if we were to enact this legislation it would cost approximately $14,000 per person who is engaged in the program. Some of these other programs that we already have on the books can do the same job for as little as $1,600 per person per year.

We do have a deficit problem in this country; we are going to have to address that at some point in time. This bill, I do not think there is any debate about the fact that this bill would create an additional burden on our deficit. Since we are spending separate funds for the youth of this country, since we do have a deficit problem, I would suggest to this body and to the Speaker and to the chairman that we vote no on this bill to the extent that we need to address the youth employment problem. There are other ways to do so.

AMENDMENT OFFERED BY MR. WEAVER

Mr. WEAVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEAVER: Page 63, in line 10, strike out the words "make any grant to," insert "fund any conservation center".

Page 63, in line 12, after "unless" insert "the Secretary concerned or".

Page 64, in line 2, strike out "or".

Page 64, in line 3, strike out the period and substitute "; or".

Page 64, after line 3, insert:

(4) result in the inability of persons who normally contract with the agency for carrying out projects involving forestry, nursery, or silvicultural operations on commercial forest land to continue to obtain contracts to carry out such projects.

For purposes of paragraph (4), the term "commercial forest land" means land in the National Forest System or public land administered by the Secretary of the Interior through the Bureau of Land Management which is producing, or is capable of producing, fifty cubic feet per acre per year of industrial wood and which is not withdrawn from timber utilization by statute or administrative decision.

Mr. WEAVER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

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Mr. WEAVER. Mr. Chairman, I want to commend Chairman SEIBERLING and all others for their persevering efforts in bringing this bill to the floor. I support the bill strongly.

I believe, myself, in reference to the words of our friend, the gentleman from Ohio, who spoke earlier about the foreign aid bill, $13 billion, that we should be concerned with freedom fighters here at home, with our own freedom fighters, who are our youth.

If we cannot spend this small amount of money relative to the foreign aid billions on our own freedom fighters, the youth we depend upon for the strength of this Nation, and enhance our public lands to boot, I think that we would be in a severe situation in this Nation.

There are, however, two aspects of H.R. 99 that concern me. First, under the terms of the Service Contract Act, (41 U.S.C. 351 et. seq.), the Department of Labor sets a minimum wage that must be paid by a person who has contracted with a Federal agency. That minimum wage is based on the prevailing wage rate for persons doing similar work in the area where the contract is awarded.

It is my understanding that the wages paid to the youths employed under H.R. 99, which would be substantially lower than those paid to professional forestry workers, are not intended to be included in the prevailing wage rate determinations conducted by the Department of Labor. Is that correct?

Mr. SEIBERLING. If the gentleman will yield, the gentleman is correct. The wages paid to youths employed by ACC programs are not intended to be included in the Department of Labor's prevailing wage determinations. If this were to occur and the wages of regular, professional forestry workers who contract with the Government were lowered as a result, those workers would be displaced under the terms of the act. Under those circumstances, the antisubstitution and displacement provisions of H.R. 99 would be applicable.

Mr. WEAVER. My second concern relates to the issue the gentleman just raised: The possible displacement of forestry workers by H.R. 99. As I understand the bill, it would establish an American Conservation Corps youth employment program to supplement current efforts to conserve, rehabilitate and improve our public lands. It also is my understanding that the bill's antisubstitution and displacement provisions prevent persons employed under the ACC programs from replacing workers currently performing those activities on the public lands.

My particular concern involves forestry workers—the people who plant trees, thin young tree stands, and carry out the other silvicultural work needed to maintain our forests. The Forest Service and Bureau of Land Management meet the vast majority of their reforestation and timber stand improvement needs through contracts with independent contractors. In the Pacific Northwest in particular, where nearly one-third of all such work takes place, these contracts are the lifeblood of thousands of workers.

As the Chairman knows, these contractors operate under short-term contracts on many different national forests and BLM districts throughout a given region. Unlike Forest Service and BLM employees, these workers are not employed continuously by the Government. They work for several weeks at one location and move on to a contract at another location. As a result, I am concerned that the bill's antisubstitution and displacement provisions may not protect this particular group of workers.

Is it the chairman's understanding that the antisubstitution and displacement provisions of H.R. 99 are intended to protect these workers?

Mr. SEIBERLING. H.R. 99 is intended to protect against displacement of these workers. We do not propose to solve a youth employment problem by exacerbating an adult employment problem. In fact, the bill's safeguards were drafted in part to address specifically the unique situation of the forestry workers. However, I do understand the gentleman's concerns. Let me explain the relevant provisons of the bill.

First, as the gentleman pointed out, H.R. 99 contains an antisubstitution provision mandating that ACC Program funds can be used only to supplement existing programs. It would be contrary to the act, for example, to reduce funding for regular reforestation, timber stand improvement and other silvicultural activities, while using ACC funds to perform work that otherwise would have been done by professional forest workers.

Second, the bill does not permit ACC projects either to displace workers employed by the Government who do the same type of work or to impair contracts between the Government and independent contractors for that type of work. These provisions are intended to protect both Government personnel and those who, like the forestry contractors, enter into agreements with the Government to provide special services such as silvicultural work.

The fact that most of the forestry contractors' work with the Forest Service and BLM is conducted through a series of short-term contracts is not intended to exclude them from the bill's safeguards. On the contrary, because these workers form the backbone of the reforestation and TSI programs in many areas they are most in need of protection.

Finally, H.R. 99 provides a right of appeal to persons who believe they have been displaced by ACC projects. This right of appeal applies both to Federal employees and to other persons such as the forestry contractors we have been discussing. The fact that a forestry contractor may be between contracts with the Government is not intended to bar standing under the appellate rights section.

Mr. WEAVER. I thank the chairman for his explanation. While I understand the intent of these provisions, I still am concerned that a narrow interpretation of the current language would permit contracting officers to avoid the safeguards that have been built into the bill.

I have an amendment at the desk that I believe clarifies the bill's intent. It does two things: First, it makes a minor technical change to the provision restricting the funding of conservation centers. Second, it adds a provision prohibiting the use of ACC funds for silvicultural activities where it would cause displacement of workers who normally perform that type of work on commercial forest lands.

Mr. SEIBERLING. I have reviewed the gentleman's amendment and I believe it is a good one. It strengthens the bill by clarifying our intent and I support its adoption.

Mr. WEAVER. I thank the chairman and move adoption of the amendment.

Mr. MARLENEE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I recognize that there are legitimate concerns which the amendment addresses. However, I think that it could be further perfected by an amendment to the amendment, and I am wondering if the gentleman from Oregon would accept an amendment that says that anyone displaced in the forest products industry or a member of their family would receive priority consideration in enrollment in the ACC Program.

Would the gentleman accept that amendment?

Mr. WEAVER. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I am happy to yield to the gentleman from Oregon.

Mr. WEAVER. I thank the gentleman for yielding.

Mr. Chairman, the situation is this: The bill actually already does the job that I am interested in here. I have thousands of people working in my congressional district in areas around, planting trees under contract with the Forest Service.

Mr. MARLENEE. I understand.

Mr. WEAVER. The problem is, these contracts are very short term. They last maybe 2 weeks. So after the contract is over, they are no longer working for the Forest Service and it would appear from the contents of the bill that they might not qualify for the displacement.

Mr. MARLENEE. Reclaiming my time, Mr. Chairman, is the gentleman saying that his amendment to this piece of legislation is targeted specifically for his district?

Mr. WEAVER. There are tree planters in Montana, a great number of them, in Washington State, in Idaho, and in Oregon and northern California, and that comprises only one-third in the Nation. The rest are in Mississippi, Georgia, North Carolina, and elsewhere.

Mr. MARLENEE. Mr Chairman, reclaiming my time, I did not need a recitation of all of the areas, but I do know that we have a lot of people in the forest products industry in Montana who are out of work because of various public lands being put into special-use designation, et cetera. I have some concern about their employment and urge everyone to vote no on this amendment unless it is amended to give them priority in hiring or enrollment, if they qualify, in the ACC program.

Mr. LUJAN. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I yield to the gentleman from New Mexico.

Mr. LUJAN. I thank the gentleman for yielding.

Mr. Chairman, do I understand this amendment correctly? Does it say that if you have worked for the American Conservation Corps and you have gained all this valuable experience, then you are prohibited from going to work for the Forest Service? Is that what it says?

Mr. WEAVER. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I yield to the gentleman from Oregon.

Mr. WEAVER. All this amendment says is that we cannot use American Conservation Corps youth employment to replace regular forest workers in the forest industry. That is all this says. Just exactly that.

In other words, we cannot throw the contract workers in Montana out of work and bring in American Conservation Corps workers to plant the trees and do the thinning instead.

Mr. LUJAN. What can they do? What would they be able to do, then? What would the American Conservation Corps member, once he gains this valuable experience, what could he do?

Mr. WEAVER. Obviously they are to build trails, campgrounds, clean up parks, work on public lands, and they can also plant trees in noncommercial forest lands.

Mr. MARLENEE. Mr. Chairman, reclaiming my time, they could also maintain campgrounds and build outhouses and build facilities along with the other work that they are considering doing.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I yield to the gentleman from Texas.

Mr. BARTLETT. I thank the gentleman for yielding.

Mr. Chairman, this, of course, goes to the point of the bill, as I am sure the gentleman knows. Where, when the youth go back to New York City, would they find the trails to clear and the outhouses to clean and the campgrounds to pick? What type of employment would the gentleman think that this would be training these youth for?

Mr. MARLENEE. I understand the concern of the gentleman from Texas.

Mr. GUNDERSON. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I yield to the gentleman from Wisconsin.

Mr. GUNDERSON. I thank the gentleman for yielding.

Mr. Chairman, I just want to point out that whether the amendment has merit or does not have merit, the fact is that the Department of Labor does not, has not, nor has any intention of

displacing present contracts with workers of this type of personnel. They are very clear on that, so I am not sure that we are addressing a potential problem here. The present Department of Labor has never done such a thing and has indicated to us they have no intention of doing so.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. WEAVER].

The amendment was agreed to.

Mr. GOODLING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time, and not 5 minutes, just to once again appeal to my colleagues that if they have time to work day and night while our conferees are in conference on this budget to try to save Job Corps, to try to save WIN, to try to save JTPA, all those programs that are proven programs that teach young people to do things that are jobs that actually exist in our economy, and to educate them so that they are employable, then if we have taken that time and have gotten us to the point where we have at least maintained a freeze in those three programs, then I would appeal to my colleagues to work even harder to get increases in those three programs where we know we can truly do what the people who have offered this bill want to do.

□ 1750

Let us not take away the focus, which is exactly what we are doing by introducing new legislation. Our focus should be on those three programs and other programs that are presently in effect that are proven programs that will provide worthwhile experiences for the 1980's and 1990's. We are not talking about 1933.

So, please, again, let us defeat this bill and concentrate our efforts on saving existing programs that are doing a good job.

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

Mr. WALKER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have here what is probably the ultimate in "Potomac fever" bills. Out across the country people are worried about deficits, but in Washington, when we are faced with a time of escalating deficits, what we figure we really need is another new program.

That is what this is. This is another new program coming out of Washington supposedly for the good of the country that the country has recognized for a long time does not do much good when it adds to deficits and, therefore, adds to interest rates.

At least we are considering this particular bill out in the open this time. The last time we had this bill before us, it came at the end of the session. We had tried to sneak it through here as Congress was leaving town at the end of the session, and thank goodness, the President did pocket veto it.

What we are talking about here is $75 million worth of spending. We sometimes lose track here on the Potomac of what $75 million worth of spending in a year means. That is all of the taxes paid by 21,500 average American families; 21,500 American families will do nothing but pay taxes to pay for this program, if in fact it is paid for out of tax money and not borrowed on. And if it is borrowed on, then I would suggest the talk that we have heard on this floor about going back to 1935 to find solutions for 1985 leaves me a little cold, because we have heard talk about the fact that this bill will pay back $1.20 for every dollar invested.

Well, in the space program the new econometrics show that we get $21 of additional GNP growth for every dollar invested in space. Yet we decided on this floor to freeze the space program. We decided to submit it to a freeze. The ratio there is 21 to 1. And we are going to come back with a brandnew program here of $75 million, and maybe more, with a 1935 solution to 1985 problems?

In 1985 we would be far better off expanding the space program, which gives us a 21-to-1 ratio and employs real young people and employs them over the long haul and employs them for the future than to do this.

Now, I have got to say that I was not very enthusiastic when I came to the floor about this bill, but I heard some things on this floor today that are just absolutely astounding. Did I hear from the gentleman from Montana a few minutes ago, when he was relating to this particular bill, that this bill would be used, among other things, for outhouse construction?

Mr. MARLENEE. Mr. Chairman, if the gentleman will yield, the gentleman is correct.

Mr. WALKER. Can the gentleman tell me where in the bill that is?

Mr. MARLENEE. Under projects included on page 39, it says: "recreational area development," and "urban revitalization," and "historical and cultural site preservation."

Mr. WALKER. So, in other words, under those particular provisions, what the gentleman is saying is that we can spend $75 million a year for outhouse construction?

Mr. MARLENEE. Well, I could not quite say that. Let me say——

Mr. WALKER. What we have here is something we might better label, then, the National Outhouse Construction and Maintenance Act.

And as I go on down that page, good heavens, what we are going to do is, we are going to do insect, disease, and rodent control. So maybe we have the National Insect, Disease, and Rodent Control Act here at 75 million bucks. I really have some kind of a question as to whether or not that is what we really want to be doing.

Seventy-five million dollars is a lot of money. Seventy-five million bucks to construct outhouses is just too dogone much money.

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

AMENDMENT OFFERED BY MR. MARLENEE

Mr. MARLENEE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARLENEE: On page 35, line 14, strike "individual Indians or" and on lines 15 and 16 strike "individual Indians or".

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I am happy to yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, we have examined the amendment, and we have no objection to it.

Mr. MARLENEE. In that case, Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. MARLENEE].

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SEIBERLING. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count for a quorum.

Mr. SEIBERLING. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Ohio [Mr. SEIBERLING] withdraws his point of order, and a recorded vote is demanded. All those in favor of taking this by a recorded vote will please stand.

Obviously a sufficient number. A recorded vote is ordered.

PARLIAMENTARY INQUIRY

Mr. UDALL. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman from Arizona will state it.

Mr. UDALL. Mr. Chairman, is not the issue pending the committee amendment in the nature of a substitute and not the passage of the bill?

The CHAIRMAN. The gentleman is correct.

Mr. UDALL. I did not think, Mr. Chairman, that any Member wanted a vote on the committee amendment in the nature of a substitute.

The CHAIRMAN. The Chair advises the Committee that if the gentleman from Ohio [Mr. SEIBERLING] will withdraw his demand for a recorded vote, he can ask for a division.

Mr. SEIBERLING. Mr. Chairman, I withdraw my demand for a recorded vote, and I ask for a division.

On a division (demanded by Mr. SEIBERLING) there were—ayes 39, noes 0.

So the committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MURTHA) having assumed the chair, Mr. COLEMAN of Texas, 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. 99) to provide for the conservation, rehabilitation, and improvement of natural and cultural resources located on public or Indian lands, and for other purposes, pursuant to House Resolution 195, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. SEIBERLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 193, nays 191, not voting 49, as follows:

[Roll No. 225]

YEAS—193

Ackerman	Bonker	Derrick
Addabbo	Borski	Dicks
Akaka	Boucher	Dixon
Alexander	Brooks	Donnelly
Anderson	Bruce	Dorgan (ND)
Annunzio	Bryant	Downey
Anthony	Burton (CA)	Durbin
Applegate	Bustamante	Dwyer
Aspin	Byron	Dymally
Atkins	Carr	Early
AuCoin	Clay	Eckart (OH)
Barnes	Clinger	Edgar
Bates	Coelho	Edwards (CA)
Bedell	Coleman (TX)	Erdreich
Beilenson	Conte	Evans (IL)
Bennett	Conyers	Fascell
Bereuter	Cooper	Feighan
Berman	Coyne	Florio
Biaggi	Daniel	Foglietta
Boehlert	Darden	Foley
Boggs	Daschle	Ford (TN)
Boland	Davis	Fowler
Boner (TN)	de la Garza	Frank
Bonior (MI)	Dellums	Frost
Garcia	Matsui	Savage
Gaydos	Mavroules	Scheuer
Gejdenson	McCloskey	Schroeder
Gephardt	McHugh	Seiberling
Gibbons	McKinney	Shelby
Gilman	Mikulski	Sikorski
Gonzalez	Mineta	Smith (IA)
Gray (IL)	Mitchell	Smith (NJ)
Gray (PA)	Moakley	Snowe
Guarini	Mollohan	Solarz
Hall (OH)	Moody	Staggers
Hawkins	Morrison (CT)	Stark
Hayes	Mrazek	Stokes
Hertel	Murphy	Studds
Howard	Murtha	Swift
Hoyer	Natcher	Torres
Huckaby	Neal	Torricelli
Jeffords	Nelson	Traficant
Jenkins	Nowak	Traxler
Kanjorski	Oakar	Udall
Kaptur	Oberstar	Vento
Kastenmeier	Obey	Visclosky
Kennelly	Ortiz	Volkmer
Kildee	Owens	Walgren
Kostmayer	Panetta	Waxman
LaFalce	Pease	Weaver
Lagomarsino	Pepper	Weiss
Lantos	Perkins	Wheat
Leach (IA)	Petri	Whitten
Lehman (FL)	Pickle	Williams
Leland	Price	Wilson
Levin (MI)	Rahall	Wirth
Levine (CA)	Rangel	Wise
Lipinski	Regula	Wolpe
Long	Richardson	Wright
Lowry (WA)	Ridge	Wyden
Luken	Rinaldo	Yates
Lundine	Roe	Young (AK)
Manton	Roth	Young (MO)
Markey	Russo	
Martinez	Sabo	

NAYS—191

Archer	Frenzel	Martin (IL)
Armey	Gallo	Martin (NY)
Badham	Gekas	Mazzoli
Barnard	Gingrich	McCain
Bartlett	Glickman	McCandless
Barton	Goodling	McCollum
Bateman	Gordon	McCurdy
Bentley	Gradison	McDade
Bevill	Green	McEwen
Bilirakis	Gregg	McGrath
Bliley	Grotberg	McKernan
Boulter	Gunderson	McMillan
Breaux	Hamilton	Mica
Brown (CO)	Hammerschmidt	Michel
Broyhill	Hansen	Miller (OH)
Callahan	Heftel	Miller (WA)
Campbell	Hendon	Molinari
Carney	Henry	Monson
Carper	Hiler	Montgomery
Chandler	Holt	Moore
Chappell	Hopkins	Moorhead
Cheney	Hubbard	Morrison (WA)
Coats	Hughes	Myers
Cobey	Hunter	Nichols
Coble	Hyde	Nielson
Coleman (MO)	Ireland	Olin
Combest	Jacobs	Oxley
Coughlin	Johnson	Packard
Courter	Jones (NC)	Parris
Craig	Jones (OK)	Pashayan
Crane	Jones (TN)	Penny
Dannemeyer	Kasich	Porter
Daub	Kemp	Quillen
DeLay	Kindness	Ray
DeWine	Kleczka	Roberts
Dickinson	Kolbe	Rogers
DioGuardi	Kramer	Rose
Dornan (CA)	Latta	Roukema
Dreier	Leath (TX)	Rowland (CT)
Duncan	Lent	Rowland (GA)
Dyson	Lewis (CA)	Rudd
Eckert (NY)	Lewis (FL)	Saxton
Edwards (OK)	Lightfoot	Schaefer
Emerson	Livingston	Schneider
English	Lott	Schuette
Evans (IA)	Lowery (CA)	Schulze
Fawell	Lujan	Sensenbrenner
Fiedler	Lungren	Sharp
Fields	Mack	Shaw
Fish	MacKay	Shumway
Flippo	Madigan	Shuster
Franklin	Marlenee	Sisisky
Skeen	Stenholm	Thomas (GA)
Slattery	Strang	Valentine
Slaughter	Stratton	Vander Jagt
Smith (NE)	Stump	Walker
Smith (NH)	Sundquist	Watkins
Smith, Robert	Sweeney	Whittaker
Snyder	Swindall	Wolf
Solomon	Synar	Wortley
Spence	Tallon	Wylie
Spratt	Tauke	Young (FL)
Stallings	Taylor	Zschau
Stangeland	Thomas (CA)	

NOT VOTING—49

Andrews	Hefner	Rostenkowski
Bosco	Hillis	Roybal
Boxer	Horton	Schumer
Broomfield	Hutto	Siljander
Brown (CA)	Kolter	Skelton
Burton (IN)	Lehman (CA)	Smith (FL)
Chappie	Lloyd	Smith, Denny
Collins	Loeffler	St Germain
Crockett	Meyers	Tauzin
Dingell	Miller (CA)	Towns
Dowdy	O'Brien	Vucanovich
Fazio	Pursell	Weber
Ford (MI)	Reid	Whitehurst
Fuqua	Ritter	Whitley
Hall, Ralph	Robinson	Yatron
Hartnett	Rodino	
Hatcher	Roemer	

□ 1810

The Clerk announced the following pairs:

On this vote:

Mr. Dingell for, with Mr. Siljander against.

Mr. Reid for, with Mr. Loeffler against.

Mr. Ford of Michigan for, with Mr. Denny Smith against.

Mr. Fazio for, with Mr. Pursell against.

Mr. Horton for, with Mr. Hartnett against.

Mr. THOMAS of Georgia, Mrs. MARTIN of Illinois, and Mr. HEFTEL of Hawaii changed their votes from "yea" to "nay."

Messrs. GILMAN, JENKINS, and FOWLER changed their votes from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Saunders, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On June 20, 1985:

H.J. Res. 211. Joint resolution to recognize the pause for the Pledge of Allegiance as part of National Flag Day activities.

On June 26, 1985:

H.R. 14. An act to designate the Federal Building and U.S. Courthouse in Ashland, KY, as the "Carl D. Perkins Federal Building and United States Courthouse."

On July 2, 1985:

H.R. 1699. An act to extend title I and part B of title II of the Energy Policy and Conservation Act, and for other purposes.

On July 3, 1985:

H.J. Res. 159. Joint resolution commemorating the 75th anniversary of the Boy Scouts of America.

On July 9, 1985:

H.R. 47. An act to authorize the minting of coins in commemoration of the centennial of the Statue of Liberty and to authorize the issuance of Liberty Coins.

On July 11, 1985:

H.R. 2800. An act to provide authorization of appropriations for activities under the Land Remote-Sensing Commercialization Act of 1984.

AGRICULTURAL PRODUCTIVITY ACT OF 1985

The SPEAKER. Pursuant to House Resolution 201 and rule XXIII, 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. 1383.

□ 1818

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. 1383) to direct the Secretary of Agriculture to take certain actions to improve the productivity of American farmers, and for other purposes, with Mr. BOUCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

The gentleman from Texas [Mr. DE LA GARZA] will be recognized for 30 minutes, and the gentleman from Illinois [Mr. MADIGAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

□ 1820

Mr. DE LA GARZA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 1383, the Agricultural Productivity Act of 1985, a bill to establish a research program to collect and analyze data from research projects over a 5-year period on the effects of a transition from energy-intensive farming practices to systems that use organic-type farming methods; that is, sod-based crop rotations, use of crop residues and organic waste, conservation tillage and irrigation, and nonchemical methods of weed and pest control to reduce production costs, conserve water and energy, and control erosion.

The Secretary of Agriculture, through the Federal Extension Service and the cooperative extension services of the States, would take the necessary steps to ensure that farmers are aware of these projects and that they are open for observation.

Congress would be authorized to appropriate such sums as necessary to carry out the program, and such funds would remain available until expended.

Mr. Chairman, to make sure that agriculture can meet the Nation's needs in future years, we must foster highly productive and efficient agricultural systems that conserve our soils and lessen our dependence on limited reserves of energy and fuels. This means we need a well planned and balanced development program, implemented through expanded agricultural research and extension efforts, to help farmers in key areas through demonstration projects and the dissemination of information.

In the past, Mr. Chairman, Congress and experts at the Department of Agriculture have recommended new research of this kind.

In the Food and Agriculture Act of 1977, Congress directed the U.S. Department of Agriculture to investigate and analyze the feasibility and practicability of using organic wastes such as manures, crop residues, and sewage sludge to improve soil fertility on American farms.

I would like to point out, Mr. Chairman, that Congress again expressed its opinion on these issues in the Agriculture and Food Act of 1981. The findings of the National Research, Extension, and Teaching Policy Act of 1977 were amended by the 1981 act to state that an expanded program of soil and water conservation research was needed and that a key objective of this research was establishing integrated multidisciplinary organic farming research projects designed to foster the implementation of the major recommendations of the Department of Agriculture Report and Recommendations on Organic Farming, July 1980.

The USDA's Agricultural Research Service 6-year plan, released in January 1983, advocated developing farming systems "characterized by less costly methods and by technologies that are safe, sustainable, and environmentally sound." The plan further recommended innovative research "to reduce farm production costs while maintaining a high level of sustainable productivity through the development of efficient and diversified crop- and animal-production systems," and "to insure the conservation of our natural resources."

In spite of these recommendations, Mr. Chairman, this type of research program has yet to be devised or implemented by the Department.

H.R. 1383, the Agricultural Productivity Act of 1985, would remedy this problem by establishing a research and extension program at USDA consistent with the foregoing recommendations.

I believe the Agricultural Productivity Act merits the support of Congress, and I ask all Members to join me in supporting enactment of H.R. 1383.

Mr. Chairman, I yield such time as he may consume to the author of the legislation, the gentleman from Oregon [Mr. WEAVER].

Mr. WEAVER. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I am proud to be the sponsor of H.R. 1383, the Agricultural Productivity Act of 1985; 41 Members of both parties are cosponsors. A broad coalition of farm, conservation, scientific, and health organizations have endorsed the bill. I would like to thank all of the leadership of these organizations for the hard work they have done in organizing support for H.R. 1383. And in particular, I would like to thank the chairman of the Agriculture Committee for all he has done on behalf of H.R. 1383.

Mr. Chairman, H.R. 1383 is a small, but critical, first step to help our farmers to begin planning for a future when oil may be in short supply. In the decades to come there will be more billions of people to feed and present agricultural methods may not be realistic because of energy shortages. We must begin to prepare now for that day.

Numerous discussions were held with the Department of Agriculture, Members from both sides of the aisle, and farm organizations to draft a bill that would benefit all farmers. H.R. 1383 is a bipartisan effort to address the future needs of our agricultural producers.

Mr. Chairman, in a recent report to Congress entitled "Technologies to Benefit Agriculture and Wildlife," the Office of Technology Assessment recommended passage of H.R. 1383. The report stated that the Department of Agriculture has not adopted a concerted research effort on alternatives to conventional agriculture. The report also stated passage of the Agricultural Productivity Act would provide for practical on farm research as well as demonstration of alternative agricultural practices to reduce farming costs.

H.R. 1383 would help with research into methods to reduce soil erosion and losses of water and plant nutrients, to conserve energy and natural resources, and to maintain high quality yields with minimum reliance on energy-intensive agricultural practices.

H.R. 1383 will facilitate research projects to study the following types of agricultural production systems: (1) practices that rely on materials such as fertilizers and chemical pesticides; (2) practices such as legume and other sod-based crop rotations, the efficient use of crop residues, green manures, off-farm organic wastes, and the use of efficient practices such as conservation tillage, conservation irrigation, and nonchemical or biological methods of weed, insect, and pest management; and (3) practices that are necessitated by transition from the present methods in (1) to possible future methods in (2). Specific detailed stud-

ies on crops, soils, production methods, and weed, insect, and disease pests will be conducted.

The research projects should include small farms. The projects will be designed by an advisory board named by the Secretary of Agriculture. The projects will seek to provide information concerning the type, quantity, and cost of production involving such elements as capital, energy, fertilizers, pesticides, and water; the quantity of production outputs, information on crop yields, nutritional value of the crops produced, and rates of production in livestock operations. The projects will evaluate the rate of topsoil loss as a result of various farming systems, the level of organic matter in the soil, the water-holding capacity of the soil, and the rooting depth of plants in the soil. Information will be obtained to determine the net income received from each production method to assist farmers in making long-term decisions regarding which farming system to use.

Mr. Chairman, one of the most important elements of H.R. 1383 will require the Secretary to inventory and classify by subject matter all studies, reports, and other materials, developed by any person or government with the participation or financial assistance of the Department of Agriculture that could be used to further the purposes of this act. The Secretary will be required to identify gaps in the information and research reports and establish a plan to carry out a program of research and education to fill those gaps. The information obtained will be available to our farmers so they may plan for their future.

The Secretary will submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate not later than 15 months after the effective date of the act, a report describing the results of the research projects. The Secretary will recommend new basic or applied research to carry out the purposes of the act.

The panel appointed by the Secretary will determine the exact nature and number of projects and component studies to be conducted. According to the Department each project will cost $135,000 per year. The exact costs will be determined once the panel has designed the studies.

Mr. Chairman, although the costs of the bill are nominal, the benefits to our farmers are substantial. I urge my colleagues to vote in favor of this important legislation today.

Mr. DE LA GARZA. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I thank the gentleman.

Mr. Chairman, as chairman of the Subcommittee on Natural Resources, Agricultural Research of the Committee on Science and Technology, I rise strongly to support this bill. It is long overdue.

Mr. Chairman, in hearings held by my subcommittee over the last several years, we have looked at agricultural techniques in the Third World and examined the failed policies of exporting high-technology, environmentally threatening, capital intensive and energy intensive methods of farming.

For example, last year we examined a massive World Bank project in Brazil which was designed to clear irreplaceable rain forest at enormous cost and replace it with an unsustainable agricultural system of annual crops and cattle ranching.

The resulting failure of this project has resulted in tremendous economic and social upheaval.

Ironically, witnesses testified that agricultural techniques developed and practiced by the natives of the Brazilian forest would be likely to yield more valuable crops and products on a sustainable basis without degrading the environment.

It is about time that we put our heads together and do the same for our farmers here in the United States.

I commend the sponsor of 1383, Mr. WEAVER, and the chairman of the Agriculture Committee, Mr. DE LA GARZA, for bringing this fine bill to the floor.

The current crisis of American agriculture has demonstrated all too vividly the vicious cycle in which many farmers are caught.

To stay in business, farmers extend themselves further and further into debt, in order to buy the expensive fertilizers, pesticides, and equipment needed to create larger and larger yields.

Yet many farmers are losing the race just to keep in the same place.

Further, the short term focus on the bottom line has blinded us to the long range environmental consequences of our chemically dependent, energy-intensive method of agriculture.

Increasingly, the public has become concerned about the safety of their food and water, as reports of pesticide residues in food and in ground water come in from communities across the Nation.

Environmentalists, farmers, and consumers have come to the realization that our natural resources are being irreparably degraded. The degradation I am speaking of includes:

The loss of soil through erosion;

The loss of soil fertility;

The loss of nonrenewable energy sources used to make the expensive fertilizers and pesticides and the oil and gas needed to run the farm machinery; and

The contamination and squandering of the country's freshwater supplies.

Fortunately, the application of sustainable agricultural methods can offer solid solutions to these problems.

Alternative agriculture is based on the theory that soil fertility can be increased by wise management and care, with a minimum of artifical stimulation. Alternative agriculture also protects the soil by utilizing less water to cut down on the problem of erosion.

By reducing costly inputs, alternative agriculture offers farmers increased net profits. In addition, a reduction in the use of synthetic fertilizers and pesticides will reduce nonpoint source water pollution, and the contamination of ground water.

This reduction can drastically reduce human and wildlife exposure to toxic agricultural chemicals presently released freely and deliberately into the environment.

H.R. 1383 is a positive step toward reaching the solutions offered by alternative agriculture.

Despite the efforts of many in Congress, the administration has continued to manifest an almost hostile attitude toward sustainable agriculture, despite the clear potential for benefits.

We simply cannot expect this Nation's farmers to adopt alternative agriculture and its solutions to the previously mentioned problems without proving its worth.

The initial research done under H.R. 1383 will provide the information and the means by which farmers will be able to make informed choices concerning their present and future methods of farming.

The Department of Agriculture is the most appropriate source for producing and compiling additional data and for getting the information out to all interested farmers.

H.R. 1383 is a worthwhile step toward restoring balance in USDA's research programs, and providing sustainable agricultural techniques with the research funding it deserves.

I strongly urge my colleagues to support H.R. 1383.

Mr. DE LA GARZA. Mr. Chairman, I have no further request for time.

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

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

Mr. Chairman, this is a controversial bill that establishes a new program for agricultural production systems such as organic farming. A bipartisan group of members of the committee voted against reporting this bill; I was among them. With certain modifications, if is similar to a bill that passed the House by a narrow margin in the 98th Congress and not acted upon by the Senate.

The administration opposes the bill. I oppose the bill.

Mr. Chairman, this legislation dies hard, similar to that defeated on two prior occasions. A similar bill, H.R. 5618, was defeated in the 97th Congress on a vote of 189 to 198. We have the votes as carried in the CONGRESSIONAL RECORD for that date if you wish to verify how you voted.

The Department continues to strongly oppose enactment of this bill as they have in the past. They consider it unnecessary as I do. Now is certainly not the time to create new programs especially ones that require the use of the Department's limited personnel to conduct more information studies and make more reports to Congress on things that they already have authority to do and are doing.

Should the Department make available to farmers, at their request, detailed information about farming practices which by building natural soil fertility and developing systems of biological pest control, reduce dependence upon synthetic fertilizers and chemical pesticides, and thereby, the cost of production to farmers?

I would certainly say yes to that question as most of you would I'm sure. I know that the Department's extension agents are already making this information available.

I think the advocates of this bill were off base when they published the results of a survey asking agribusiness executives the above question inferring that the 64 percent who answered yes to that question would favor this bill. I wonder how they would have responded if asked if they would favor authorizing $7.2 million additional dollars over and above the substantial funds already being used to make a study and prepare reports on this subject.

I and others who opposed this bill yield to no one in our support of soil, water, energy, and natural resource conservation, but singling out a new program at this time for separate treatment by the Department, when nearly $500 million will be spent on all such programs in fiscal year 1985, redundant, unnecessary, and inappropriate.

I urge my colleagues to join me in saying no to H.R. 1383.

● Mr. LUNDINE. Mr. Chairman, I rise in support of the Agriculture Productivity Act, H.R. 1383. I would like to commend my colleague from Oregon, Mr. WEAVER, for reintroducing this legislation which passed the House last year. This measure would establish a research and extension program at the U.S. Department of Agriculture [USDA] which will help our Nation's farmers cut costs, increase productivity, and gain independence from energy-intensive farming methods.

The research programs which are authorized in this legislation would serve very important functions. USDA researchers would collect and analyze data over a 5-year period on the effects of a transition from energy-intensive farming practices to systems that use organic-type farming methods, including sod-based crop rotations, use of crop residues and organic waste, conservation tillage, irrigation, and nonchemical methods of weed and pest control. These new techniques will help to reduce production costs for family farmers, conserve water and energy, and control erosion. Information on these programs will be available to our constituents through the cooperative extension services in the States.

Developing organic farming methods is not a new idea. In the 1977 farm bill, Congress directed the USDA to investigate and analyze the feasibility and practicability of using organic wastes to improve soil fertility on American farms. Three years later, the USDA released a report entitled "Report and Recommendations on Organic Farming," which concluded that a partial shift away from energy intensive farming practices would help farmers improve their operations, and most importantly, reduce costs. In spite of these recommendations, this type of research program has yet to be devised or implemented by the Department. For this reason, I hope that my colleagues will join me in supporting the Agricultural Productivity Act of 1985 to ensure that a research and extension program is established at the USDA consistent with the earlier recommendation.

In times like these which require severe fiscal restraint on the part of the Federal Government, I am very cautious about supporting any new Federal expenditure. However, this legislation will cost less than $2 million a year, and will result in long-term savings, and energy independence for our Nation's family farmers. In light of the current crisis plaguing rural America, I believe that the passage of this legislation is in the interest of the survival of family farming as an institution. I hope my colleagues will agree, and will join me in supporting the Agricultural Productivity Act of 1985.●

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

Mr. DE LA GARZA. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the substitute committee amendment now printed in the reported bill shall be considered as an original bill for the purpose of amendment and each section shall be considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Productivity Act of 1985".

Mr. DE LA GARZA. Mr. Chairman, I ask unanimous consent that the balance of the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of the remainder of the bill is as follows:

FINDINGS

SEC. 2. Congress finds that—

(1) highly productive and efficient agricultural systems that include sound conservation practices are essential to ensure long-term agricultural sustainability and profitability;

(2) agricultural research and technology transfer activities of the Department of Agriculture (including those of the Extension Service, the Agricultural Research Service, and the Cooperative State Research Service), cooperative extension services of the States, land-grant and other colleges and universities, and State agricultural experiment stations have contributed greatly to innovation in agriculture, and have a continuing role to play in fostering more efficient and sustainable agricultural production systems;

(3) the annual irretrievable loss of billions of tons of precious topsoil through wind and water erosion reduces agricultural productivity;

(4) many agricultural producers are highly dependent on off-farm energy intensive inputs that strain limited global reserves of oil and natural gas, heightening the economic vulnerability of the United States agricultural system;

(5) public funding of a properly planned and balanced agricultural research program is essential to improving efficiency of agricultural productivity and conservation practices; and

(6) expanded agricultural research and extension efforts in certain key areas are needed to assist farmers in improving agricultural productivity and implementing soil, water, and energy conservation practices.

PURPOSES OF ACT

SEC. 3. It is the purpose of this Act to—

(1) facilitate and promote, within the context of modern agricultural technologies, the scientific investigation and understanding of production systems, including the component parts of such systems, having the potential to enhance agricultural productivity without serious degradation of the land, to reduce soil erosion and losses of water and plant nutrients, to conserve energy and natural resources, and to maintain high quantity and quality of agricultural commodities with minimum reliance on energy-intensive agricultural practices; and

(2) facilitate the conduct of research projects to study the following types of agricultural production systems (in units that are so located, as much as is practical and while maintaining quality, as to represent several soil and climate physiographic areas):

(A) systems that have been and will continue to be managed using farm practices that rely on off-farm inputs such as synthetically compounded fertilizers, pesticides, growth regulators, and livestock feed additives;

(B) systems that have been and will continue to be managed using systems that rely largely on practices such as legume and other sod-based crop rotations, the efficient use of crop residues, green manures, off-farm organic wastes, mineral-bearing rocks, and the use of other efficient practices such as conservation tillage, conservation irrigation, and nonchemical or biological methods of weed, insect, and disease control; and

(C) systems that are subjected to a change from management as described in clause (A) to that in clause (B).

DEFINITIONS

SEC. 4. For the purposes of this Act—

(1) the term "extension" shall have the meaning given to such term by section 1404(7) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(7));

(2) the term "land-grant colleges and universities" shall have the meaning given to such term by section 1404(10) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(10));

(3) the term "Secretary" means the Secretary of Agriculture;

(4) the term "State agricultural experiment stations" shall have the meaning given to such term by section 1404(13) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(13)); and

(5) the term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands of the United States, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands, or any other territory or possession of the United States.

INFORMATION STUDY

SEC. 5. (a) The Secretary shall inventory and classify by subject matter all studies, reports, and other materials, developed by any person or government with the participation or financial assistance of the Department of Agriculture, that could be used to further the purposes of this Act.

(b) In carrying out such project, the Secretary shall—

(1) identify, assess, and classify existing information and research reports that will further the purposes of this Act, including, but not limited to, information and research report relating to legume-based crop rotations, the use of green manure, animal manures, and municipal wastes in agricultural production, soil acidity, liming in relation to nutrient release, intercropping, the role of organic matter in soil productivity and erosion control, the effect of topsoil loss on soil productivity, and nonchemical or biological methods of weed, disease, and insect control;

(2) identify currently useful information and research reports and make these available to further the purposes of this Act; and

(3) identify gaps in the information and research reports and establish a plan to carry out a program of research and education to fill those gaps.

RESEARCH PROJECTS

SEC. 6. (a) The Secretary shall, under agreements as provided for in section 9(b) of this Act and with the cooperation of willing agricultural producers and State and Federal research stations, conduct such research projects as needed to obtain data, draw conclusions, and demonstrate technologies to effectively carry out the purposes of this Act as stated in section 3. To evaluate a production system, it is recognized that a minimum of twelve projects and associated component studies are needed. A project shall contain three units, with each unit representing, respectively, the conditions set out in clauses (A), (B), and (C) of section 3(2) of this Act. Specific detailed studies on crops, soils, production methods, and weed, insect, and disease pests may be conducted on individual fields or parts of units under study, or on other lands.

(b)(1) Within one-hundred and eighty days after the effective date of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the progress made in designing the research projects and the selection of the units based on criteria developed by the panel of experts provided for in section 7(a) of this Act.

(2) The research projects selected should include, but not be exclusive to, small farms.

(3) The research projects shall be designed to obtain information that may include, but is not limited to—

(A) the type, quantity, and cost of production inputs used such as capital, energy, fertilizers, pesticides, and water;

(B) the quantity of production outputs including, as appropriate information on crop yields, nutritional value of such crops, and rates of production in livestock operations;

(C) the characteristics that are necessary for an evaluation of the soil productivity, including the rate of loss of topsoil as a result of such farming operations, the level of organic matter in the soil, the water-holding capacity of the soil, and the rooting depth of plans in the soil;

(D) the characteristics of other natural resources including water quantity and quality;

(E) the net income derived from such project units; and

(F) such factors as the panel of experts deems appropriate to fully assess the effects of the project.

(c) Each project involving cropping sequences shall extend for a minimum five-year period, but may extend for a longer period, of up to fifteen years, as determined appropriate by the panel of experts provided for in section 7(a) of this Act.

(d) The Secretary, in coordination with the Extension Service and the cooperative extension services of the States, shall take steps to ensure that farmers are aware of the research projects. The research projects shall be open for observation at selected times.

(e) The Secretary may indemnify operators of project units for damage or undue losses caused by requirements of research or demonstration use not experienced in normal farming operations. Such indemnity shall be subject to agreements entered into between the entities performing the research (the grantees under section 9(b) of this Act) and the farmer operators prior to initiation of the projects.

RESEARCH PROJECT DESIGN PROCEDURES

SEC. 7. (a) To fully effectuate the purposes of this Act, the Secretary shall take steps to ensure that the research projects under section 6 of this Act are designed after taking into consideration the views of a panel of experts consisting of representatives of the Agricultural Research Service, Cooperative State Research Service, Soil Conservation Service, Extension Service, cooperative extension services of the States, State agricultural experiment stations, and other specialists in agricultural research and technology transfer.

(b) The research projects shall be designed to—

(1) ensure that the data generated from the projects are statistically valid;

(2) maximize usefulness of such data; and

(3) effectively carry out the purposes of this Act.

REPORTS

SEC. 8. The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate—

(1) not later than fifteen months after the effective date of this Act, a report describing the results of the program carried out under section 5 of the Act;

(2) not later than April 1 of each of the calendar years after the research projects established under section 6 of this Act are initiated, a report describing the progress of the research projects; and

(3) not later than April 1 of the calendar year following completion of the research projects, a report containing—

(A) a summary of the data collected under the research projects;

(B) analyses of, and conclusion drawn from, such data; and

(C) recommendations for new basic or applied research from such conclusions.

AGREEMENTS

SEC. 9. (a) The Secretary may carry out the programs described under sections 5 and 6 of this Act through any agency in the Department of Agriculture or through agreements with any land-grant college or university, any other university, nonprofit organization, or Federal or State governmental entity that has demonstrated appropriate expertise in the area of agricultural research and technology transfer.

(b) The Secretary shall conduct the research projects under section 6 of this Act through special grants administered by the Cooperative State Research Service of any land-grant college or university, any other university, nonprofit organization, or Federal or State governmental entity that has demonstrated appropriate expertise in the area of agricultural research and technology transfer.

DISSEMINATION OF DATA

SEC. 10. The Secretary shall make available through the Extension Service and the cooperative extension services of the States the information and research reports identified under section 5 of this Act and the information developed under the research projects under section 6 of this Act and conclusions drawn from such information, and shall otherwise take such steps as are necessary to ensure that such material is made available to the public.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. For purposes of carrying out this Act, there are authorized to be appopriated such sums as Congress may deem appropriate and that shall remain available until expended. Any new spending authority that is provided for in this Act shall be effective for any fiscal year only to the extent or in such amount as provided in appropriation Acts.

EFFECTIVE DATE

SEC. 12. This Act shall take effect October 1, 1985.

The CHAIRMAN. Are there any amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and then the Speaker having resumed the chair, Mr. BOUCHER, 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. 1383), to direct the Secretary of Agriculture to take certain actions to improve the productivity of American farmers, and for other purposes, pursuant to House Resolution 201, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

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.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1383, the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill previously passed, H.R. 99.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

REPORT REVIEWING PREPARATIONS FOR 1985 CONFERENCE TO REVIEW AND APPRAISE THE ACHIEVEMENTS OF THE UNITED NATIONS DECADE FOR WOMEN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. SYNAR) 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 Foreign Affairs.

(For message, see proceedings of the Senate of today, July 11, 1985.)

LEGISLATIVE PROGRAM

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

Mr. LOTT. Mr. Speaker, I ask for this time so that we can learn what the schedule will be for the balance of the day today, tomorrow, and next week.

Mr. Speaker, I would be glad to yield to the gentleman from Oklahoma [Mr. WATKINS] who is the acting leader this afternoon for this purpose.

Mr. WATKINS. If the gentleman will yield, as you know this concludes the business for this week. Beginning Monday, July 15, the House will meet at noon on the Consent Calendar and we have suspensions, eight bills.

Mr. LOTT. If the gentleman would yield, I want to emphasize that that is all the business for today and there will not be a session on Friday; is that correct?

Mr. WATKINS. That is correct from my understanding.

Mr. LOTT. That is correct? OK.

Mr. WATKINS. It is.

We reconvene at noon on Monday with the consent calendar with eight suspensions as follows:

H.R. 1343, authorization for Maritime Museum at Golden Gate National Recreation Area;

H.R. 1390, authorize El Portal leases at Yosemite National Park;

H.R. 2370, nurse training amendments;

H.R. 2410, health manpower bill;

H.R. 48, Currency Design Act;

H.J. Res. 251, gold medals for George and Ira Gershwin;

H.R. 1890, equitable waiver amendments; and

H.R. 441, medical care recovery.

Also we have a conference report on H.R. 1617, National Bureau of Standards authorization.

Recorded votes on all bills, including the conference report, will be postponed until Tuesday, July 16. There will be no votes, those will be postponed until Tuesday, July 16.

On Tuesday, July 16, the House will meet at noon.

Mr. LOTT. If the gentleman will yield at that point, you have eight suspensions on the calendar for Monday, but all votes that may be requested will be deferred until Tuesday; is that correct?

Mr. WATKINS. That is correct, including the conference report on H.R. 1617.

Mr. LOTT. I thank the gentleman.

Mr. WATKINS. On Tuesday, the House will meet at noon. We will have the Private Calendar and suspensions, if we have recorded votes on any of the ones that went over from Monday, July 15, and we will also bring H.R. 2959, energy and water appropriations for fiscal year 1986. I believe that rule has been granted.

Then we will have on Wednesday and the balance of the week July 17, 18, and 19, when the House would meet at 10 a.m. and we would bring up the State-Justice-Commerce appropriations for fiscal year 1986 and the legislative appropriations for fiscal year 1986.

Conference reports may be brought up at any time and then a further program will be announced later.

Mr. LOTT. I thank the gentleman for that schedule.

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

ADJOURNMENT TO MONDAY, JULY 15, 1985

Mr. WATKINS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourns to meet at 12 noon on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. WATKINS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

SUPPORT HOUSE JOINT RESOLUTION 284 TO SET UP A BIPARTISAN COMMISSION TO BREAK THE BUDGET DEADLOCK

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

Mr. ROTH. Mr. Speaker, the recent activity that involved the President with the deadlocked budget negotiations I think is auguring well. It is as welcome news as the new classic Coke will be on the shelves.

Business as usual with respect to the deficit is not working. The deficit remains stuck at about $200 billion, and the country is getting thirstier for a solution, and that is why my bill to set up a bipartisan commission to break the deadlock is I think the only viable solution.

Mr. Greenspan, Ms. Blumenthal, many others have told me in committee that a bipartisan commission is the route to take, and I ask all of you to join me with House Joint Resolution 284, which will set up a bipartisan commission, and will give us the balanced budget we need. The American people are calling for it; I have thousands of coupons in my office support-

ing my resolution, and I ask the Members of Congress to join me so we can do the work of the people and get this deficit down so we can keep our economy strong.

THE B-1B GOES ON ACTIVE DUTY

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

Mr. DORNAN of California. Mr. Speaker, I would like to tell my colleagues what a glorious day they missed on June 29 of last month in the beautiful district of my good friend, CHARLES STENHOLM, of the Great State of Texas.

At that thrilling moment when the first active duty B-1B aircraft came screaming across the horizon to take its place in the defense arsenal of the leading nation of the free world.

I knew that would be a moving moment; three great Texas freshmen joined Mr. STENHOLM and myself, both of the Texas Senators were there; and when the commander of the Strategic Air Command, 4-Star General Benny Davis, winged that beautiful aircraft over the Texas skies, I felt that peace had taken one step closer to being realized within our lifetimes.

The two predecessors to the B-1, the B-36 and the B-52, had never dropped a weapon in anger on a strategic mission. I know that will be the excellent service of the B-1B, and I think that those Members who were not there that morning, whether they voted for the system or not, can take pride in the fact that we no longer, in about 2 years, will have at least four Air Force wings with a Japanese warlord kamakaze suicide mission, if they are ever called upon to serve this Nation in returning peace. It is much easier to keep the peace.

Well done, House of Representatives and U.S. Congress!

POLISH AMERICAN HERITAGE MONTH

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 106) designating August 1985 as "Polish American Heritage Month," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object, but simply would like to inform the House the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation, I would like to yield to the gentleman from New York [Mr. GILMAN], who is a sponsor of the bill

Mr. GILMAN. Mr. Speaker, I rise in strong support of House Joint Resolution 106, designating August 1985 as "Polish American Heritage Month." Our heritage and the ideals that we share with the Polish citizens both in America and in their native homeland draw attention to our close ties with the nation of Poland. I would like to thank the gentleman from Pennsylvania [Mr. BORSKI] for introducing this measure in commemoration of our longstanding friendship with Poland.

Designating August 1985 as Polish American Heritage Month is fitting because this August will mark the fifth anniversary of the movement to Solidarity by the independent Polish labor federation. Their struggle helps remind us of our own fight for the freedom around which we have since built our heritage.

The Poles have been our allies ever since the American Revolution when many of them fought side-by-side with Americans in the struggle for liberty and independence. Kazimierz Pulaski and Tadeusz Kosciuszko are only two of the many brave heroes who helped us win the Revolutionary War. We also remember World War II, when Poland and America fought together in combat in a worldwide struggle for freedom and independence.

As the fifth anniversary of the Solidarity Labor Federation draws near, we acknowledge the fight against oppression in Poland. Each of us should pause to consider the courage of those participating in the struggle. We honor Lech Walesa, a man whose name is synonomous with Solidarity. Walesa, acting as a cornerstone of Solidarity, won a Nobel Peace Prize for his valiant efforts on behalf of the entire labor movement. He represents man's will and capability to stand up for his beliefs, to fight for liberty, and to overcome any obstacles preventing the enjoyment of those ideals.

Truly, the spirit of the Polish people is something to be commended. Names, such as the above-mentioned are only a few of the famous Poles, who are joined by countless and nameless others fighting for the same purpose. These people are the backbone of Polish heritage. They have remained committed to the Polish ideals of a free and independent Poland.

As I contemplate this significant role of our Polish-Americans in our history and in our Nation's heritage, I am pleased and proud to be among those Congressmen seeking to designate August 1985 as Polish-American Heritage Month.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 106

Whereas since the first immigration of Polish settlers to Jamestown in the 17th Century, Poles and Americans of Polish descent have distinguished themselves by contributing to the development of the United States of America in the arts, sciences, government, military service, athletics, and education;

Whereas Kazimierz Pulaski, Tadeusz Kosciuszko, and other sons of Poland came to our shores to fight in the American War of Independence and to give their lives and fortunes for the creation of the United States;

Whereas the Polish Constitution of May 3, 1791, was directly modeled after the Constitution of the United States, is recognized as the second written constitution in history, and is revered by Poles and Americans of Polish descent;

Whereas Americans of Polish descent and Americans sympathetic to the struggle of the Polish nation to regain its freedom remain committed to a free and independent Polish nation;

Whereas Poles and Americans of Polish descent take great pride in and honor Poland's greatest son, His Holiness Pope John Paul II;

Whereas Poles and Americans of Polish descent take great pride in and honor Nobel Peace laureate Lech Walesa, the founder of the Solidarity Labor Federation;

Whereas the solidarity Labor Federation was founded in August 1980 and is continuing its struggle against oppression by the Polish Government; and

Whereas the Polish American Congress is observing its forty-first anniversary this year and is celebrating August 1985 as Polish American Heritage Month: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 1985 is designated as "Polish American Heritage Month". The President is requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

● Mr. BORSKI. Mr. Speaker, I am very proud to have sponsored House Joint Resoultion 106, designating August 1985 as "Polish American Heritage Month." By introducing this resolution for the first time last year and again this year, it is my hope that this commemoration will become a tradition. I am very appreciative of the 230 Members who supported me in this effort by cosponsoring House Joint Resolution 106.

Mr. Speaker, our Nation is a land of immigrants. Our origins are different, but we have worked together to make America great. House Joint Resolution 106 serves as congressional recognition of the praiseworthy contributions made by one ethnic group that has long been an integral part of our Nation. Designating August 1985 as Polish American Heritage Month ac-

knowledges Americans of Polish descent and pays them the respect they are due for what they have given throughout our history.

This resolution recognizes the belief of the Polish and American peoples in the rights of all individuals and nations, in the freedoms of expression and belief, and in the laws that protect these rights and freedoms. The Polish Constitution of May 3, 1791—celebrated each year by Polish Americans—was directly modeled after the Constitution of the United States and is recognized as the second written constitution in history. Americans of Polish descent are the children of a great common heritage.

Mr. Speaker, Polish Americans can be proud of the contributions made to America and to the world by sons and daughters of Poland. They can be proud of what they have accomplished since the first immigration of Polish settlers to Jamestown in the 17th century. From the country which produced Copernicus and Chopin followed the descendants who would rise up to become leaders of American life in the arts, sciences, government, military service, business, athletics, and education.

Polish Americans can be proud of Lech Walesa, a recipient of the Nobel Peace Prize and the founder of the Solidarity labor federation. They can be proud of their shared lineage with Poland's greatest native son, His Holiness Pope Paul II. They can be proud of Solidarity, the Catholic Church, and the people of Poland who are continuing the struggle for a free and independent Poland.

Polish Americans can be proud of the Polish-American Congress which has distinguished itself during its 41 years as an organization dedicated to the best interest of the United States, devoted to the right of the Polish people to rule their land, and determined to provide assistance to those in need.

Polish American Heritage Month also provides a moment for reflection on the sacrifices that Poles have made to the cause of freedom. Poles such as Kazimierz Pulaski and Tadeusz Kosciuszko joined the fight in our War of Independence. Later, a great many Poles and Polish Americans gave their lives to rid the world of Nazi tyranny in World War II. Polish courage shone in the Battles of Britain and Monte Cassino, and in the Warsaw uprising. The Polish contribution to the Allied effort helped end the nightmare of Nazi persecution which claimed at least 6 million Polish lives in the death camps.

Mr. Speaker, August 1985 is an especially appropriate time to commemorate the bonds between the Polish and American peoples. This August will be the fifth anniversary of the founding of the Solidarity labor federation. Today, we in America are inspired by the struggle for freedom that Solidarity, the Catholic Church, and the Polish people are fighting. The passion for liberty which Poles and Americans share is still strong there despite a generation of totalitarian domination. We in America who are sympathetic to their struggle remain committed to a free and independent Polish nation.

Mr. Speaker, our Nation is enriched by the values and accomplishments of Polish Americans who have contributed so much to the development of the United States. We thank this community for their commitment to the United States and share their hope that Poland will soon be free.

His Holiness Pope John II stated in Nowy Targ, Poland, in June 1979:

> This beautiful land is * * * a difficult land, rocky and mountainous * * * where there was * * * sometimes great poverty, people emigrated far away * * * beyond the ocean * * *. May they not forget their own native land, family, church, prayer, and all that they brought from here.

Polish Americans have not forgotten. For this, America is truly grateful.●

The joint resolution 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.

FREEDOM OF THE PRESS DAY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 164) to designate August 4, 1985, as "Freedom of the Press Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object. I would simply like to inform the House the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation, I would like to yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I rise in support of House Joint Resolution 164, legislation to designate August 4, 1985, Freedom of the Press Day. As a cosponsor of this resolution I would like to take the opportunity to thank my esteemed colleague and friend from California, Mr. LANTOS, for introducing this legislation and for bringing it before us today.

August 4, 1985 will commemorate the 250th anniversary of the acquittal of John Peter Zenger, a colonial newspaper publisher charged with sedition for printing reports of official corruption in the government of New York. The defense for John Peter Zenger centered on the right of the press to print the truth for the good of the public. The subsequent exoneration of Zenger laid the cornerstone to the foundation for freedom of the press as we now know it in this country.

The American concept of freedom of the press, based on the right of people to be truthfully informed about events affecting their lives, took root after the Zenger trial and flourished. This principle was later codified as the first amendment of the Bill of Rights and became one of the fundamental liberties ensured by the Constitution of the United States. This Government's commitment to a free press as a bedrock of our democratic society is without precedent.

As Americans observe this day, it is important that we remember that all of the world's citizens do not enjoy this freedom, but that many are, in fact, limited solely to government sponsored information. While we Americans have free access to thousands of newspapers and periodicals representative of every shade of political and religious thought, those in countries behind the Iron Curtain for instance, are allowed the benefit of only one view—that of the government in power. Our Nation serves as an inspiration to those throughout the world who continue to be denied this basic civil liberty. Let us continue to provide an example and in doing so continue our commitment to the development of human rights for all people. Indeed, I suggest that as we commemorate Freedom of the Press Day that we rededicate ourselves to the preservation of this great principle.

In recognizing the importance of this anniversary the American Bar Association has established committees of 42 State bar associations to hold appropriate observances on Freedom of the Press Day. I look forward to joining my colleagues, friends, and fellow Americans in commemorating this important anniversary. Accordingly, I urge my fellow colleagues to join in support of House Joint Resolution 164, paying tribute to the ideal and practice of the freedom of speech that has made our democratic system of government so enduring and inspiring to freedom loving people throughout the world.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

● Mr. LANTOS. Mr. Speaker, we commemorate many worthy events in the Congress, but today we are considering one of the most important—freedom of the press. August 4, 1985, marks the 250th anniversary of the trial of John Peter Zenger—the watershed court case which established the principle of freedom of the press in this land.

For me, freedom of the press has a special and a very personal meaning. I grew up under a repressive fascist dictatorship, where newspapers and radio were under control of the government. Criticism in the press of the regime's denial of human rights and its disastrous foreign policies was not permitted. Later, I saw a freely and democratically elected government subverted because the occupying Soviet Army and the Hungarian Communist Party controlled and manipulated the press.

Freedom of the press is indeed "one of the great bulwarks of liberty." Our support for freedom of the press represents our faith in the people. As Supreme Justice Hugo Black emphasized, "The press is to serve the governed, not the governors." This has been one of the guiding principles in our history as a people, and it is most appropriate and important that we acknowledge this by commemorating the anniversary of the important Zenger case.

I would like to acknowledge the assistance of my distinguished colleague and friend from Michigan [Mr. VANDER JAGT], the principal Republican cosponsor of this legislation. I also thank my friend and colleague from New York [Mr. GARCIA] for the committee's expeditious handing of this legislation, and I thank my distinguished colleague from Utah [Mr. HENSEN], the ranking minority member of the committee.

Mr. Speaker, history—or fate—often casts unlikely men in the role of heroes. As a symbol of freedom of the press in America, history chose not a sophisticated literary figure, but a German immigrant printer. Zenger was an unlikely hero. Nothing in his background suggested the crucial symbol he was to become in the story of America journalism.

The 13-year-old Zenger arrived in New York from Germany in 1710 and was apprenticed to a printer. He learned his trade reasonably well and in 1726 established his own printing business in New York City. The arrival in 1733 of a new governor of the colony, William Cosby, resulted in the alienation of many of his subjects because of his dictatorial, arbitrary, and often corrupt rule. However, Cosby's critics, who included the leading men of the colony, had no vehicle for expressing their opposition because the only existing newspaper supported the government. They turned to the colony's second printer, John Peter Zenger, and encouraged him to publish a new newspaper, the New York Weekly Journal.

The Weekly Journal was a small, four-page paper, with an unattractive format and crooked type. But from the beginning, it attracted an enthusiastic audience. It published sharp attacks on the colonial government. Its first issue reported corrupt election practices involving the governor and detailed the payment of a bribe to the governor. Governor Cosby condemned the "divers scandalous, rulent, false and seditious reflections" on his conduct of office. Cosby's patience soon came to an end. On November 17, 1734, Zenger was arrested, and 9 months later, was brought to trial on August 4, 1735.

There was little hope for Zenger. The court was dominated by appointees of Governor Cosby, and British law at the time held that seditious libel was "written censure upon public men for their conduct as such, or upon the law, or upon the institutions of the country." Truth or falsity of the alleged libel was irrelevant; the crime was the provocation, not the falsity, of what was published.

The outlook for Zenger was not promising when the court began its proceedings, but Zenger's defenders arranged for him to be represented by the most distinguished colonial lawyer of the time, 80-year-old Andrew Hamilton of Philadelphia. Hamilton carefully argued that the truth of Zenger's charges against the Cosby administration was the key issue in the case.

Hamilton's summation to the jury—which convinced them to return a verdict of not guilty—was prophetic:

The Question before the Court and you, Gentlemen of the Jury, is not of small nor private concern; it is not the cause of a poor Printer, nor of New York alone. It may in its consequence affect every Freeman that lives on the main of America. It is the best Cause. It is the cause of Liberty. The Liberty, both of exposing and opposing arbitrary Power in these Parts of the World by speaking and writing truth.

After his acquittal, Zenger returned to his profession. In 1736, he published the complete narrative of the trial, which became the key text throughout Colonial America on censorship and press freedom. It became one of the most widely-known sources of democratic thought in the English-speaking world during the 18th century.

Zenger, who might otherwise have quietly followed most other colonial printers into obscurity, became a symbol of the fundamental American principle of freedom of the press. Although the Zenger trial by no means brought an end to censorship and government efforts to control the press in the American colonies, it did inspire other editors to defy arbitrary English authorities. It was, as Andrew Hamilton said, "a noble foundation" on which to build a free press.

A half century after the trial, Gouverneur Morris, one of the leaders in the movement for American independence, said, "The trial of Zenger in 1735 was the germ of American freedom, the morning star of that liberty which subsequently revolutionized America."

Mr. Speaker, it is appropriate that this body adopt legislation to commemorate the 250th anniversary of the trial of John Peter Zenger. We should reiterate our commitment to one of the key liberties that has guided this Nation in its journey of freedom from the printshop of John Peter Zenger to the era of satellite communications.●

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 164

Whereas, August 4, 1985, marks the two hundred and fiftieth Anniversary of the court decision exonerating John Peter Zenger, a newspaper publisher charged with sedition for printing reports detailing official corruption in the colonial government of New York.

Whereas, the defense of John Peter Zenger centered on the right of people to be truthfully informed about events affecting their lives;

Whereas, the Zenger decision is honored as the first full expression in this land of the need for a free press, and the substantial role an unfettered press can and should play in the interaction of government and the public;

Whereas, the dedication of our Founding Fathers to freedom of the press was codified in the first amendment to the Constitution of the United States;

Whereas, a free press is vital and elemental to the maintenance of an informed public capable of expressing reasoned opinions on the great issues confronting a nation; and

Whereas, it is important for the people who have benefited from unprecedented liberties and freedoms to reiterate their deepest commitment to the principles which have distinguished our national experience: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 4, 1985, is hereby designated "Freedom of the Press Day", and the President of the United States is authorized and requested to issue a proclamation calling upon all public officials and the people of the United States to observe such day with appropriate ceremonies and activities, including the display of the flag of the United States at all appropriate places.

The joint resolution 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.

□ 1840

NATIONAL DOWN'S SYNDROME MONTH

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 40) to designate the month of October 1985 as "National Down's Syndrome Month," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I will not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation, I yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of House Joint Resolution 135, the resolution offered by the distinguished gentleman from New York [Mr. SOLARZ] to designate October 1985 as "National Down Syndrome Month." I commend the gentleman from New York [Mr. SOLARZ] for his effort to shed even more light upon the special needs of those with Down's syndrome and their value to our society.

Much progress has been made in recent years to uncover the mysteries of Down's syndrome and to reveal it as a disorder which can be effectively managed rather than feared. Modernized care, treatment, and education of Down's syndrome patients have resulted in astonishing successes that have uncovered a hope for these people and their families. Down's syndrome victims who less than a few decades ago would have been institutionalized are now finding employment and assuming their rightful roles in our society.

We cannot allow such amazing progress to lapse at this crucial point. While improvement is mounting, we acknowledge that a climax has not yet been reached. While public appreciation for the needs of these special people is increasing, we should take each opportunity to further enhance this appreciation. Last year, we believed in the potential of Down's syndrome victims enough to adopt a similar resolution to further the awareness of this disorder. I strongly urge my colleagues to once more act upon those beliefs by supporting House Joint Resolution 135, thereby promoting further awareness of this still widely misunderstood disorder.

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 40

Whereas the past decade has brought a greater and more enlightened attitude in the care and training of the developmentally disabled;

Whereas one such condition which has undergone considerable reevaluation is that of Down syndrome—a problem which, just a short time ago, was often stigmatized as a mentally retarded condition which relegated its victims to live of passivity in institutions and back rooms;

Whereas, through the efforts of concerned physicians, teachers and parent groups such as the National Down Syndrome Congress, programs are being put in place to educate new parents of babies with Down syndrome; to develop special education classes within mainstreamed programs in schools; the provision for vocational training in preparation for competitive employment in the work force to prepare young adults with Down syndrome for independent living in the community;

Whereas the cost of such services designed to help individuals with Down syndrome move into their rightful place in our society is but a tiny fraction of the cost of institutionalization;

Whereas along with this improvement in educational opportunities for those with Down syndrome is the advancement in medical science which is adding to a more brightened outlook for individuals born with this chromosomal configuration; and

Whereas public awareness and acceptance of the capabilities of children with Down syndrome can greatly facilitate their being mainstreamed in our society: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 1985 is designated "National Down Syndrome Month" and that the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the designated month with appropriate programs, cermonies and activities.

Mr. SOLARZ. Mr. Speaker, I rise today to urge this Congress to support House Joint Resolution 135, a bill I introduced, which designates the month of October 1985 as National Down Syndrome Awareness Month. Down syndrome is presently an incurable genetic condition characterized by mental retardation and a variety of often severe physical handicaps; 1 out of every 800 newborn babies suffers from Down's syndrome and 250,000 families in the United States are affected by this terrible unfortunate disease. In fact, as many as 600 Down's syndrome victims may live in each of our congressional districts.

A national awareness month, which I ask for your support today, would promote public and private sector concern for the welfare of our Nation's citizens with Down's syndrome. Hopefully, approval of this bill will also encourage Federal, State, and local governments, in cooperation with voluntary organizations, to make concerted efforts to provide desparately needed training, jobs, and support services for sufferers of Down's syndrome, and their families as well. By promoting public interest and clarifying understanding of this condition, Congress will help alleviate the past stigmas attached to Down's syndrome as well as help pave the way for a brighter future for this portion of our population, many of whom are willing and able to study and work independently.

Last year, a similar resolution was passed and, according to the president of the National Down Syndrome Congress, Mr. Tom O'Neill, the results were terrific:

The National Down Syndrome Congress parent groups, en masse, used the resolution as a tool to get out proper and correct information on Down Syndrome. The media coverage was next to phenomenal. Having that resolution was like a catalyst for people, it was like a license that spurred them on to get out the word. I also felt a sense of pride from our parents that they, in fact, had a resolution in the Congress. If we had a million dollar public relations budget, it would not have fared better than did this resolution.

The Senate recently passed a similar resolution. As Members of the House, we should view the Senate's action as a clear indication of the importance and severity of Down's syndrome. The concern for people who suffer from disabilities continues to grow in America and the onus remains on Congress to promote the public's increasing sensitivity. Offering citizens the opportunity to participate in commemorative activities concerning Down's syndrome would strengthen and enhance public support for additional research on preventing such genetic conditions and aiding victims of Down's syndrome and their families.

Passage of this resolution does not require any financial commitment from Congress. The resolution offers organizations and parent groups who are concerned about neorological and physical handicapping conditions, including the Chicago-based National Down's Syndrome Congress, an opportunity to increase and improve public education about Down's syndrome and about how many of those with this condition can live quite full and productive lives—provided the training and resources needed to assist them are made available.

Mr. Speaker, I thank the distinguished chairman of the Subcommittee on Census and Population, Mr. GARCIA, and his able ranking minority member, Mr. GILMAN, for their assistance in bringing this resolution to the floor today.

This effort here in the House today will hopefully lift some of the misconceptions and fears about those with this handicapping condition. May it help open more doors for these men and women so that they may live fuller lives.

I commend the outstanding work being done by the National Down's Syndrome Congress and other voluntary organizations in public education support groups for families, advocacy for the rights of our handicapped citizens. These efforts should lead to the development of more compassionate, effective, and comprehensive programs for those with Down's syn-

drome and other handicapping conditions and their families.●

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL ATOMIC VETERANS DAY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 295) to designate July 16, 1985 as "National Atomic Veterans Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, I will not object, but I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Under my reservation of objection, Mr. Speaker, I yield to the gentleman from Georgia [Mr. ROWLAND], who is the chief sponsor of House Joint Resolution 295.

Mr. ROWLAND of Georgia. Mr. Speaker, I am proud to sponsor this legislation, and I want to thank and congratulate the many Members who through their support made this important resolution possible.

The resolution will recognize the estimated 250,000 Americans who participated in the testing of nuclear weapons between the years 1945 and 1963, and those who served in the U.S. occupation of Hiroshima and Nagasaki immediately following World War II.

Additionally, through this resolution we seek to keep attention focused on the issues that have arisen in connection with the effects that radiation exposure has had upon the health of these veterans.

Last year Congress enacted legislation which established an advisory committee within the Veterans' Affairs Committee to make recommendations for recognizing radiation related disorders. House Joint Resolution 295 will reassert the support of Congress for the resolution of these issues.

Mr. Speaker, July 16 will also mark the 40th anniversary of the first detonation of an atomic weapon, and members of the National Association of Atomic Veterans will be in Washington on the 16th for a rally and other activities. I am pleased that through this resolution we can now give added emphasis to this day and the patriotic men and women involved.

Mr. HANSEN. Mr. Speaker, under my reservation of objection, I yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. I thank the gentleman for yielding.

Mr. Speaker, I join my colleagues in support of House Joint Resolution 295, designating July 16, 1985, as "National Atomic Veterans Day." As a cosponsor, I would like to take this opportunity to express my gratitude to the gentleman from Georgia [Mr. ROWLAND] for introducing this measure and for keeping the public's attention focused on the very real dangers, and in many cases, subsequent hardships, and health hazards braved by our "Atomic Veterans."

Between 1945 and 1963 the United States detonated approximately 253 nuclear weapons in the atmosphere over the American southwest and the Pacific Ocean. When recounting the tests held in the Bikini Islands, U.S. seamen speak of standing shirtless on the open deck of U.S. naval vessels watching these mysterious tests and of how the fallout from these explosions peppered their bare chests. We have on record footage of U.S. infantrymen digging trenches in the desert and being instructed to shelter themselves in the trenches and to "not look directly at the explosion" during these atomic tests. At the time many suffered nausea and physical weakness, symptoms we now know to be the primary effects of radiation sickness. Clearly these men and women performed above and beyond the call of duty.

July 16, 1985, will mark the 40th anniversary of the first detonation of an atomic nuclear weapon. Nearly half a century later we are still coming to terms with the effects of these tests upon the health of these veterans and the many questions surrounding the compensation issue. As we join with the National Association of Atomic Veterans and other concerned individuals in recognition of National Atomic Veterans Day, let us in government reevaluate our efforts to aid these brave men and women who served their Nation without question during a critical period of our Nation's history. Accordingly, I urge my colleagues to support House Joint Resolution 295 designating July 16, 1985, as "National Atomic Veteran's Day."

Mr. HANSEN. Mr. Speaker, I join in the remarks made by the two distinguished gentlemen. My State is one who is a victim of down wind, and I appreciate their comments.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 295

Whereas approximately two hundred and fifty thousand veterans of the United States, while in military service from 1945 to 1963, witnessed and participated in at least two hundred and thirty-five atmospheric atomic and nuclear weapons tests conducted in the Pacific and the American Southwest, or served in the United States occupation of Hiroshima and Nagasaki immediately following World War II;

Whereas these "Atomic Veterans" patriotically served their country and the needs of national defense during a critical period in history;

Whereas the health of many of these veterans and their children may have been adversely affected by exposure to radiation resulting from the atomic and nuclear weapons detonations;

Whereas every effort should be made to locate all Atomic Veterans, assist them and their children in detecting medical problems related to radiation exposure, and assist those affected in obtaining medical treatment and care; and

Whereas July 16, 1985 is the fortieth anniversary of "Trinity," the first detonation of an atomic weapon, which took place at Alamogordo Air Force Base, New Mexico on July 16, 1945: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating July 16, 1985, as "National Atomic Veterans Day", in recognition of the patriotism and dedication to their country exhibited by this special group of veterans, and in recognition of the importance of resolving issues related to exposure of Atomic Veterans to ionizing radiation. Government agencies at the Federal, State, and local levels, and the people of the United States are called upon to observe this day with appropriate programs, ceremonies, and activities.

The joint resolution 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.

LIVE AID DAY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 325) to designate July 13, 1985, as "Live Aid Day," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

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

Mr. HANSEN. Mr. Speaker, reserving the right to object, and I will not object, I would simply like to inform the House that the minority has no objection to the legislation now being considered.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from Michigan [Mr. CARR], who is the chief sponsor of House Joint Resolution 325.

Mr. CARR. Mr. Speaker, I'm proud to announce that more than 225 of my colleagues in the House have joined

me in cosponsoring a resolution which officially sets aside this Saturday, July 13, as "Live Aid Day."

This Saturday, folksingers and rock musicians from 63 bands will join in both Philadelphia and London in a special 17-hour long concert. But this isn't just another summer jam session. These wonderful musicians have agreed to perform and travel to the concert without reimbursement—and will donate all of the proceeds of the event to the battle to alleviate famine and hunger in Africa. The event, which will be broadcast live to some 1.5 billion people in 150 countries, will also feature messages on world hunger from Bishop Desmond Tutu, Mrs. Sadat, Leonard Bernstein, Coretta Scott King, Indian Prime Minister Ghandi, Prince Charles, Prime Minister Margaret Thatcher, and other international leaders. Leaders of all political persuasions, ages, races and backgrounds have joined in endorsing what is certain to be a truly unique event.

This event can have an important role in increasing awareness of world hunger. Because this event will be broadcast so widely—both on ABC-TV and MTV in the United States, and by satellite to countries all over the world—we have a unique change to bring people of many nationalities and backgrounds together out of concern for this very grave problem. Those who watch will learn more about the severe crisis that confronts millions of people who wake up every day without enough to eat. Right now, as we meet here on the House floor, it is 2 a.m. in Ethopia. Literally millions of people have gone to sleep hungry, not knowing where their next meal might come from. Many will not awake. Those that do will awake to wander the barren countryside, hoping to make it to refugee camps where they might find a meager serving of corn meal.

Emergency efforts to feed these people would not be possible without the efforts of international and private agencies, such as Oxfam, the International Red Cross, Africare, Save the Children, and Catholic Relief Services. Along with various U.N. agencies, these groups have played an enormous role in helping to alleviate hunger and poverty throughout the world, and have made a strong effort recently in Africa. All of the proceeds from the Live Aid concert will go to the ongoing work of private groups, and the U.N. High Commission on Refugees, in their work in Africa. Our official support of the Live Aid concern is one opportunity for us here in Congress to tell private relief groups how important their efforts are, and how necessary they are to the entire battle against world hunger.

Finally, those who are producing and participating in Live Aid Day deserve our congratulations and our thanks. Millions of Americans, especially the young, look up to performers and sports stars. They spend countless hours listening to records, going to concerts, and watching rock videos. It is heartening to hear that these influential musicians are willing to use their tremendous popularity in America and overseas to draw attention to famine and help end the hunger crisis. The entertainment industry has a great opportunity to share some of the fruits of its endeavors, and I know that my colleagues join me in saluting those who have taken this opportunity to benefit people who are desperately in need, and we encourage such efforts whenever possible in the future. Live Aid Day clearly represents a spirit of generosity and brotherhood which is essential, not only in the continuing battle against famine and hunger, but in all our efforts to live in peace together in the world. I thank my colleagues for their interest and support in this important endeavor.

Mr. Speaker, I want to conclude my statement with a personal note. I would like to publicly dedicate my personal efforts and that of my staff to the memory of a great lyricist and musician who had a great influence on my life and that of many here. His name is Harry Chapin. Harry was a personal friend of mine and of many in this body, but he was more than a personal friend—he was a conscience of us all. He was leading people and policy makers to the realization of world hunger long before we saw these TV pictures of starving children in Africa, long before we had United States of America for Africa or the Live Aid Day coming up on Saturday.

Harry Chapin was our conscience. He started us down this road, and Harry's prolific work lives on today and it will live on on Saturday night. I am deeply honored to be able to have a very small part on behalf of his memory.

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

Mr. HANSEN. I yield to the gentleman from New York.

Mr. GARCIA. Mr. Speaker, I would just like to take this moment, as one who has visited Ethiopia long before the publicity when the BBC in London sent that now famous telecast out to the world, to say to my colleague from Michigan that we do many of these commemoratives. I guess in the five terms that I have been here we have done several hundred. I think some are more worthy than others. There is no doubt that this one is probably the worthiest of them all. I just want to commend the gentleman in the well for taking the initiative for going out and getting the number of signatures from Members of the House, because I believe it is important that the viewing audience understand that this Saturday is going to be a very important day not only for those of us who live in the Western world but, more importantly, for those who live in those continents where very few people get to go and see the real problem.

I congratulate the gentleman.

Mr. CARR. I thank the gentleman for his remarks.

Mr. HANSEN. Mr. Speaker, I yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. I thank the gentleman for yielding.

Mr. Speaker, I want to commend the gentleman from Michigan [Mr. CARR] for bringing this important measure to the floor, and I also wish to join with him in his remarks concerning Harry Chapin, who inspired many of us to become involved in our efforts to resolve world hunger. It was Harry Chapin who inspired this House to create a Select Committee on Hunger, a committee that is hard at work trying to find some solutions to the problem of world hunger.

In the coming weeks, the most serious outstanding challenge confronting the international community and the governments of the African nations facing severe food shortages must be to overcome the logistic constraints which are preventing food aid from reaching the needy population. More than one-third of the food aid pledged to the 10 countries for 1984-85 has not yet been received. In a number of countries, the already critical food supply situation has deteriorated further in the lean season leading up to the next harvest. Reports continue to be received of widespread malnutrition and deaths from starvation.

As stressed recently by F.A.O.'s global information and early warning system, new initiatives need to be undertaken as a matter of extreme urgency to increase port handling and internal distribution capacities in order to reduce the food backlogs in ports, to accelerate the delivery of aid and thus avoid the further deterioration of an already desperate situation. "Live Aid Day" is one such new initiative.

Through the concerted efforts of talented performers and artists all over the world, large amounts of critical resources will be routed to needy nations. Accordingly, it is appropriate that worthy efforts such as these should be commemorated. Therefore, I ask my colleagues to support House Joint Resolution 325.

□ 1850

Mr. HANSEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. GARCIA].

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 325

Whereas the lives of thirteen million Africans are currently in dire jeopardy and massive financial assistance is needed this year to quell the African famine and to save the lives of such people;

Whereas, on July 13, 1985, in both Philadelphia, Pennsylvania, and London, England, performers from all over the world will gather to broadcast the "Live Aid" benefit concert sponsored by the "Live Aid" organization to aid in the relief of this famine;

Whereas Live Aid provides a way to continue to meet such goal through unity and cooperation of concerned and caring performers, leaders, private voluntary organizations, corporations, Government agencies, and citizens of the United States in partnership with people from around the world;

Whereas the Live Aid broadcast will unite more than one billion people in learning about the hunger problems of the world and how each individual can take action to make a difference in moving from relief for Africans to recovery, and finally to self-reliance; and

Whereas the magnitude of human suffering in Africa is so enormous as to demand the most profound and immediate response possible: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That July 13, 1985, is designated as "Live Aid Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate programs and activities.

The joint resolution 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.

GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the joint resolutions just passed.

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

There was no objection.

PERSONAL EXPLANATION

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

Mr. BOULTER. Mr. Speaker, I was inadvertently detained for the two previous votes this morning on the McCollum motion to instruct the DOD authorization conferees to insist on the House position on the McCollum espionage death penalty amendment, and the Aspin motion to close the DOD conference for national security reasons, because of a speaking engagement with the National Association of Farm Broadcasters. Had I been present, I would have voted "yea" in both instances.

FOREIGN IMPORTS ATE UP MORE JOBS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute, to revise and extend her remarks and to include extraneous matter.)

Ms. KAPTUR. Mr. Speaker, this morning I have a special message for President Reagan and his new Trade Representative Mr. Yeutter. In case you haven't noticed, it's official again! Last month, foreign imports ate up another 45,000 manufacturing jobs in America, bringing this year's total to a record-setting total, all-time high of 220,000 lost jobs for these first two quarters of 1985. The domestic downturn in manufacturing has indeed precipitated the notable halt in service sector growth that remained flat last month. No matter how you cut it, manufacturing still writes the tune of the American business cycle.

To make matters worse, why do some people keep selling off parts of America to foreign ownership and control? Just another example: While Japan is lulling some into inaction on the trade gap, Japan is playing a divide and conquer game here on our turf. Recently, a Japanese glass manufacturer announced that with the help of American taxpayer dollars in the amount of $1 million, the company will produce auto glass in Ohio for American-assembled Hondas. The company said, "we will create 240 new jobs." The truth is that existing Ohio jobs are being displaced, as clever firms play one part of my State off against another. Libbey-Owens-Ford in my district still has 1,100 laid-off glass workers. If Honda is serious about helping America, why couldn't they, at a minimum, have engaged in a joint venture with an American glass company? Why must their investment be exclusively a Japanese firm serving a Japanese-owned auto company? It is a sad state of affairs when a foreign country is calling an ever increasing number of shots in a vital sector of our economy like automobiles!

Mr. Speaker, I include the following article from the Toledo Blade of June 30, 1985:

LOF DISMAYED BY STATE'S DEAL WITH JAPANESE FIRM

(By Jon Chavez)

The $925,000 industrial incentive package the state of Ohio has granted to a Japanese auto safety-glass manufacturer was provided to lure even more of the company's business to the state, a department of development official said.

State officials said they hope that the decision announced Wednesday by Asahi Glass Co., Ltd., to establish two glass-fabricating plants in Bellefontaine, O., will bring results similar to Honda of America, which began small and has continued to expand its Ohio operations.

The $31.2 million Asahi plants are being built to supply glass parts to Honda's assembly plant in Marysville, about 21 miles to the southeast.

To help the $2.4 billion Asahi Co. locate in Ohio, the state has provided an incentive package that includes a $500,000 industrial inducement grant, a $225,000 community development block grant to Bellefontaine, and a $200,000 job-training grant.

The plants, which are expected to be in operation by January, 1987, will create only about 240 jobs.

The state is gambling that Asahi, which also supplies glass to Honda's plants in Japan, will want to expand.

"This is not just a parts supplier to Honda; they have the potential to move into other areas," said Howard Wise, manager for industrial development for the state development department.

Mr. Wise, who helped persuade Asahi to build in Ohio, said that in addition to being the world's largest supplier of auto-safety glass, Asahi is a leading producer of chemicals and ceramic products.

"They've said that the glass plants are phase one. They have not told us there will be a phase two, but they've hinted that there will be a phase two," Mr. Wise said. "We think it has the potential of being another Honda."

Honda began with a motorcycle plant in 1979 and hinted that it might expand, Mr. Wise recalled. Since then, Honda has invested nearly $600 million and created nearly 3,000 jobs through its Accord auto assembly plant. Recently, the auto maker announced that it will produce auto engines at its Marysville location.

The state initially invested $1 million—in job-training funds and other inducements—to lure Honda to Ohio, Mr. Wise said. "The state did not have to invest any more money after that," he said. "If Asahi goes ahead with phase two, we won't have to invest any more money. Their workers already will be trained.

The agreement between Asahi and Honda results in part from the company's role in Japan as the main supplier to Honda and three other Japanese auto manufacturers, he said.

As an auto-glass manufacturer, Asahi will be in direct competition with the Toledo-based LOF Glass Co., owned by Libbey-Owens-Ford Co.

The local firm has had to close two Toledo plants and lay off 1,100 employees because of reduced demand for auto glass.

Officials at LOF Glass, which has served as a supplier to Japanese firms, expressed dismay at the arrival of Asahi and said the Toledo company would take action to meet the competitive threat.

"It is ironic that, in this situation, nearly $1 million of taxpayer dollars are being used to assist in the construction of start-up facilities that will employ only about 240 people, while LOF Glass has nearly 1,100 glass workers laid off in the Toledo area, said Ronald Skeddle, LOF Glass president.

"The presence in Ohio of another glass competitor will mandate that we further reduce costs at our Toledo-area facilities. We know that LOF Glass has the technologies and production capabilities to serve as a sufficient supplier to Honda. LOF has worked with Japanese businesses around the world, and we respect them for their knowledge and competitiveness.

"We have an excellent partnership with a Japanese glass firm in another area, and we are also performing strongly as an auto-glass supplier to the GM/Toyota joint venture in Fremont, Calif. LOF Glass would have been a logical Ohio-based company to

service Honda's Marysville plant, Mr. Skeddle said."

Based on Asahi's plans in Bellefontaine, Jack Miles, vice president of the Aluminum, Brick, and Glass Workers union, said the Japanese firm is not much of a threat to LOF Glass. "If all they're going to do is service the Honda plant, they're not an immediate threat to anybody. But if Honda becomes a major force in this country, it could be important down the line," he said.

Bellefontaine was selected, according to Mr. Wise, because of its proximity to the Honda plant and because, like Honda, which has resisted large-scale organizing attempts by the United Auto Workers, the firm wanted to draw from a "small-town labor pool" that has little or no familiarity with unions. "I think it's fair to say Asahi prefers to be nonunion," he said.

Regardless of Asahi's preferences, Mr. Miles said his union would attempt to organize glass workers in Bellefontaine when the glass plants open. "I would imagine that we'll be looking around here. We were in Zanesville and in Lancaster [both west of Columbus] before those plants there shut down," he said.

He referred to the Lancaster glass plant owned by the Hordis brothers and to a small business in Zanesville that was closed in 1964.

MICHEL REFORM PACKAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Kansas [Mrs. MEYERS] is recognized for 5 minutes.

● Mrs. MEYERS of Kansas. Mr. Speaker, as chairman of the House Republican Task Force on Congressional Reform, today I am introducing a resolution to consider House Resolution 164, a package of rules reforms previously submitted by the House Republican Leader. A copy of the resolution is attached to my remarks.

Under the precedent set in the controversial election in Indiana's Eighth District, any Member could be subject to similar treatment by this body. However, that situation focused our attention on other institutional problems of committee ratios, abuse of the frank, proxy voting in committee, and the proliferation of subcommittees—none of which contribute to serious consideration of the people's business, and all of which cost the people a great deal of tax money.

The intent of this resolution is that we debate the Michel reform package. However, if the Rules Committee does not allow its consideration, I will file a discharge petition to do so.

We believe this package of reform measures will make the legislative process more open, accountable, representative, understandable, manageable, workable, and cost effective.

H. RES. 164

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 164) to amend the Rules of the House of Representatives to make the legislative process more open, accountable, representative, understandable, manageable, workable, and cost effective, and for other purposes. After general debate, which shall be confined to the resolution and shall continue not to exceed ten hours, to be equally divided and controlled by the Republican Leader, Representative Michel of Illinois and the chairman of the Committee on Rules, the resolution shall be considered as having been read for amendment. No amendment shall be in order to the resolution except the one amendment in the nature of a substitute, by and if offered by a representative of the majority party leadership, and said amendment shall not be subject to amendment but shall be debatable for not to exceed two hours, to be equally divided and controlled by the proponent and a Member opposed thereto. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.●

INTERNATIONAL TERRORISM—NEUTRALIZING TELEVISION AS A TERRORIST TOOL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio, [Mr. LUKEN] is recognized for 5 minutes.

Mr. LUKEN. Mr. Speaker, in the wake of the recent hostage crisis, the role of the media, and particularly the American television networks, is coming under increasing scrutiny by the American public and the television networks themselves.

The question causing greatest public interest, is whether American TV became a major part of making the events, rather the reporting on them.

When network news people become central actors, diplomats, and negotiators, as well as providing the forum the outlaw hijackers are seeking, the lives of the hostages and U.S. foreign policy become dependent on the commercial decisions of network personnel competing with each other in the ratings wars.

President Reagan has called the taking of American hostages "an act of war" under these circumstances. Apparently, a principal goal of the criminal hostage-taking was to secure coverage on national television to make their propaganda points. Future hijackers may conclude from the recent experience that all they have to do is kidnap Americans and they may get sympathetic national TV exposure.

Our Government authorities, charged with developing a plan for release of hostages consistent with carrying out other American policies, apparently had little control over American networks which may have been making news as well as reporting it.

Spokesmen for the networks have made various suggestions to meet future emergencies, including the July 7 call by Mr. Ron Powers on CBS, for a "summit meeting of network and broadcast industry executives to ask questions and come up with answers as to their proper role in reporting the news on acts of terrorism in the future."

As Mr. Powers and other media representatives have stated, voluntary guidelines could be put in place. These guidelines may include:

First, no cash payoffs for victims' families;

Second, no more on-air dialog between anchormen and spokesmen for the abductors, giving free campaign commercials to America's enemies;

Third, arranging network pools to restrict the terrorists' access to the airwaves; and

Fourth, in general finding ways to neutralize television as a tool of terrorism.

The American people have a stake in this, and that is why we believe the self-regulatory process should include discussions with the administration and Congress. We are proposing the Telecommunications Subcommittee of the House of Representatives as a forum for some of these discussions.

● Mr. BROYHILL. Mr. Speaker, I applaud my colleague from Ohio on his call for a summit conference of networks executives to develop ways to improve news coverage in hostage situations, and I give him my wholehearted support.

The behavior of the TV networks in covering the recent Beirut hostage crisis shows clearly that they should develop a precise new policy to govern future coverage of such events. In the Lebanese situation, the networks were unwittingly used as ransom for the safe return of nearly 40 American citizens. In the process, they were manipulated and exploited by the terrorists.

Network coverage of the crisis is replete with dramatic examples of manipulation. ABC's decision to broadcast live a spontaneous conversation between Nabih Berri and a hostage's wife is but one gross example. In that exchange, Berri, at the invitation of the ABC interviewer, offered words of condolence to the hostage's spouse—hardly presenting an accurate portrayal of the thugs that Berri represented, men who not only incarcerated Americans for more than 2 weeks, but also brutally murdered an American serviceman.

To their credit, many news media representatives have undergone serious introspection with respect to their performance in Lebanon and have publicly revealed a number of ideas for improved news coverage in the future. They recognize the need for substantial reform, as indicated in the attached articles.

But it has now been nearly 2 weeks since the Lebanese crisis ended. It is time to convert introspection into action.

I hope that the networks will seize this opportunity to improve their reporting in these hostage situations. I stand ready to offer whatever assistance is helpful.

[From the New York Times, July 2, 1985]

TV IN THE HOSTAGE CRISIS: REPORTER OR PARTICIPANT?

(By Alex S. Jones)

The role of television in the 17-day American hostage crisis promises to fuel debate that will be difficult to resolve. It is a matter that is troubling to many journalists because it appears to have set precedents for coverage of future such incidents.

Almost throughout the crisis, television-functioned not only as observer and reporter, the traditional journalistic capacity, but also at times as an actor in the unfolding events.

In effect, the sophisticated technological mechanism that had been developed in the West to serve a free press entered into a symbiotic relationship with those holding the hostages. Three captors were trading access to the principals in the drama for what they viewed as publicity, and interviews were conducted in the inhibiting presence of armed militiamen.

CONTROLLED INTERVIEWS

In their role as a participant, the nation's networks broadcast statements and interviews with representatives of Amal, the Shiite Moslem militia that took responsibility for the hostages, and also transmitted interviews with the hostages that were carefully controlled by the captors. In some cases the material was broadcast without being edited at all.

"You have journalism, which is thoughtful and considered, and you have what I call 'electronics,' which is the use of our facilities to transmit pictures and words, but does not have a lot to do with journalism," said John Chancellor, senior commentator at NBC News.

"If by some miracle all the world's television networks had magically agreed not to cover the crisis as they did," he said, "I suspect that one of the terrorists' demands would have been for a camera."

The episode has served to point up the problem of being an aggressive provider of news, long considered a virtue among both print and broadcast journalists, without being exploited by the subject of the reporting.

QUESTION OF MANIPULATION

Print journalism, which by its nature requires editing, does not suit the purposes of terrorists nearly so well and, hence, is less vulnerable to being used by them as a vehicle for propaganda. But, during the crisis, newspapers frequently published transcripts of exchanges that had been broadcast on the networks because the exchanges themselves were the news.

Journalists and others have raised questions regarding whether the television networks were manipulated by those holding the hostages. Statements by the captors were repeatedly broadcast, as were statements by hostages that seemed to cast the Shiite Moslem cause in a sympathetic light.

Mr. Chancellor and others have said that the networks should have delayed broadcasting the material until it could be edited and accompanied by informed commentary that explained the context of what was being shown and the influences the hostages and reporters were under.

Journalists in Beirut say there was great pressure not to inflame the situation by asking questions that might offend, for example by raising the issue of the murder of Robert Dean Stethem, a passenger who was an American Navy diver. The reporters, who were also interviewing people who were armed, realized that they themselves could have been seized by those holding the hostages.

Whether statements by Nabih Berri and the hostages had much influence on American public opinion is still uncertain. Such coverage prompted a storm of public self-examination within the nation's news organizations, calling attention to the role that television in particular was playing and feeding what many think is a broad public sense that news coverage aided those holding the hostages.

Some reporters and network executives speculated that the publicity given the situation may indeed have aided the hostages, in that it diminished the likelihood of harm coming to them.

INTENSE COMPETITION

Adding to the controversy was an atmosphere of frenzied competition in Beirut among news organizations, and especially among television networks.

All the networks committed enormous resources to the coverage, with dozens of reporters, platoons of drivers and translators, chartered airplanes to fly videotape to the nearest available transmission point, and intense pressure from network headquarters to produce something exclusive.

The intense competition was given a sinister twist because of the atmosphere of lawlessness, anarchy and danger in Beirut, which contributed to what one reporter described as a "jungle mentality where anything goes."

Rumors have circulated widely among the journalists in Beirut of news organizations paying those holding the hostages for interviews and favored treatment, such as opportunities for exclusive access, although all of the networks deny paying for news.

In addition, there has been a scramble for access to the families of the hostages that has prompted criticism from some journalists. "There is no doubt in my mind that there was some 'Don't tell me what you're going to do with it, just do it' money being spent this week," said Fred Friendly, Edward R. Murrow Professor Emeritus at the Columbia Graduate School of Journalism.

"NOT ONE PENNY"

When a going-away banquet was given for the hostages in the Beirut hotel where ABC had its headquarters, other journalists charged that ABC had contributed money toward the dinner. Joanna Bistany, an ABC spokesman, characterized the charge as "beyond the pale."

"We have not paid one penny toward paying any interviews," Miss Bistany said, and added that the charges were "an attempt to demean what was simply good, aggressive journalism."

So intense was the pressure to be competitive on any news involving the hostages that, when other journalists learned that the bizarre banquet was under way, some of them risked their lives to travel across Beirut late at night amid roaming bands of heavily-armed rival Lebanese who were exchanging fire with each other in a city where Americans have been singled out as targets.

On Monday, CBS and ABC criticized NBC for flying four families of hostages to West Germany and paying for their hotel accommodations in exchange for an interview. NBC responded by saying that it had beaten the other networks.

[From Broadcasting magazine, July 8, 1985]

HOSTAGE COVERAGE HINDSIGHT: COMPETITION, TECHNOLOGY SHAPE THE STORY

After 17 days, the second chapter of what seems a continuing saga ended on Tuesday (July 2), at Andrews Air Force Base, in Washington, with President Reagan greeting 30 Americans who had arrived on a TWA charter after being held hostage in Beirut. Whatever the trauma for the individuals and their families and U.S. government policy makers, it has been a "terrific story" for the media, as some journalists put it. America "was transfixed," said Ed Turner of Cable News Network. And network news executives generally looked back on the labors of their respective organizations with satisfaction. Richard Wald, senior vice president of ABC News, felt regret over nothing more than "an occasional error of grammar" on the part of an ABC correspondent or "a minor error of fact." But some observers, a step or two removed, had larger concerns, generally centering on whether the miracles of the technology available to the television journalists are more than they can handle.

The networks made an enormous investment, in money, personnel and time, in the hostage story. ABC, CBS and NBC filled the air with hostage stories on regularly scheduled news programs, in specials and in what even news executives concede may have been too many "interrupts." CNN, the 24-hour news service, devoted itself to practically nothing else. And the competition among the media—particularly the networks—was intense. "We all went after the story with a vengeance," Turner said. Inevitably, the competition bordered at times on the unseemly. As Wald noted, "The networks have been competing mightily, and talking ill of each other."

There were, for instance, the reactions of ABC and CBS to NBC *Today* show's coup in corralling six hostage families early in the drama, then flying them to Frankfurt, where they were put up in hotels, all for the sake of exclusive interviews when the captives were released. ABC and CBS spokespersons said their respective networks didn't do that sort of thing. Said Steve Friedman, *Today's* executive producer, in response: "They shouldn't complain when we beat them." And when Dan Rather went on *CBS Morning News*, on Friday (June 28), with an edited audio tape of a telephone interview with three of the hostages, after *Good Morning, America's* David Hartman had been chatting with the same three on ABC's air live, via telephone, Rather said CBS News chose an edited version because, in a situation controlled by the terrorists, "we have to keep control of . . . the air." The intense competition even gave rise to rumors in Beirut—now a lawless city, at best—that some news organizations were paying those holding the hostages large sums of money to ease the path to exclusive stories, but the networks deny such payments, and no proof has been made publicly to support the charges.

One clear consequence of competition was the inability of the three major networks to

agree on pool coverage. NBC News President Larry Grossman said that, in talks with ABC's Wald and CBS News vice president Howard Stringer, he had proposed that the three networks pool interviews with the hostages. "I thought we had an agreement, but then it turned out we didn't." CBS was prepared to participate, but ABC was not—and NBC and CBS realized there was no pool when ABC went on the air on June 28 with an interview it did not make available to NBC and CBS. Wald, who said he was, initially, "Sympathetic" to the idea of a pool, turned it down after talking to ABC people in New York and Beirut. Wald cited several reasons—among them the feeling "we were ahead of everyone else" on the story. But Grossman should not take the rebuff personally; a demand by the Amal—a street-fighting group turned media-event manager—that the networks pool their coverage was not effective either.

Grossman said he favors competition—contention among the media is likely to insure better service to the public, he said—and normally, he opposes pools. But, he added, in Beirut, "I think we would have been less subject to being jerked around and leveraged by [Amal leader Nabih Berri's forces]." CBS News, a spokesperson said, felt a pool would have made life safer for the correspondents on the scene; they were reported to have felt fierce competition among the media could create a dangerous situation for them.

While competition among the media runs like a dominant thread through the fabric of the main media story, that story, almost from the day that two terrorists hijacked TWA Flight 847 a few minutes after it took off from the Athens airport, focused on whether and to what degree the networks were manipulated and exploited by the terrorists. Satellites and television, combined with the sophistication of those holding the Americans in taking advantage of the technology, made for some extraordinary, even bizarre, television. (A special report on trends in satellite communications begins on page 43.) Hartman's conversation with the hostages, broadcast live, was a case in point. What had begun as a scheduled telephone interview with Nabih Berri turned into something else when Berri disclosed to Hartman and the *GMA* audience that three hostages—Allyn Conwell, the Rev. James McLoughlin and Simon Grossmayer—were with him in his headquarters and asked if Hartman would like to talk to them. Nor was that all. As it happened, *GMA* had flown Conwell's wife, Olga, from Corfu, Greece, to the nearest television uplink, in Larnaca, Cyprus, for an interview that was to be conducted later in the program. So nothing would do, of course, but for Olga, seen on camera, to speak by telephone to her captive husband, then speak to Berri, who offered the captive's wife words of comfort. A classic example of theater of the absurd.

Such coverage—including the interviews Berri gave to all of the anchors of the evening news shows and the interviews with hostages who spoke warmly of their guards—generated concerns regarding manipulation of the media. But generally, the news executives—in crediting all networks with, as Turner put it, "a pretty decent job"—brushed off such concerns. Of course, they know the Amal was attempting to "use" the networks—everyone does, from President Reagan down. Hostage families welcomed network interviews as a means of applying pressure on the government to work for the release of the hostages. And if the ubiquitous cameras offered the captors ready access to the American public, they may also have assured the safety of the captives. As Grossman said, "People behave better when the cameras are on them."

But beyond that, the news executives say the anchors and correspondents serving their respective networks were careful to put stories in perspective. Wald said critics who say that *they* are aware of attempts to propagandize them, but that the general audience is not aware, are "falling into a great elitist fallacy. The audience is sometimes unknowing," Wald said, "but it is never dumb." Friedman said viewers were aware of the pressure under which a hostage gives an interview; after all, they can see the guard's gun.

Grossman was one of the few executives who would concede his operation could have performed better. He said a *post mortem* NBC was conducting disclosed "a lot of things that should be done differently" in the event of another story like the one just ended. "But," he said, "basic principles remain. If it's a big story, cover it—and it's better to cover than not cover."

All of which sounds persuasive. But something was getting into the minds of Americans as they watched and read about the hijacking and taking of American hostages—and it did not take long. An ABC-*Washington Post* poll conducted among 1,016 men and women on June 17, three days after the hijacking, and on June 19, showed that 56% of the public wanted the government to negotiate the release of the hostages even if that meant giving in to terrorist demands—something President Reagan insisted the U.S. would not do. The poll also revealed that Americans were about equally divided on whether the administration should ask Israel to release the Shiite prisoners it is holding, as demanded by the terrorists—again, something the administration said it would not do. And by a margin of 54 to 24, Americans said Israel was not doing all it should to resolve the hostage situation. What's more, 37 percent of the public were found to favor having the U.S. reduce its ties to Israel—its closest ally in that part of the world—"in order to lessen the acts of terrorism against us in the Middle East."

That aside, there is a sharp difference of opinion among some interested observers as to whether the media learned anything from the first chapter of the story ABC once called *America Held Hostage*, a chapter that covered the 14 months of captivity for Americans in Teheran, five years ago. Friedman, for instance, said, "We learned a lot from Iran." This time, "it wasn't a case of the news programs being held hostage. We tried to present a balanced picture of all news stories."

But Fred Friendly, former president of CBS News and currently Edward R. Murrow Professor Emeritus at the Columbia School of Journalism, offers a different view. "After Iran, everyone said, 'We'll do it better next time,'" he said. "They didn't." The media, he added, have yet to learn how to avoid serving as the "ransom" that is now paid to terrorists who take hostages.

Friendly seemed reluctant to appear critical of those he still considers colleagues. He said the networks "did a pretty good job." And the pressure the coverage put on the President may have been a good thing, he said. "But," he continued, "there may be a day when all that pressure on the President is something to be avoided."

Don Oberdorfer, diplomatic correspondent for *The Washington Post*, is another who thinks what he sees as the main lesson of the Iranian hostage story—the danger of national obsession with an event—has not been learned. He had written articles for the *Post* and the *Washington Journalism Review* after the return of the Americans from Teheran, in January 1981, about the uneasiness he felt regarding the problem of saturation coverage of a gripping event overseas through satellite-delivered television signals. "The whole country was involved," he said last week. "Everybody was caught up in an intense experience to the exclusion of everything else." And the coverage of the Beirut hostage story persuades him that nothing had been learned by the media. "Things got worse," he said. "There was a no-holds-barred competition among the networks, and the captors were more sophisticated than the Iranians [in the use of the media], and played it for all it was worth."

Oberdorfer was not concerned about the content of the material churned out; the likelihood that American viewers would become converts to the Hezbollah Shiite movement was not great. "But," he said, "this country cannot afford to be taken captive by far-off events for weeks and months and longer." Focusing attention on a single event over a period of time "will have a profound impact on government," he said. And he noted Reagan, in greeting the former hostages at Andrews, indicated he had been consumed with the story: "In the days that you were away, our attention was never once distracted from your plight. And we wouldn't rest until you returned to us safe and whole." That from a President who had made an effort to maintain a business-as-usual schedule during the crisis.

And there were those who felt that the story may not have been worth all the time devoted to it over the 17 days. David Gergen, who was White House director of communications during the first three years of the Reagan presidency and who is now a columnist and consultant for U.S. News and World Report, for instance, said saturation coverage was justified during the first days of the crisis, when the hijacked plane was shuttling between Beirut and Algiers and when the Navy man, Robert Stethem, was killed, and the final days, when the hostages broke camp and headed for home. "In between, though, there was too much hype and repetition," an analysis with which viewers evidently agreed: Ratings for the network news programs dropped off in the second week of the coverage.

But with the former hostages returned, new criticisms of the coverage may be emerging—that for all the effort and time and money expended, the media may have missed an important ingredient of the story. Gergen noted that "we now know that Conwell didn't speak for all the hostages." Conwell, the oil company executive from Houston who was the articulate spokesman for the hostages, presented a picture of camaraderie with the Amal—on the final day of the hostages' captivity, he was seen on American television screens exchanging kisses with one of the militia. But former hostages last week began showing up on American television offering a different picture. Peter Hill, of Hoffman Estates, Ill., in an interview with CBS News that was shown on the day the former hostages returned, on the Morning News, and later on the Evening News, expressed a fury that was almost palpable. He felt, he said, "anger frustration, a sense of being raped, ravaged by these animals." And in another interview, on the net-

work's late-night Nightwatch, Hill directed fury almost as violent at Conwell's behavior. "It would have been helpful," Gergen said, "if we knew about Conwell's Middle East conections. We don't know his motivations."

All of the critics make it clear they consider abhorrent use of government regulations as a means of dealing, next time, with the problems they saw in the coverage of the Beirut story. Indeed, they express fear that the government might seek to impose some kind of regulation—Gergen seemed to take former Secretary of State Henry Kissinger's suggestion that the networks impose a blackout on interviews with terrorists as a possible signal of such intentions (although the White House was scrupulous in avoiding any comment on the coverage). But they all called on the networks to engage in what Gergen called "serious introspection on how these events are covered without the media being manipulated."

Friendly would take such "introspection" a step further. "I'd favor a meeting of all news organizations to consider what we have learned from Iran and Beirut and what we can do to avoid being manipulated," he said. "It may be nothing. But at least we can look at it, and try to figure out what we can do . . . when the roof falls in." He would hope such a conference could provide an answer to a network looking for an exclusive in a future hostage taking and being confronted with a demand from a terrorist saying, "I want to make a statement in prime time, unedited."

If intense competition and the technology available created a new kind of problem for television networks in Beirut looking for a scoop without paying an unacceptable ethical price, the pressures will be even greater "next time." In Beirut, the networks had to transport videotape by road to an uplink in Damascus or by air to Larnaca. The earth station in Beirut had long since been a casualty of the street fighting there. Next time, CNN's Turner indicated, that wouldn't matter. He noted the portable uplink being developed will be available. "You can go right from the tarmac," he said. "You can transport the equipment in an airplane and carry it in a station wagon." The competition, then, would be ratcheted up a few notches. But that might not be the only problem. Said Turner: "I can see the Amal taking the uplink hostage."●

□ 1900

GENERAL LEAVE

Mr. LUKEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

TRIBUTE TO ROBERT D. BUEHLER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. ROBERTS] is recognized for 5 minutes.

Mr. ROBERTS. Mr. Speaker, I make these comments on behalf of my colleagues from Kansas, Mr. WHITTAKER and Mrs. MEYERS, and my colleague from Missouri, Mr. EMERSON.

It is with sadness and a keen sense of personal loss that I inform my colleagues of the untimely and sudden passing of one of our close and good friends, Mr. Bob Buehler, vice president of Government relations for the B.F. Goodrich Co.

Bob passed away this week, Tuesday, July 9, after a very brief illness. Our sense of loss, Mr. Speaker, is even more poignant due to the suddenness of his passing. In behalf of this many friends within this body, I extend our heartfelt sympathies to his wife Pat, his four daughters, and to his family. I would like to inform the House that the family will be holding "Celebration of Life" services Friday, July 12, at 2:30 p.m. at the St. Francis Episcopal Church in Potomac, MD. Burial will be in the Memorial Garden at the church following the service.

Mr. Speaker, Robert D. Buehler's obituary will follow my remarks. I would only add that when it comes to public service, there are no self-made men. It is your friends who make you what you are. In this regard, I speak for many of my colleagues, many in the other body, and many who have been and are in positions of leadership in our Nation's Capital and in my home State of Kansas when I say farewell, old friend, and thank you.

Robert D. Buehler was staff vice president, Government relations for The B.F. Goodrich Co.

Before joining B.F. Goodrich in March 1972, Mr. Buehler was vice president for public affairs and inter-association relations for the National Association of Manufacturers, Washington, D.C.

He received an A.B. degree from the University of Kansas in 1948 and a juris doctor law degree from the University's School of Law in 1950. He is admitted to practice before the Supreme Court of the United States, the Federal District courts and the Kansas State courts. Buehler practiced law in Atchison, Kansas until 1954, when he became administrative assistant to former Representative William H. Avery of Kansas. In 1963, he joined the National Association of Manufacturers as assistant director of public affairs.

During World War II, Buehler served with the Army in the European Theater of Operations. During the Korean conflict, he was with the Office of the Staff Judge Advocate, Walter Reed Medical Center, Washington, DC.

He served on the Government Relations Committee of the Rubber Manufacturers Association; was Chairman of the Government Relations Committee for the Society of Plastics Industry; and Chairman, the Budget Contol working Group.

Mr. Buehler was a member of the Business-Government Relations Council, Washington Representatives Research Group, the Washington Industrial Round Table. He was Eastern Vice President of the Kansas Alumni Association. He has served on the board of directors of the Girl Scout Council of the Nation's Capital.

He was a member of the Congressional Country Club, The International Club, the George Town Club, the Carlton Club, the Capitol Hill Club and the National Democratic Club.

He has served as a senior warden of the vestry of Holy Cross Episcopal Church and is a member of St. Francis Episcopal Church, Potomac, MD.

He was a member of Beta Theta Pi social fraternity, Phi Delta Phi legal fraternity, the Masonic Lodge and the Shrine.

Services will be Friday, July 12, 1985 at 2:30 p.m. at St. Francis Espiscopal Church, Potomac, MD. Burial will be in the Memorial Garden at the church following the service.

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

Mr. ROBERTS. I would be happy to yield to my friend and colleague, the gentleman from Indiana.

Mr. COATS. I thank the gentleman for yielding.

Mr. Speaker, B.F. Goodrich has a large plant in the Fourth District of Indiana and, as such, I became acquainted with Bob Buehler when I first arrived in Washington.

Bob was a professional in every sense of the word, and certainly knew his business and knew how to convey and discuss issues of mutual concern, but he was much more than that, as the gentleman from Kansas knows.

He was someone who was a friend, and someone who was willing to go that extra mile to help out where help was needed, to give advice, to be there to discuss things on an objective basis. We are surely going to miss Bob.

Mr. ROBERTS. I thank my friend and colleague from Indiana for his contribution. I know that the Bob Buehler family will appreciate it very much.

● Mr. BROYHILL. Mr. Speaker, I was sad to learn of the passing of my good friend, Bob Buehler. When I first came to Congress, Bob was administrative assistant to then Congressman, later Gov., Bill Avery of Kansas. Representative Chet Mize succeeded Bill Avery in the House. Bob continued as assistant to Chet before leaving the Hill to enter the private sector. Bob, at that time, was a close friend of my former administrative assistant, the late Vince Monzel, who passed away in June 1971.

Bob was always most helpful to me with good advice and counsel through the years. While here on the Hill, his knowledge of Government, his wide knowledge of those who make the decisions in Government, were always at my disposal. He was ready to help solve a problem, cut through redtape any time he was called on for help.

In the private sector, Bob, from time to time, found it necessary to come into my office to lobby me on an issue. In every case the information he provided to me was accurate and reliable. Bob was never a high pressure type of person. He knew, because of his past experience on the Hill, that Members need the facts and that pressure doesn't work. As a result, Bob was a

most effective spokesman for those issues in which he was interested.

Bob loved to play golf. I had the pleasure of playing several rounds of golf with Bob. He was like me, not a very good golfer, but he sure loved the game and he could express his disappointment over a bad shot or voice his excitement and thrill over a good shot or a low score on a hole.

Bob made friends easily and he had a wide circle of friends. We who knew him will miss his warm, friendly greeting, his good humor, his willingness to help a friend. My wife, Louise, and I want to extend to Pat and the girls our deepest sympathy over their loss. Our prayers are with them during these hours and days of sorrow.●

● Mrs. MEYERS of Kansas. Mr. Speaker, I join with my colleagues from Kansas in expressing our sadness in the death of our fellow Kansan, Bob Buehler, and in extending our sympathy to his family.

While I knew Bob for only a relatively brief period of time, I am grateful for having had that opportunity. He represented his company with utmost integrity and honesty, and was one of the most respected and effective governmental affairs officers in Washington.

I know that my predecessor, Larry Winn, Jr., and Bob Buehler were very close friends. That, in itself, tells me that Bob Buehler was someone we all could admire.●

GENERAL LEAVE

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my special order this evening.

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

There was no objection.

LEGISLATION TO PROHIBIT DISCHARGES OF AGRICULTURE WASTEWATERS INTO MORRO BAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

● Mr. PANETTA. Mr. Speaker, I rise today to introduce legislation which would protect two of the most environmentally sensitive and economically productive areas of the California coast from the contaminating effects of toxic wastewater drainage from the San Joaquin Valley. I am introducing this legislation in response to concerns that this contaminated water, which is the cause of the ecological disaster at the Kesterson Reservoir in Merced County, may be drained into the Pacific Ocean at Monterey Bay or Morro Bay. The U.S. Bureau of Reclamation is now in the process of considering options for the treatment and/or disposal of this polluted water. Among the alternatives being considered as a long-range solution to the problem of toxic agricultural wastewaters is the ocean disposal plan.

I know I speak for the citizens and officials of the coastal communities which I represent when I say that it is totally unacceptable to use Monterey Bay or Morro Bay as discharge sites for the valley's agricultural drainage water. It makes no sense to adddress the contamination of one sensitive aquatic environment with a multibillion-dollar construction effort which will ultimately lead to the pollution of another. These bays could not receive this drainage without irreparable damage being inflicted. The contamination of Monterey Bay or Morro Bay would pose serious economic, environmental, and public health problems for local communities, and could devastate locally and nationally important tourist, commercial fishing, and marine research activities. One needs only to consider the bays' unique physical and biological qualities, their economic productivity, and their national cultural and research significance to determine that they are totally inappropriate sites for the discharge of the San Joaquin Valley's toxic drainage water.

The Congress will soon be considering legislation to provide funds to the Bureau of Reclamation to study the various options for the treatment and/or disposal of this contaminated water. Rather than consider options which would extend the potential for ecological damage to aquatic environments sensitive and more vital than these drainage reservoirs, the search for a disposal solution should focus on a plan which would not threaten California's coastal environments, economies, and the health of our citizens. Land disposal, the use of evaporation ponds and treatment facilities, and other alternatives which dispose of the drainage closer to the source would seem to be more ecologically sound and cost effective than the ocean discharge option. And while I do not profess to hold the key to solving the drainage problem, it is my hope that Congress will direct State and Federal Officials to focus on these, more sensible alternatives for the disposal of the San Joaquin Valley's toxic drainage water.

Mr. Speaker, the Bureau's insistence on considering this ill-advised and costly proposal necessitates congressional action to focus Federal consideration on those disposal options which offer a more practical solution to this problem. This legislation would provide an insurance policy against action which could ultimately jeopardize the sensitive marine ecology of Monterey Bay and Morro Bay.

H.R. —

A bill to prohibit certain discharges of agriculture waste waters into Morro Bay or Monterey Bay, California

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

SECTION 1. PROHIBITION.

The Secretary of the Interior is prohibited from obligating or expending funds authorized or made available under any authority of law to study, or construct, facilities to discharge agricultural wastewaters from any unit of the Central Valley Project into the Pacific Ocean at Morro Bay or Monterey Bay, California.●

SEVEN AMERICANS STILL HELD HOSTAGE IN LEBANON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. O'BRIEN] is recognized for 5 minutes.

● Mr. O'BRIEN. Mr. Speaker, things are pretty much back to normal in Lebanon.

Seven persons were killed and 53 wounded as rival militias battled in the streets of Tripoli and Beirut yesterday.

Israeli warplanes and helicopter gunships rocketed three Palestinian guerrilla bases north of the capital, 1 day after two suicide car bomb attacks claimed 15 lives in south Lebanon.

A delegation of Lebanese leaders returned from Damascus with a 16-point agreement calling for political reforms.

And seven Americans continue to be held hostage in Lebanon.

Today is the 482d day of captivity for William Buckley of Medford, MA.

Today is the 429th day of captivity for Rev. Benjamin Weir of Berkeley, CA.

Today is the 117th day of captivity for Terry Anderson of Batavia, NY.

Today is the 45th day of captivity for David Jacobsen of Huntington Beach, CA.

Today is the 31st day of captivity for Thomas Sutherland of Fort Collins, CO.

My good friend and constituent Father Martin Jenco of Joliet, IL, has been held captive 184 days.

Today marks the 219th day of the disappearance of Peter Kilburn of San Francisco, CA.

Mr. Speaker, the hostage crisis is not over. Seven Americans are still being held hostage in Lebanon.●

STIFFER PENALTIES FOR ESPIONAGE URGED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. RUDD] is recognized for 5 minutes.

Mr. RUDD. Mr. Speaker, earlier this week at a news conference, I announced that I was participating in the filing of a brief in Federal district court to urge the death penalty be imposed in the Walker case if they are convicted. That action was taken in an attempt to deter the treason and espionage problem which is growing at alarming proportions. It was also taken because this body has consistently refused to consider hearings or pass concrete legislation to punish the culprits and beef up our security measures.

On Tuesday, I explained that we now have more people charged with espionage than ever before in our history. There have been 19 arrests since January 1984, and I expressed my hope, at that time, that tough, but just, legal action and rulings in our courts would help to deter that 20th individual from committing this heinous crime, which can literally endanger the lives of all American citizens and endanger the peace of the world.

We are too late. Today, the FBI announced that it has apprehended two more individuals and charged them with espionage. Even worse, one a 29-year-old woman, Sharon Scranage, has been a CIA employee for the past 7 years and admitted to FBI officials that she passed on to her Ghanaian co-conspirator, Michael Soussoudis who claims to be related to Jerry Rawlings, head of the State of Ghana, an ally of the U.S.S.R. and the terrorist Qadhafi of Libya, the names of CIA agents in that country, including the CIA station chief, as well as classified CIA documents and "cable traffic" coming from the U.S. Embassy in Ghana.

When will this body wake up, and say, enough?

Our national security is being jeapordized daily and the lives of millions placed on-the-line because we are not taking quick and decisive steps to deter espionage in this country.

We need to stop the damage before it occurs and take immediate action to prevent another case like the Walkers or this CIA employee—just apprehended—from ever happening again. But the current maximum penalty of life in prison is obviously not enough. Deterrence is lacking and I urge this body to immediately take action to restore the death penalty for Federal crimes of treason and espionage and also hold hearings on H.R. 704, which I introduced in January this year and addresses this serious problem.

I include several AP and UPI stories that relate to this activity.

The articles follow:

WASHINGTON.—A woman employee of the Central Intelligence Agency and her contact, a Ghanaian man who said he was related to the head of state of Ghana, were formally charged Thursday with espionage.

The woman, who worked in the U.S. Embassy in Accra, Ghana, as an operations support assistant for the CIA, admitted to the FBI that she revealed the names of CIA agents in Ghana, including the station chief, to her Ghanaian friend. She said she also identified Ghanaian "assets"—the Ghana agents who report to the CIA—and passed along a CIA intelligence report involving Libyan military equipment.

The FBI identified the woman as Sharon Scranage, 29, a resident of King George, VA. Her Ghanaian friend was identified as Michael Agbotui Soussoudis, 39, who listed a New York City address. The FBI said they were charged with conspiracy to commit espionage and could face life in prison.

The woman was arrested by FBI agents in northern Virginia, near Washington, DC., early Thursday. Her friend, Soussoudis, was taken into custody Wednesday night at the Holiday Inn in Springfield, VA., another Washington suburb.

Soussoudis said he was related to the Ghana head of state but denied he worked for the government of the West African nation.

The Government complaint said Scranage worked for the CIA for 7 years. It said she was questioned from Monday through Wednesday this week and admitted to furnishing classified information to Soussoudis from December 1983 until May 1985 concerning her status as a CIA employee, the identity of the other CIA employees in Accra and "the true names and identities of Ghanaian assets."

In December 1984 and January 1985, "Scranage and Soussoudis met at her residence and she provided to him the names of CIA personnel in Ghana and people who were cooperating with the CIA," it said.

She also furnished Soussoudis information from classified CIA "cable traffic" and from a CIA intelligence report that contained information about military equipment that a Ghanaian group had requested from Libya, the complaint said.

FBI Director William Webster, who formally announced the arrests, said the investigation was conducted by the FBI based on information provided by the CIA and with the CIA's full cooperation.

The two were formally told of the charges at a bail hearing before U.S. Magistrate W. Harris Grimsley in Alexandria.

When the magistrate asked Soussoudis if he understood the charges, he replied, "No, sir, I don't believe a small little Ghana . . ."

Grimsley interrupted and Soussoudis said, yes, he did understand the charges.

Court documents say Soussoudis was arrested with about $2,700 in American money and pound sterling. He is described as being divorced with a 6-year-old daughter. He said he is a citizen of Ghana, born in that country's capital, Accra.

Grimsley ordered Soussoudis held without bond.

At the end of the hearing, Soussoudis said, "I am not associated with the government of Ghana. . . . I am just related to the head of state. That's all. I do not work for the state of Ghana.

Grimsley set a preliminary hearing for July 19.

RELATIVE OF GHANA LEADER AND CIA CLERK CHARGED WITH SPYING

(By Michael J. Sniffen)

WASHINGTON.—The FBI brought espionage charges Thursday against a relative of the leader of Ghana and a female CIA Clerk whom he allegedly wooed into turning over secrets about U.S. spy operations in the African nation.

FBI Director William H. Webster said the alleged spying over the past year and a half was unearthed by the CIA itself and that the CIA cooperated in the bureau's investigation.

In court papers, the FBI said the clerk, Sharon M. Scranage, 29, of King George, Va., confessed her role during interrogation by FBI agents at CIA headquarters Monday through Wednesday. She was arrested Thursday morning.

The Ghanaian man, Michael Asbotui Soussoudis, 39, was arrested Wednesday night at a hotel in suburban Springfield, Va., where he had been led to believe he would have another rendezvous with Miss Scranage, the FBI said.

According to Justice Department sources, Soussoudis, a married, self-employed business consultant, and Miss Scranage, a divorced, $22,000-a-year clerk, became lovers in Ghana's capital of Accra in 1983.

An FBI affidavit charged that the liaison allowed the Ghanaians to obtain the names of CIA agents stationed in their country and of Ghanaian dissidents who were secretly cooperating with the CIA.

The FBI said the Ghanaia obtained a CIA report on efforts by Ghanaia strongman Jerry J. Rawlings' military government to get weapons from the radical North African nation of Libya.

And the sources, who declined to be identified by name, said the U.S. government, based on the interrogation of Miss Scranage, believes that Rawlings, Soussoudis and Ghana's intelligence chief met with her recently in Accra and asked her to rifle classified files during her new assignment at CIA headquarters in this country.

Ghanaian Embassy spokesman Harry Marshall was away from his office and unreachable for comment.

The pair are charged with conspiracy to commit espionage, which carries a maximum penalty of life in prison.

In separate hearings in suburban Alexandria, Va., U.S. Magistrate W. Harris Grimsley ordered both held without bail pending detention hearings next week.

Assistant U.S. Attorney Justin Williams said, "There is strong evidence that he (Soussoudis) . . . is actively engaged in espionage against the United States." Later, he added that Soussoudis was "in effect, associated with and serving the intelligence apparatus of the government of Ghana."

Soussoudis said, "I am not associated with any intelligence service in Ghana; I am just related to the head of state, that's all."

The sources said he was either the nephew or cousin of strongman Rawlings, who took over Ghana in a military coup and now chairs its provisional national defense council.

In a court affidavit, FBI agent Julianne Slifco said the alleged spying began in December 1983 when Miss Scranage, then a seven-year CIA veteran, was assigned to the agency's station in Accra as an operations support assistant.

CIA spokeswoman Kathy Pherson said the agency would not comment on the case,

nor would she say whether Scranage had been suspended.

The FBI affidavit said that beginning in December 1983 and continuing until Wednesday night, Miss Scranage turned over to Soussoudis such information as:

The identities of all CIA personnel in Ghana, including the station chief.

The identities of Ghanaians who were cooperating with the CIA, including some who had turned over classified Ghanaian government documents.

Operational plans for CIA spying in Ghana.

The sources said some CIA personnel had to be recalled from Ghana after their covers were compromised.

The affidavit said Soussoudis actively sought the names of Ghanaian dissidents who were cooperating with the CIA, so he could have them arrested by the Ghanaian government.

Miss Scranage was stationed in Accra until this past May.

Agent Slifco said Miss Scranase admitted that on May 24 of this year, just before her departure from Accra, she met with Soussoudis and Ghanaian officials including a Ghanaian intelligence official.

The affidavit said Miss Scranase repeated the information she had earlier supplied to Soussoudis and saw the intelligence official had notes she had given Soussoudis.

At this meeting, the affidavit said, she was asked by the intelligence official to examine classified files at CIA headquarters here and learn the identities of three Ghanaians traveling abroad who had supplied information to the CIA. She was told to supply the information to Soussoudis, who would travel to this country to get it.

The FBI said Miss Scranase admitted she also has given Soussoudis information from classified CIA cables and from a CIA intelligence report on military equipment which a Ghanaian group has requested from Libya.

She also said she gave him information on CIA communications and radio equipment, the affidavit said.

Miss Scranase is the fourth CIA employee charged with spying against the United States.

At the hearing, Soussoudis said he had no money to hire a lawyer and Magistrate Grimsley said one would be appointed. Soussoudis said his only previous legal trouble was when "my wife accused me of trying to take my daughter to Ghana," but he said charges were dropped.

Prosecutor Williams said Soussoudis was likely to flee if released and that there would be virtually no way to get him back "given the status of our relations between the United States and Ghana.

CIA Employee Charged With Espionage

(By Henry J. Reske)

Washington.—A nine-year employee of the CIA, described by her mother as a "good girl, very industrious" was charged Thursday with passing government secrets to her lover, a relative of the leader of a West African nation with ties to Libya.

The FBI charged Sharon Scranage, 29, of King George, Va., and Michael Agbotui Soussoudis, 39, a resident of Ghana who was described as her lover, with conspiracy to commit espionage. Both were ordered held without bond and could face life in prison if convicted.

Scranage, who has worked for the intelligence agency for nine years, served as an operations support assistant for the CIA's office in Accra, Ghana. She was arrested by FBI agents in suburban McLean, Va., Thurday after admitting she furnished classified information to Soussoudis, Federal prosecutors said.

Soussoudis, related to Ghanaian leader Jerry Rawlings, apparently a cousin, was taken into custody Wednesday night at a motel in suburban Springfield, Va. Rawlings is a controversial leader with ties to anti-American Libyan leader Moammar Khadafy.

Scranage's mother, Mary Belle Scranage of King George, Va., told United Press International Thursday: "Yes, my goodness, she was a good girl, very industrious, from a baby right up through college. Anybody can tell you." She said her daughter sang in the church choir.

She called the arrest "a surprise" but said her daughter had told her last week "she had a little problem on her hands," without being specific.

At a hearing before U.S. Magistrate W. Harris Grimsley, Scranage, dressed in a skirt and blouse, answered questions in a quiet monotone.

When asked where she worked, she said: "The Central Intelligence Agency." She told the judge she made $22,000 a year and had savings totaling $8,000.

The divorcee was ordered held without bail pending a further hearing July 18. Her attorney said she would plead innocent to the charges.

Preceding her to the courtroom was her lover, Soussoudis, also divorced, who was carrying about $2,700 when arrested, documents showed.

When the magistrate asked Soussoudis if he understood the charges, he replied, "No, sir, I don't believe small little Ghana . . ." His attorney interrupted and Soussoudis said he did understand the charges.

Born in Ghana, Soussoudis listed his address as being in New York City. He told the judge he was self-employed and had started a business consulting firm in Accra, Ghana. He also said he saw a doctor Tuesday for high blood pressure and chest pains.

At the end of the hearing, he said, "I am not associated with the government of Ghana. . . . I am just related to the head of state. That's all. I do not work for the state of Ghana."

Scranage first was assigned to Ghana in December 1983, when the espionage allegedly began officials said. She returned to Washington this May and continued passing secret documents, they said.

A Justice Department official, who asked to remain nameless, said the two were lovers.

Scranage was alleged to have supplied Ghana intelligience in Accra and Washington with names of CIA agents in Ghana, several of whom had to be recalled, and details about CIA communications.

An affidavit attached to the criminal complaint against Scranage said she admitted to FBI agents July 8-10 that she had furnished "classified information to Michael Soussoudis from December 1983 until May of 1985 concerning her status as a CIA employee in Ghana."

The affidavit also said she admitted supplying information from classified CIA cable traffic and from a CIA intelligence report about military equipment that a Ghanaian group had requested from Libya.

In an earlier espionage case involving the CIA, David Henry Barnett, a former CIA employee, was sentenced in 1981 to 18 years in prison after he confessed to selling sensitive American intelligence information to the Soviet Union.

William Kampiles, another former CIA employee, was convicted in 1978 and sentenced to 40 years in prison on charges he stole a secret document relating to satellite surveillance and sold it to a Soviet agent.

Washington.—Sharon M. Scranager, a Central Intelligence Agency clerk charged Thursday with conspiracy to commit espionage, is the fourth CIA employee accused of spying against the United States. Some details about the other three:

The most famous case was brought against David Henry Barnett, a former covert CIA agent in Indonesia who was charged in 1980 with selling the Soviets the identities of CIA agents in Indonesia and the identities of Indonesians cooperating with the CIA for $93,000. Barnett, who had left the agency in 1970, had not begun spying for the Soviets until after he encountered financial problems in private life. He pleaded guilty and was sentenced to 18 years in prison.

In 1978, a former CIA clerk, William P. Kampiles, was arrested and charged with having sold the Soviets the top-secret manual for the U.S. KH-11 spy satellite for $3,000. Kampiles had spirited the manual out of CIA headquarters while employed as a clerk there. He was convicted and sentenced to 40 years in prison.

In 1984, Karl F. Koecher, a former contract translator for the CIA, was arrested in New York City on charges of supplying U.S. secrets to the Czechoslovakian intelligence service. He is still awaiting trial.

CIA Mother

(By Henry David Rosso)

Washington.—Mary Belle Scranese described her daughter Sharon Thursday as an industrious young woman and a churchgoer who told her last week "she had a little problem on her hands."

Sharon Scranese was arrested early Thursday on espionage charges for allegedly passing information to a native from Ghana, including the identities of CIA agents and those cooperating with the CIA covertly.

She and Michael Asbotui Soussoudis, from the west African nation of Ghana, face life in prison if convicted.

"Yes, it sure was a surprise," said Scranese, 61, of King George, Va., in a telephone interview after her daughter appeared before a federal magistrate in Alexandria, Va.

"I think I found out about it last week," Scranese said. "She was home with me for about a week last week and she said she had a little problem on her hands.

"She didn't say anything else, I said, 'What's the matter?' and she said she had a little problem. I've been looking for her."

She described her daughter as a good student and church-goer who sang in the choir.

"Yes, my goodness, she was a good girl, very industrious, from a baby right up through college," she said. "Anybody can tell you."

Scranese and her husband, Perry Lee, had not been notified by authorities of the arrest made by FBI agents in a Northern Virginia suburb.

About to leave for Alexandria, Va., where her daughter was being held, Scranese said, "I sure will be there to help."

Asked if her daughter had ever written to her about her job while employed as a CIA operation support assistant in the U.S. Embassy in Accra, Ghana, Scranase said, "No, my Lord, She's over there and she just says,

'I'm doing fine.' She never wrote me about her work."

GENERAL LEAVE

Mr. RUDD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my special order today.

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

There was no objection.

INADVERTENT OMISSION OF DEBATE FROM CONGRESSIONAL RECORD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. McCANDLESS] is recognized for 5 minutes.

Mr. McCANDLESS. Mr. Speaker, I am taking this special order out to inform my colleagues of an unfortunate situation that occured in the preparation of yesterday's CONGRESSIONAL RECORD. Those who have looked at the debate that ensued following my raising of House Resolution 217 will notice that over half of the debate is missing from the RECORD.

I have looked into the matter and am convinced that the omission was inadvertent. Twenty-six pages of transcript were mistakenly delivered to the wrong office. I would like to stress that the Office of Official Reporters and various congressional offices involved have been extremely cooperative in tracing the missing transcript.

I have been informed by the Office of Official Reporters that the missing portion of yesterday's debate will appear elsewhere in today's RECORD. However, there is an inherent problem, Mr. Speaker, in the system, and one that I believe could be easily corrected. I have sent a letter outlining my suggestions to Senator MATHIAS, chairman of the Joint Committee on Printing, with copies to Chairman ANNUNZIO of the House Committee on Administration, and ranking minority member of that committee, BILL FRENZEL. I will include that letter for the RECORD immediately following these remarks.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 11, 1985.

Hon. CHARLES McC. MATHIAS,
Chairman, Joint Committee on Printing, Hart Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Through an unfortunate situation, of which I was the "victim," I became aware of the very disturbing manner in which the verbatim transcripts of the proceedings of the House of Representatives are handled prior to being transmitted to the Government Printing Office for printing in the form of the Congressional Record.

The incident to which I refer occurred on the morning of July 10, 1985. I had introduced and called up a privileged resolution before the House. The debate that ensured lasted approximately forty minutes. During the debate, I spoke, as did Representatives Foley, Walker, Gekas, and Lungren. I was shocked when I looked in the Congressional Record for July 10th and discovered that half of the debate on the resolution was not there. Where the debate should have been was a statement on page H5333 that said:

"[Mr. McCANDLESS addressed the Committee. His remarks will appear hereafter in the Extension of Remarks.]"

In short, twenty-six pages of transcript had been omitted, including the complete remarks of Representatives Walker, Gekas, and Lungren.

After investigating the matter diligently throughout the morning and afternoon of July 11th, I have learned that the missing pages had inadvertently been sent to the wrong Congressional office for revision and were not returned in time for transmittal to GPO for printing.

In the course of my investigation, I was again shocked to learn that the normal procedure is to either send to Members' offices or allow Members to take the original and only copy of the transcripts of the proceedings of the House. In fact, when a member of my staff posed the question to the Office of the Official Reporters, he was informed that it was indeed possible for a Member of Congress or even a staff member to intentionally or inadvertently prevent entire debates from being printed in the Record by pocketing the transcripts.

I find this to be an incredible practice. When I spoke with a number of our colleagues, including those with a fair amount of seniority, they, too, were appalled by this procedure. Therefore, I respectfully request that your Committee review this practice and consider alternatives to it.

Among the alternatives that come immediately to mind and which the Committee may wish to consider are: (1) photocopying the transcript and using the unaltered copy if the original is not returned within a specified time; or (2) establishing a location at which Members or their staffs could review the transcripts, but the originals would not be permitted to be removed from that location.

I came to Washington with a belief that most people beyond the banks of the Potomac share; that the Congressional Record is an accurate and complete reflection of the proceedings and debate of the House of Representatives and the Senate. I have since learned that while that belief is noble, it is not always true. The Record of July 10, 1985 is, I am sure, but one example.

Therefore, I appreciate your consideration and look forward to your review.

With best regards,

Sincerely,

AL McCANDLESS,
Member of Congress.

1910

ORDER OF BUSINESS

Mr. GINGRICH. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. BEDELL] be allowed to precede me out of order in the taking of special orders.

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

There was no objection.

REPORT OF CONGRESSIONAL DELEGATION TO JAPAN ON TRADE PROBLEMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. BEDELL] is recognized for 60 minutes.

Mr. BEDELL. Mr. Speaker, I thank the gentleman from Georgia [Mr. GINGRICH] very much. I am sorry for the confusion. The gentleman from Iowa was misinformed as to the order of special orders.

The purpose of this special order, Mr. Speaker, is that there were six Members of Congress who traveled to Japan last week under the auspices of the Northeast-Midwest Coalition. Our purpose was to learn more about our trade situation with Japan and try to advise them with regard to the problems we saw with this relationship.

I would like to yield to the different members of our delegation that made that trip. First of all, I will yield to the gentleman from Pennsylvania [Mr. GOODLING] so he can make his remarks in regard to our trip.

Mr. GOODLING. Mr. Speaker, I thank my leader for yielding. He was our very able leader.

Mr. Speaker, this was a great delegation to travel with because we all thought pretty much alike. We made our points together, and I might add that we went there with particularly two ideas in mind. First of all, we wanted to make sure that the Prime Minister, the Japanese business community, and the elected officials in Japan truly understood the situation in the Congress of the United States in relationship to the trade imbalance. I pleaded with them at every point not to allow us to shoot ourselves in one foot with protectionist legislation because if we did, we were going to shoot them in both feet, and I suggested that they could solve that problem among themselves.

Well, it was a great delegation. When I was there 39 years ago as a member of the occupation force in Japan, things were totally different than we found them now. In fact, you would have to see the difference to believe it. At that time, of course women were to be seen in Japan and not heard, and not very much of them was supposed to be seen either. They have come a long way along that line, but not far enough to realize what they were in for when Congresswoman JOHNSON and Congresswoman KAPTUR were turned loose among these gentlemen from Japan. Both gentlewomen had done their homework and had studied the issues very carefully, and they were unrelenting in making their points.

As I indicated, our chairman, of course, was very forceful in talking about the mood of the Congress, and he was backed up by the gentleman

from Michigan [Mr. LEVIN] and the gentleman from New York [Mr. ACKERMAN]. And then we were also accompanied by the president of MIT and the president of Cornell.

Basically, our message over and over and over again was: "Open your markets so that as a matter of fact in areas where we can compete we have that opportunity." They like to come back at us by saying, "Oh, some of our tariffs are lower than yours, and we are going to lower the rest of them. We are going to do away with a lot of them." But we were told by the American business community over there before we ever spoke to the Japanese, "Don't let them feed you that line because that isn't the problem. The problem is standards that we meet in every part of this world but can't meet when we deal with Japan. The problems are advertising, which we are not allowed to do. The problems are really the bureaucracy that conjures up every possible stumbling block that they can think of to prevent American businesses from getting a foothold in Japan."

So, Mr. Speaker, I think it was a very profitable trip. They heard our message. Whether they took it to heart or not, I am not sure, except last night on the news I noticed that they were really scurrying around to find ways to accommodate the American business people. And I was especially interested to hear them say, "And we are not going to allow the bureaucracy to interfere with what it is we want to do to open our markets."

The other purpose of our trip basically was to learn, and what I learned most of all was what I have preached for a long time, that in America business, labor, and all areas of government must work hand in glove if we are going to be competitive throughout this world. That is exactly the way it is done in Japan. They have long-range planning. They are planning together, and it is not the confrontation kind of thing that we have in the United States, and that helps them to be very successful.

Mr. Speaker, I thank our leader for taking this special order.

Mr. BEDELL. Mr. Speaker, I thank the gentleman very much.

I now yield to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN of Michigan. Mr. Speaker, I thank the gentleman from Iowa [Mr. BEDELL] very much.

I was pleased and honored to join the gentleman from Iowa as he led our delegation and to join BILL GOODLING, whose friendship I had the opportunity of benefiting from, and an old pal of mine, NANCY JOHNSON, the distinguished Congresswoman from Connecticut, who indeed gave our friends overseas a dose of her forcefulness, as well as the gentlewoman from Ohio, MARCY KAPTUR, who really worked hard and effectively to get across the message of urgency, and my friend, the gentleman from New York, GARY ACKERMAN.

I think we learned a number of things. One was the importance of the friendship between our two countries. We witnessed it in many respects, in our discussions with the leadership and on down to our meetings with individual Japanese at random, in restaurants and wherever.

We also saw, though, the importance of the significance of the ailment that is eating away at this friendship, the trade imbalance. While we were there, there were three different announcements that came from the United States. One was the May trade figures, and they are terrible. That was the worst month but one, I think, since the Second World War.

Also the automobile sales figures were released, and for domestic production they are not very good. They are down 12 percent. They are really bad. Imports are up 18 percent. That also helped to dramatize why we were in Japan.

Also the unemployment figures for the last month came out, and they showed another 20,000-plus industrial jobs had been lost, bringing the total for this year to over 200,000. That underlined, I think, for all of us how unbalanced this trade picture is and why something has to be done.

Our message essentially to the Japanese was: "Open up your doors or we are going to have to close some of ours."

We met with automobile companies. Their figures showed they sold 12 billion dollars' worth of automobiles last year in this country. We sold only 200 million dollars' worth of auto parts to them. So in a word, they are going to have to move.

I was pleased, as I am sure other members of the delegation were, to read this morning—or was it yesterday?—about the first further steps of the Japanese Government. They are going to announce their action program later in the month. But they had given a glimpse of what they were going to decree in a document that was issued the day before yesterday. I think it was issued because some of their emissaries, including the Prime Minister, are going forth, and they realize they are coming into a hornets' nest and they had better have a little bit of—is it honey? I do not know if that helps hornets. It helps bees maybe. But they know they had better come with something.

□ 1920

So these partial announcements were made and they are going to ease up on their technical standards. They are going to reduce the number of items covered by their certification systems. They are going to allow producers in the United States to do more self-certification. They are going to accept foreign test data.

You know, right now, companies that have adequately tested their products in this market have to go through endless hoops in Japan.

They also, and this has been mentioned, reform procurement procedures by Japanese Government agencies are being considered.

So there a few rays of hope amidst all the clouds that hover over our trade picture and our friendship.

We are also going to have to put our house in order. It has to be a two-way street. They have to be more forthcoming. We have to be more ready to take advantage of that.

You know, they are organized. We are disorganized. They have a policy. We do not have a trade policy. They have a partnership, and the gentleman from Pennsylvania [Mr. GOODLING] I thought was so effective in making this clear, they have a partnership between Government and the private sector, business, labor, and the universities. We have conflict.

I think we both have love-hate relationships among all these sectors, but in Japan there is a little more love than hate. Here, there has been a little more hate than love at times among the various sectors.

They have continuity. We met, as the chairman of our delegation will attest, with ministers who had been there for a long time. We have a revolving door within our Government as to who heads up our trade efforts.

We are going to have to pull ourselves together. We are going to have to have more commercial officers overseas. We are going to have to have people who speak foreign languages.

In a word, we are going to have to make it clear that America means business.

So to the gentleman from Iowa [Mr. BEDELL] I say congratulations to him for his leadership over there and his continuing leadership here, including the calling of this special order.

To my good friend, the gentlewoman from Ohio, MARCY KAPTUR, the so effective Congresswoman from south of the Michigan border, I welcome the opportunity to join her overseas as well as here in our common efforts to alert America, alert this House, alert the leadership on both sides as to the urgency of the problem.

And to the distinguished Congresswoman from Connecticut, we have had a chance to know each other for many decades and it was a real pleasure to join in a common effort on a bipartisan basis.

I think all of us on this six-person trade delegation, we were doing other things, but mainly talking about trade, have agreed, we were in fighting trim overseas. Sometimes we were afraid

maybe we were too hard, but we preferred to err on that side, making clear our message and we pledge to continue these joint efforts until there are some real dents in this horrible trade deficit that is threatening our friendship and that is not threatening, but is undoing the industrial base of America.

Mr. BEDELL. Mr. Speaker, I thank the gentleman.

I now yield to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON. Mr. Speaker, I thank the gentleman very much.

We certainly had a strong delegation in Japan. We were united in the message that we were trying to give. We were also united in our desire to learn from the Japanese how they do their business and how they manage the flow of goods in and out of their nation. Both their national trade policies and their intricate market system were of just as much interest to us as delivering a message that we felt very, very strongly about.

Others who have preceded me, the gentleman form Pennsylvania [Mr. GOODLING] and the gentleman from Michigan [Mr. LEVIN] and our leader, the gentleman from Iowa [Mr. BEDELL] have made clear and will continue to make clear what our major message was. I think we did drive home our interest in seeing in that July action plan evidence of a willingness to move on to new terms of competitiveness, to provide new access to American products on the Japanese market and at least such future areas as telecommunications.

We are looking in the details of the action plan, and yesterday's announcement was encouraging, but insufficient, we are looking for a detailed plan in July that will show that they are willing to move toward the kind of standards that America lives by, general standards that protect public health, that protect consumers, that protect businessmen in their relationship, but do not use standards and specifications and tests and documentation and bureaucracy to in fact prevent new products from competing on a domestic market.

So we are looking to see whether or not that action plan will denote to us, will speak to us, will symbolize to us a commitment on the part of Japan to move in new directions and to truly open their markets to American products.

It is indeed tragic that in areas where in spite of the strong dollar, American products could compete at a reasonable price with strong quality, with great attractiveness on the market in Japan, that we are unable to enter and at the same time their products flood our markets over many years, creating increasingly great difficulties.

Our message I think was very clear and with each group that we met, the Keidanren, which is the organization of the most powerful businessmen in Japan, the meeting ministers, the Members of the Diet, our own colleagues in Japan, with each group that we met, they all more or less took the same line. They pointed to our deficit. They cited the strong dollar. They told us of instances where American business had been insensitive to the needs of the Japanese consumer, and we acknowledged all those things as causes, as contributors to our trade deficit; but we went beyond that and required them to answer our experience of barriers, or nontariff barriers to our products in their market.

A symbol of conversation with our Japanese friends on trade issues is the bulletin that Keidanren published on the issue of trade policy. On the first page they devoted considerable space to describing how open their markets were and how the problem clearly was merely the value of the American dollar, the American deficit and American businessmen's inadequacy.

Then in the next three pages they talked about the principles of solution and in those pages they did address or acknowledge the seriousness of the problems created by specifications, by procedures, by paperwork and the way all those things do serve to block out American products.

So while our discussions always in a sense started in the same way and evoked the same initial responses, in the end we did understand each other, because we pursued in detail some of the problems each of us have had in our own districts.

I am pleased to share with my colleagues who were on this trip with me that within 48 hours of returning to the United States, I had calls from a number of Japanese companies that are interested in considering buying American specialty bearings and will be contacting Connecticut companies to try to do more business and increase the flow of bearings from America to Japan. That was very interesting and I was pleased that they were willing to in a sense put their money where their mouths were, because they did tell us they wanted to make a change and they wanted to speak to our concerns.

Mr. BEDELL. Mr. Speaker, I hope the gentlewoman from Ohio is equally successful in getting them to call about sparkplugs.

Ms. KAPTUR. Not as yet. The gentlewoman can wait.

Mrs. JOHNSON. I told that story specifically so that the gentlewoman from Ohio would know that some of those things are happening and maybe we can as a group work closely with the gentlewoman from Ohio to follow up on her very, very powerful initiative and her very fine presentations that she made in Japan of the interests of her constituents, and the legitimacy of those interests.

None of us were asking for gifts. We were merely asking for the right to compete.

Let me conclude, since the gentlewoman from Ohio is here and others are waiting for special orders, let me just conclude by saying that American business does face a very great challenge in the Japanese market and in the Pacific rim countries and it is of enormous importance to us that we meet that challenge. We now trade in greater volume with the Pacific rim countries than we do with the European common market. I do not think most Americans realize that.

Furthermore, those nations are growing. Their GNP is growing at a rate from 4 to 8 percent annually. The European nations are not growing at that rate. We are not growing at that rate. We must be a part of the dynamic economy of the Pacific rim in the next few decades.

In addition to hard bargaining to achieve real access to their markets, American business, frankly, has got to shape up. We do have to be more willing to accommodate Japanese consumers.

One of the things that I did on our trip and spent a good deal of time on was meeting with individual businessmen who have businesses in my district and who do business in Japan.

□ 1930

And from that, I got a very clear insight into the fact that American business does not readily accommodate either in product or in process to Japanese consumers.

We must be willing to accommodate our product to individual consumer needs. We must be willing, for example, to participate in their process on their terms.

I was astounded to learn from one of my businessmen that a truck assembly plant that he does business with, that their inventory, their length of inventory for tires is 4 hours. The tire comes in, they go on the truck, and they go out. And this American businessman was telling me he now delivers to his Japanese customers every other day.

We must be flexible. We must be ready to meet those needs or we cannot expect to be the supplier of choice.

Last, I was most interested in the stories that he told to me about the importance that he, the American, attached to providing perfect products. His point to me was that his Japanese customers are looking for 100 percent; 95 percent will not do, 90 percent will not do. And so just as we have come to realize the importance of greater excellence in American education, so we have got to set our sights higher in

achieving quality of production so that we can deliver 100 percent. We have done it at times in our history. We can do it again.

One of our problems in Japan is a legitimate problem from their point of view. We have been unwilling to guarantee 100 percent quality.

But to remind us of all of those American companies, one of our really useful, one of the most useful aspects of our trip was meeting with American businessmen in the American chamber in Japan whose membership I believe has tripled in about 5 years. A small company in my district with only $1 million in sales went to Japan in 1972, has 28 competitors in his business in Japan, and yet he controls 50 percent of his market. So it can be done if American businessmen are somewhat more aggressive, make the effort to accommodate to consumer needs, and are more flexible in fitting into a production process that in many ways is quite different from our own.

We had a fruitful trip. I certainly learned an enormous amount and understand the challenge that faces America very much better.

On the other hand, we must be tough, we must be aggressive, we must succeed in bargaining access into the markets of other nations when we have provided such free access for so many years. And we must as well study their policies that manage the flow of imports into their nations, because we cannot do other than to manage the flow of imports into America when the strong dollar is putting our businessmen at an impossible competitive disadvantage.

So I look forward to working with the leader of our delegation, the gentleman from Iowa [Mr. BEDELL] on an initiative that he introduced this week that would help our businessmen compete in a world where the strong dollar has increased their prices 53 cents on the dollar, an impossible position to be in for sure.

I thank the gentleman, and I thank him for a very fine trip, and the comradeship, and the support, and the help of all of our delegation.

Mr. BEDELL. I thank the gentlewoman. If the Japanese had any questions about Americans being tough, certainly the two gentlewomen who were with us on this trip dispelled any impressions they might have had that we were not a tough country here as we address these problems. It was great to have them along.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. BEDELL. I yield to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. I thank the gentleman from Iowa for yielding me this time.

Recognizing that the hour is late, and that those whose staff us here in Congress are making a special effort this evening, I just must say initially that we would not be here tonight were it not for the fact that in our judgment there is no more important issue in America than this trade gap between the United States and the country of Japan. It certainly is an important element in our defense-based strength, and without question, after visiting Japan for the first time in my life, I can see the connection between their standard of living and our own in the trade gap that exists.

I thought it was interesting in the figures that were revealed, just as we left on our trip, that during the month of June an additional 45,000 manufacturing jobs in America disappeared, bringing it to a grand, all-time record total since January of this year of 220,000 more jobs in America lost as a result of the trade deficit.

This cannot continue. I found that our bipartisan trip together presented a single message not only to the Government of Japan, but to Members of the Diet, which is their Parliament, as well as the people in the bureaucracy there, which is extremely powerful, much more powerful than our own.

I want to commend the leader of our delegation, the gentleman from Iowa [Mr. BEDELL] for his full participation and real leadership in so many of those meetings and bringing us to a common purpose. I also want to recognize the gentleman from Pennsylvania [Mr. GOODLING] and the gentlewoman from Connecticut, NANCY JOHNSON, for their participation at all of the meetings, and for the excellent information that they were able to provide in order to strengthen our own position. In addition, and finally, the gentleman from New York [Mr. ACKERMAN] who was most diplomatic in his summaries at most of our meetings, and the gentleman from Michigan [Mr. LEVIN] who like myself represents an area that is heavily industrial, and we see our businesses and our people suffering from what is happening in our overland transportation in automobiles and trucks.

I think the fact that we were bipartisan, and that we were united was extremely important. I thought as we sat at meetings of Keidanren, the business community, major business community of Japan, and I asked the gentleman next to me, who was the president of Nippon Steel, how many times he had met with Members of the U.S. Congress and that, in fact, it was the first time. And I think in so many of the meetings that we did hold together, we found we were doing it for the first time as a bipartisan delegation of this body. And the coverage that we had in the media was extremely important in Japan, I think, in getting across the message to that country of how very serious we were, where we were, in fact, the first delegation to visit Japan since the bipartisan resolutions were passed here in the Congress regarding the unfairness of the trade deficit between our two nations.

I learned several things and will as well present the final report to my district, which I intend to do in the month of August, most likely. But there are some conclusions that I wanted to state emphatically this evening.

First of all, there was no question in my mind that our Embassy and Department of State are totally ill-equipped and unprepared to deal with this trade question. Not only are they understaffed on Japanese soil, and probably on American soil as well, but there were people who were obviously missing from the meetings that we attended. We received no trade briefing from the Embassy, nor were there any people on their staff, even though our trade deficit in automobiles with Japan accounts for half of the trade gap, there was no one competent or hired there in the area of automobiles and automobile parts, which said to me that we cannot even deal with that question on a systematic basis.

We were constantly told by members of the business community that our trade negotiators go over there for a few days; they have jet lag; then they come back home; then they go over again. We have no permanent staff there on a daily basis that deals with this trade question, and in some sort of comprehensive and concerted way.

That was quite a revealing lesson for me, and one which concerns me a great deal. I think our Government has a lot to do to put its own house in order. It takes more than elected officials going over there in a bipartisan delegation; it takes people committed and on the ground on a regular basis over a several year period of time.

Second, in terms of the country of Japan itself, the July action plan, as the gentlewoman from Connecticut [Mrs. JOHNSON], and the gentleman from Pennsylvania [Mr. GOODLING], and others so adequately stated, the July action plan will be absolutely critical as a straw in the wind as to where that country is going in its trade relations with our country.

I felt after dealing with all of the people that we met with there is truly a lack of market access to so many of our products, certainly in the area automobiles and automobile parts. I asked the common question at every meeting why companies in that country did not purchase Champion sparkplugs made in my district, which every other major world auto company does buy, Fiat, BMW, Mercedes-Benz, and Rolls Royce. And I was told that gosh, they really were not exactly sure why that was happening, but they would look into it.

□ 1940

And it was that kind of delaying tactic that I received at every single meeting which we attended where that question was asked. In the area of automobiles, and I will just enter a few of these in the RECORD this evening and I will look forward to a fuller report, for example we looked at Honda Motor Corp., which exported 400,000 automobiles to this country just last year and its share will increase this year. They assume a $1.6 billion share in sales of our U.S. auto market and purchase only $16 million worth of American automobile parts in those cars.

Mitsubishi sent to the United States 1,200,000 automobiles for a total sales volume of $3.2 billion. How many American parts did they buy in the cars that were sold in America? $21 million.

In most cases it is less than 2 percent. It was the same story with every company that we visited and a very frustrating experience for me.

I also learned that in terms of paid lobbyists here in the city of Washington, DC, who spend lots of time trying to influence Members of Congress that the companies from Japan spend an average of $300 for every $1 that we spend in that country trying to remedy that trade gap problem—300 to 1. And that is I think reflected in the trade gap as well.

Finally, as I thought about our two companies as we celebrated the Fourth of July on Japanese soil I looked at the U.S. flag and I looked at the Japanese flag. I look at the American flag that has 13 stripes and 50 stars and 3 colors, a flag of pluralism and diversity and inclusion, a flag that has changed over the years.

Then I looked at the flag of Japan, a beautiful flag with one symbol, the Sun on a white background and I understood some of the difficulties that Japan as a nation has in welcoming new businesses, new people, new ideas from other lands into its shores. I think that that particular image remains in my mind and is part of the challenge as we learn how to break down the barriers that separate us as nations.

Finally, I think I have to say something, as I move on here, to the U.S. business community and the 1,500 or so businesses that are represented in the American Chamber of Commerce of Japan, ably led by Mr. Hayde of the Burroughs Corp., there is no other word to describe their experience there than frustrating. The common opinion I believe of those that we met with was that the business community of the United States has to take a more active role in supporting the business community, the American business community which is trying to do business in Japan, so that there is greater understanding of the market challenges that exist in that nation. But we have to provide business people in our country who speak Japanese, who understand Japanese standards, who are willing to work on a longer term basis than just a few months in that country if they are to achieve success.

I look for three actions on the part of the Government of Japan. The first is the solid gold setting in the July action plan in order to meet objectives that we can agree upon.

Second, an exchange of marketing executives from our companies that do business on both sides of the Pacific in order that we can identify parts purchases and so forth and those kinds of exchanges would be extremely important.

Third, technical exchanges between engineers of our two nations to really get at this question of quality, if there is a question of quality, and design standards. I think that trips to Japan by members of our business and labor communities jointly in such areas as steel, automobiles, machine tools where I could see where we were in terms of the competitive edge by the Japanese, would be extremely valuable in helping our own people understand that the rest of the world has grown up and we really have a tremendous competitive challenge ahead of us in the next several years.

I want to end by saying to the chairman of our delegation, Mr. BEDELL of Iowa, who was so gracious with his time, and permitted each of the members to express their own views, what an excellent leader he was, totally bipartisan and he represented this Nation so very well in Japan.

I thank the gentleman for the opportunity to speak this evening and for sponsoring this special order on behalf of all the American people and our hopes for improving our relations in this trade area with Japan.

Mr. BEDELL. I thank the gentlewoman.

I want to let everyone know what a great privilege it was to have the gentlewoman as well as the other people of our delegation along on this great trip.

As has been mentioned several times, there was absolutely no partisanship, in my opinion, in our delegation. I thought one of the great things about the trip was the camaraderie that developed and the opportunity we had to get to know each other better and to work together.

As near as I could tell we had one message, the same message from all of us and that is that the current trade imbalance is simply not acceptable in this country and that we are going to do something about it. The Japanese can do something about it; or if they do not we are going to.

I tried to impress upon them that if it is important to any country that they should have trade with the rest of the world it is important to Japan.

What they are doing with what is happening is destroying that because they may well be winning this battle at this time, but as long as they are winning, if they are winning so much that we say we are not going to let it continue and we are going to stop it, then they are going to be the losers.

As a result of that trip to a great extent when I came back Tuesday I introduced H.R. 2934 which is the Fair Rate of Exchange Act.

Everywhere we went in Japan they told us that a large part of the problem had to do with the overvalued dollar, and that was our fault. And if that is our fault then I think we should do something about it. This legislation that I have introduced says that we will take the value of the dollar in 1973, prior to the deregulation of currencies, we will compute the difference between that and the current value of the dollar which the Federal Reserve does every month as a comparison to 10 major currencies and we would say that we are going to go halfway toward correcting the deficits and that we are going to institute a payment of half of the difference. The difference is now about 40 percent so it means it would be about 20 percent at this time, in terms of an extra charge on all imports into this country and we are going to do likewise for all exports out of this country. Not only will this go halfway in correcting the imbalance that exists between our two countries in terms of the currencies, it will also reduce our deficit in this country at this time by some $20 billion or more because of the imbalance that exists. That would be adjusted monthly so it is simply an effort to try to make that correction.

I might also say that while I was there I had an opportunity to meet with people who are importing our agricultural products. That was a great shock to me because they gave me samples of our grain, of the grain they are getting from China and of the grain they are getting from Argentina. And I have to tell you that their impression is that the quality of our grain is not as good as the others because of the foreign matter that is in our grain, and because of the moisture there, according to them. Those are things that can be corrected at our ports as they ship from our ports. It is no secret that many of our exporters simply add the foreign matter back into the grain before they ship it in order to get it up to the maximum standard that is permitted. There was a time when we could do that, Mr. Speaker. There was a time when we did not have that competition. But today we do.

If our competitors think that the quality of our product, be it automo-

bile parts, or be it grain, is not adequate for their needs, then we need to listen to them and we need to see that we do indeed provide the quality of product that we need.

So that I think we have a challenge ourselves, whether it be our manufacturers, our grain elevators or who it may be, to see that we furnish that quality product.

I would point out in terms of our agricultural products that quality problem is not there as it leaves the country elevators or as it leaves the farm. That problem is a problem that comes to be as it leaves the port.

So as we conclude this special order I want to thank those who participated in it.

I want to thank all of those who went on this trip. At least in my opinion it was productive.

Most of all, if I might, I want to thank the gentleman from Georgia [Mr. GINGRICH]. He has gone beyond what he needed to. My understanding was that indeed the gentleman from Texas was first and he had agreed to yield to us. There was certainly no need for him to do what he has done. He was most gracious in doing so and I cannot thank him enough.

□ 1950

Mr. GINGRICH. Will the gentleman yield?

Mr. BEDELL. I yield to the gentleman.

Mr. GINGRICH. Mr. Speaker, I just want to commend the gentleman and all of the folks who went with him on this trip and on the report you have made, because it seems to me that as we move from an era in which we fought for free trade, and we move under enormous pressures to go protectionist, that the kind of effort you have made to reach out to really understand the kind of global competition that we are going to face in the future, gives us a chance possibly to invent a new approach; something some people are calling mutual trade, and effort to make sure that while we are competitive, as are our friends across the water, and that we learn from them what we have to do to compete better, and we insist with them that they allow us to be competitive.

I appreciated and frankly enjoyed listening to this report, and I think you have all done a service to the country.

Mr. BEDELL. I thank the gentleman again, and I want to thank all of the people who have participated.

THE FAILURE OF THE U.S. STATE DEPARTMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, the topic I am going to talk about tonight is the failure of the U.S. State Department.

If President Reagan wants to understand why he is having difficulties in his foreign policy, and in building public support for his foreign policy, he need only look at the contradictions of this week's events, and at the contradictions in today's newspapers.

This week, the American Government blustered, threatened, and was defeated. The American Government threatened severe steps against terrorism, then it backed off. It began saying that we would do something decisive; that we would really show that we are not going to accept terrorist behavior anymore.

For example, we were going to make sure that the airport in Beirut, Lebanon was not being used. We were going to quarantine the area from which terrorism had come to capture Americans to hold them hostage and to kill one of our sailors.

However, listen to this report of retreat from yesterday's Washington Post. Quote:

> The Reagan administration, defending itself against criticism of its attempt to organize an international boycott of Beirut Airport said yesterday that it was only trying to find an effective way to deal with the security problem there, and not seeking to harm Lebanon or its airline.

Quote:

> It should be clearly understood that the objectives in bringing the problem of Beirut Airport to the attention of the international community is not to try to punish Lebanon or Middle East Airlines, the White House, and State Department said in a prepared statement.

The report went on to say that, the quote:

> Despite escalating rhetoric denouncing terrorism, the boycott is the only concrete action the administration has taken so far in retaliation for the June 14 hijacking to Beirut of Trans World Airlines Flight 847, and the subsequent taking of 39 American passengers as hostages for 17 days. But the United States has had great difficulty in gaining support for its action from European and Arab allies.

Now the question has to be asked: What did the State Department think was going to happen? In the first place, if you say we are not going to allow Middle East Airlines to land in the United States, you are clearly hurting Middle East Airlines, and then to come back and say, Oh, we do not mean to hurt you, is disingenuous, self-deceiving, and no one believes it. It makes you look weak and foolish.

To suggest that sealing off the Beirut Airport is not going to hurt Lebanon is nonsense. To use the phrase, "The objectives in bringing the problem of Beirut Airport to the attention of the international community" the Beirut International Airport was brought to the attention of the international community when worldwide television covered the hostages.

Great powers do not move to seal off an airport, to close off an airline, and then squeamishly back up, apologetically, saying to the very people you are boycotting, "We are not trying to hurt you."

If in fact Lebanon is a sinkhole of terrorism, if there is no Lebanese Government capable of doing anything, if the Minister of Justice in Lebanon to whom we would pass an extradition notice is the very same Mr. Berri who was holding the hostages, clearly any actions designed to appease Lebanon are nonsense.

If none of our European allies will sustain us, why start the process? If in fact we are going to backup, why humiliate ourselves in public?

The Washington Post, a newspaper I do not often agree with, caught correctly yesterday just how bad the defeat is, in an editorial entitled, "The Fight Against Terrorism."

I quote two paragraphs:

> The Reagan administration has maneuvered itself into an awkward corner in its fight against terrorism. Even as the president delivers an extraordinary speech accusing five "outlaw" governments of "acts of war" against the United States, the administration finds itself unable to put into effect the single, relatively modest step—isolating Beirut airport—it actually took after the recent hijacking. This painful contrast between word and deed comes at a moment when the president is struggling to convince would-be hijackers and alarmed American citizens, not to speak of his aroused political constituency, that he is dead serious about the issue.

The editorial goes on, and I quote:

> The Beirut flap is a special embarrassment. The Lebanon government, which was nowhere to be seen during the hijacking, has found its voice and is mobilizing its Arab friends to oppose the airport boycott the administration was trying to organize. America's own allies, meanwhile, avert their gaze. The administration is being forced to give way to the Lebanese government—in its way a more cutting humiliation than the one extracted by the terrorists. That government's weakness has made Beirut a terrorist's playground; an airport boycott might have encouraged the nongovernmental powers-that-be in Lebanon to clamp down. For that to happen, however, the United States needed a lot more international cooperation than it was able to secure.

In other words, not only have we now had an American airplane seized, an American sailor killed, Americans held hostage, publicly paraded on world television; we now set ourselves up for our own failure. It is as though we went out of our way to weaken ourselves in public.

The question that has to be asked of the State Department is: What did they think would happen? Did they think any of our allies were going to support us? Did they think the terrorists and their friends in Lebanon were not going to react?

I never blame my opponents when they do what makes sense, but I do worry about my own side when it does not show reasonable prudence and reasonable professionalism in thinking things through.

The question has to be asked: What did the State Department think our opponents would do? What did the State Department think our allies would do?

I want to read a passage which I have twice before in the last 2 weeks quoted on the House floor, from "Karl von Clausewitz on War," the most famous modern book on the study of the art of war.

Clausewitz attempted to write so that politicians could understand the limits of power.

He said very clearly, quote:

No one starts a war, or rather, no one in his senses ought to do so without first being clear in his mind what he intends to achieve by that war and how he intends to conduct it.

Notice the distinction. Clausewitz says "No one starts a war, or rather, no one in his senses ought to do so" close quote, leading one to ask if anyone in the State Department was in Clausewitz' sense "in their senses" in proposing the recent strategy.

The act of boycotting Middle East Airlines and sealing off the Beirut Airport is an act in effect of economic warfare. It is an act to apply economic pressure to a country which has become a geographic battlefield rather than a nation, and is a haven for terrorists.

The question that has to be asked is, did anyone in the State Department seriously walk through and think through the probable reaction of the terrorists and their allies who are opposed to us.

Clausewitz and the other book I will cite tonight, "The Art of War by Sun Tzu," the edition edited by James Clavelle, say over and over and over again, you have to think through what you are doing and what your opponents are doing. It is not just one or the other; that you in fact have to take the time, before you act, to think through both of yourself and of your opponents.

Sun Tzu wrote, quote: "If you know the enemy and know yourself, you need not fear the result of 100 battles."

He is suggesting self-knowledge. He is suggesting thinking it through. Something which has not been done by the great bureaucracies of national survival in this country.

One has to ask the question: How shortsighted and professionally incompetent did the State Department have to be to blunder so badly in the last week? Yet today we have an even more vivid example about how out of touch with current realities the State Department is.

□ 2000

On the same front page of today's Washington Post, almost as though it was there to highlight the contradiction, in a box called, "Inside," there are two articles of remarkably contradictory nature. The first article, entitled, "Angolan Rebel Aid Vote," reads as follows:

The Democratic-controlled House voted to repeal the Clark amendment, ending a decade-long ban on U.S. military assistance to guerrillas fighting the Marxist government of Angola.

In other words, in this article, it tells how this House, despite being led by the Democratic Party, dominated by the Democratic Party, passed by a large margin aid to the freedom fighters in Cambodia—I am sorry, the freedom fighters in Angola, the right to have that aid. I said "Cambodia" because the very next article, which is about the freedom fighters in Cambodia, says, "Secretary of State George Shultz, at a press conference yesterday in Malaysia, said he was opposed to giving U.S. military aid to Cambodian guerrillas. The House recently approved such aid." Notice in these two front-page stories, the Democratic controlled House is lifting an amendment, which was passed 10 years ago, which stopped the United States from helping freedom fighters in Angola, this House has voted to provide military aid for freedom fighters in Cambodia. Does the State Department say, "Good, we are finally getting support out of Congress, we are finally moving to a situation in which the Congress is going to be able and willing to help fight communism"? No. Instead, we have the Secretary of State, led and guided by his State Department officials, repudiating the very firmness, the very aggressiveness, the very willingness to take on communism that he should be applauding.

It is very important to recognize that the repeal of the Clark amendment is a decisive turning point in America's willingness to engage communism around the world.

Ten years ago, when left-wing ostrichism was at its peak, when the left wing in American politics was fleeing from responsibility around the world, we unilaterally crippled ourselves in Southern Africa, in Angola. We passed legislation in this Congress that said no one will be allowed in this country, in this Government, to help the freedom fighters in Angola.

The vote to repeal that amendment yesterday was a decisive turning point in the long process of America coming back and being reinvolved in a willingness to stop communism around the world. It was an important symbol, and the size of the victory was important. Yet that vote did not stand alone. The State Department did not have to worry only about one thing or one indicator. This week's vote on the foreign aid bill, the first vote on the death penalty in a decade, the McCollum motion to instruct conferees, which passed overwhelmingly and which said, flatly, that if you spy against the United States and you are in uniform, you can be executed, which is a major toughening up of our antispying and antiespionage laws, the fact that a few weeks ago over 300 Members voted to expel the Soviet Ambassador if the Soviet Union does not apologize for killing American Major Nicholson in East Germany, the vote recently on aid to the Nicaraguan freedom fighters, a very dramatic turnaround in the 6-week period in which the House decided decisively to provide help to the freedom fighters, the last 9 weeks have been the most decisive shift toward an anti-Communist, profreedom foreign policy since Harry Truman led a bipartisan majority in the late 1940's.

As a sign of the growing cultural and political climate of resisting communism and helping freedom fighters, consider the very distinguished Democratic Member of this House, STEVE SOLARZ, whose recent eloquent appeal in the New York Times made clear the case that for the Democratic Party to reemerge as a competitor for the White House, it has to reemphasize its commitment to understanding how dangerous the Soviet Union is and the importance of protecting freedom around the world. Mr. SOLARZ, a leading Democratic, himself offered a motion on aid to Cambodian freedom fighters, which passed by 288 to 122. Yet at a time when the State Department could be leading, arousing, encouraging, embracing the mood to a more effective and dynamic anti-Communist profreedom policy, what do we discover?

The State Department opposed defeating the left-wing ostrich position on Nicaragua in fighting for a stronger position. The State Department opposed threatening to expel the Soviet ambassador if there is no apology for killing an American major. And I would ask, in fact, if expelling the Soviet Ambassador is too strong a reaction to killing an unarmed American major for the State Department, then what would they consider reasonable retaliation when an unarmed American soldier is killed.

The State Department also opposes military aid to the freedom fighters in Cambodia.

Let me read from today's article in the Washington Post, entitled, "Shultz Opposes Military Aid for Guerrillas in Cambodia." that is the headline. We can differ about that. The following line is absolutely outrageous and hard to believe, except that he probably said it:

"Secretary indicates Congress unlikely to sustain such help."

When the Secretary of State tells us he is not sure we are going to be reliable while he opposes our efforts to help freedom fighters and stop communism, it is a little confusing.

Further down in the article, he says:

Congress is a very changeable operation," Shultz explained under questioning. "They're in favor of something at one time and then some things can happen and they change their mind, he said.

That is true.

Congress is a changeable operation. With good leadership over the last 9 weeks we have moved this House again and again to take a firm anti-Communist profreedom position. With good leadership from the State Department we might even be more effective, we might even take a more decisive, a more sophisticated, a more profreedom position. But for a member of the executive branch in appointed office, who has never won an election, to complain because "Congress is a very changeable operation" is to neglect all of American history. The American people are changeable, Congress has often been changeable, George Washington found Congress changeable, Jefferson found Congress changeable, Abraham Lincoln found Congress changeable, Theodore Roosevelt, Franklin Roosevelt, Harry Truman, Dwight Eisenhower, even Ronald Reagan finds Congress changeable. This is the nature of life. Now, to say we should not help Combodia because we behave like Americans does not make any sense. If the Secretary of State thinks we are only going to take a strong position when Congress ceases changing, then we are only going to take a strong position when we become a dictatorship.

Free societies have to be led. They have to be led every day, they have to be led firmly, they have to be led by someone willing to take risks. And the Secretary's choice is simple. He can take the risk of leading us into firmness in opposing communism or he can take the risk of leading us into weakness in opposing communism. But as Secretary of State, he is going to have to lead us one way or another. Sadly, yesterday he preferred leading us toward weakness, he preferred slowing down, confusing and disrupting the momentum of the anti-Communist profreedom forces in this Congress.

Let me make it clear that the brunt of my analysis is not personality. While the Secretary of State is the person in the headlines, it is not his fault. He is surrounded by, guided by and advised by a professional bureaucracy which is weak and ineffective. the State Department has been weak under Shultz as it was weak under Haig as it was under Muskie as it was weak under Vance.

In fact, if you go all way back to Franklin Roosevelt, you find a relatively systematic pattern that with but one or two exceptions the State Department has been seen by the President as a large cumbersone bureaucracy to be avoided and there has been a steady tendency to increase power in the White House precisely to be able to get the President's will instead of the bureaucrats' will.

A weak State Department is largely a function of three definitions: First, a misdefinition of the State Department's job; second, a misunderstanding of the nature of power and conflict in international relations by the State Department; and, third, a State Department cultural world view that is focused wrong and lacks the understanding of economic and military power and of the nature of Leninism, of international terrorism.

Let me explain. First, the State Department foreign service bureaucracy basically defines its job as representing the international community, explaining to Americans how we do not understand, explaining why we should be patient with Japan when the Japanese market is closed to us, explaining why we should be patient with the Russians when they make outrageous statements, explaining why we should be calm in the Middle East when an American sailor is killed and Americans are held hostage.

I would suggest that the real job of the American State Department is to represent our views and our goals. The real key to an effective American State Department is to emphasize the American part of the State Department, that in fact it is the State Department's job to explain to the world what we stand for, to explain to the world what our goals are, what our direction is. As the largest most powerful and most complex nation in the free world, we have a lot that we need to be saying to the world, and currently we have no agency. What we have is an international Department of State and no spokesman for the United States except the President. The President needs to figure out a way to reestablish the definition of the Ambassador's job, of the State Department's job, in being first and foremost to represent American interests rather than international interests.

Second, the cultural and intellectual background of the current foreign service includes a fundamental misunderstanding of the nature of power and conflict in international relations. The State Department view of legalism, of conflict avoidance, of negotiating to get a "yes" at virtually any cost, that view is fundamentally wrong.

Whether it is trade negotiations in which almost always the State Department is the most willing to eliminate American jobs in order to make other countries happy, whether it is military negotiations in which the State Department is almost always willing to be understanding of our competitors' viewpoints, whether it is in political, economic, or other kinds of negotations, all too often the State Department defines its job as trying to get a "yes," a successful negotiation involves an agreement even if it is a bad agreement.

□ 2010

Let me suggest that that is fundamentally wrong. That in fact we need a much more realistic understanding that politics and diplomacy in war are about power; about who gets their way. Often we can get our way only by tough, persistent, difficult, and long negotiations. Often we have to risk leaving the table. We have to risk using our economic or even military power to achieve our goals.

The fact is, there are times in the world when we are going to disagree with other countries. When we are going to disagree about trade relations, and we are going to disagree about political relations. On some occasions when we are going to disagree about their right to seize American hostages or kill American servicemen.

The correct answer at that point for the State Department is to pursue America's interests even at the risk of psychological, political, economic, or military conflict depending on the cause. It is a continuum. One of the great weaknesses of America in the twentieth century has been the inheritance of Woodrow Wilson who defined international relations as being either war or peace. Either we are totally friends, or we are going to kill each other. Yet the nature of political relations across the planet of international diplomacy is that there is a continuum from absolutely alliance with no disagreements, which almost never happens, to some disagreements, to severe disagreements, to political difficulties, to economic difficulties, to economic warfare, to some conflict, to a major but controlled war, to all-out war.

Somewhere in that continuum every day we exist with 100 countries. With Canada, with Mexico, with the Soviet Union, with Lebanon, with Syria, with Libya, and the problem for the State Department is that they have a passion for trying to find a solution that will make the world peaceful and pleasant and calm even if that solution is at the cost of American interests.

Third, the State Department cultural world view is focused wrong and lacks understanding of economic and military power and of the nature of Leninism and of international terrorism. Far too many people in the State Department focus on the process of negotiation rather than looking at the art of war and art of commerce. In fact, the culture of the Foreign Service guarantees that our career diplo-

mats lack the training to be professional masters of their real business.

The institutional failure of the State Department has three major impacts. Let me back up for a second and really emphasize this point. I suspect that the number of Foreign Service offices who are familiar with Sun Tzu and Clausewitz, who have read Lenin, who understand Adam Smith, who have really worked at the art of negotiations in terms of getting our economic interests represented is very, very tiny.

The number of people who really understand the Leninist drive behind any communist system, the number of people who understand the real power of fanatics and their willingness to be killed in order to achieve their ends, the number who understand at a sophisticated level the art of war, whether related by Sun Tzu or by Clausewitz, is very, very small. The result is that the institutional failure of the State Department has three major negative impacts that cripple President Reagan is his effort to develop a sound foreign policy and to rally American public opinion in the Congress to his beliefs and values.

First, the State Department confuses the U.S. public and Congress. Second, the State Department confuses our allies and enemies. Third, the State Department leads us to real losses. Let me explain each.

First, if the State Department cannot decide that we are against communism and for freedom fighters, and that means that we are against communism and for freedom fighters in Afghanistan, we are against communism and for freedom fighters in Nicaragua, we are against communism and for freedom fighters in Angola, we are against communism and for freedom fighters in Cambodia, if that is not clear, then it becomes almost impossible in a large, complex democracy to rally the Nation.

There is a fundamental reason for that. All human behavior exists basically at four levels, and they are a heirarchy. The bottom is what you do every day; tactics. We vote in the House, we make speeches. The next level up is operations or projects. What are you trying to accomplish by what you do every day. The level above that is a strategy. Where are you trying to go? What are you trying to get to? The very top level is a vision. In World War II, we had a clear vision: We wanted to defeat Germany; we wanted to defeat Japan.

Harry Truman gradually developed a vision. It was a vision that Russia was dangerous, that communism had to be stopped, that we had to build a bipartisan majority against the Communist threat. For the last 10 or 12 years, the vision of American in the world, our vision of the Soviet Union, our vision of the nature of Leninism, our vision of our role in the world has been very confused and very complicated.

Technicians in Washington, people who do not understand the art of democratic politics in a free society, people who do not understand the nature of leading a free people, people who are bureaucrats focus on tactics, and occasionally they get as high as an operation. But normally, they focus on daily tactical behavior. What is happening this week in this crisis at this minute. What was on the TV a half-hour ago, what will be in the morning newspaper.

This kind of bureaucratic, technocratic focus on the immediate tactical situation leads to massive confusion. You and I cannot possibly, as free people, understand the zig-zag of daily relations with 140 or 150 countries around the world. We cannot possibly rally a nation to a complex, difficult, and often changing foreign policy that had no real underlying moral and intellectual principles.

What we can do, what Franklin Roosevelt did, what Theodore Roosevelt did, what Abraham Lincoln did, what Thomas Jefferson and George Washington, what in more recent times Harry Truman, Dwight Eisenhower, John F. Kennedy did, what President Reagan is trying to do is we can rally the Nation to a vision of our role in the world. We can rally the Nation to a vision of who our competitors are. We can create a general framework that the American people will vote for.

When you go to the American people and you say, "Where do you stand on Cambodia? What is your position on Nicaragua and the Sandinistas and the Contras? How do you feel about Angola and Savimbi? Where are you on Afghanistan, Pakistan?" The simple and honest and frankly, not illegimate fact is that most Americans cannot give you answers to those questions. That is not their job in life. They go out, they work hard, they go home, they want to raise a family, they want to have some fun, they want to enjoy life; they do not think that it is their job to do the job of the State Department. They figure that they hire us, the elected Congressmen, the elected President and Vice President, that we then pay professionals to understand where Nicaragua is and where Cambodia is and where Afghanistan is and where Angola is, and to understand who the good guys are and who the bad guys are. They expect us to be for the good guys and against the bad guys.

That is not an illegitimate request in a free society. We do not all need to know enough to be Secretary of State. What we need is for the Secretary of State and the State Department to be clear, basic, fundamental, and principled in articulating a vision of where America should go. The vision Congress is beginning to rally to is a dramatic change from the ostrich, left-wing policies of the last 10 years.

For the last 10 years, the ostrich left has said, "The Russians are not bad; communism is not a threat; we should not get involved in the world." Now, we are beginning to remember the Soviets really are a threat to us. Communism really is dangerous. We really do have to have an ability to protect ourselves not just in Washington, not just in Georgia, not just in California, but we want to protect freedom everywhere, in Afghanistan, in Cambodia in Angola, in Nicaragua. Because only by being part of the free world can America be free and safe. That is a simple, clear-cut vision.

The Secretary of State today, in response to the State Department's complicated, tactical meanderings without any vision, without any strategy, simply said something which was destructive of public support and which weakened the ability of the State Department to build an anti-Communist majority in the Congress.

Second, the State Department confuses our allies and our enemies, these are both equally dangerous. We went to the Europeans and said, "We are really going to close down the Beirut Airport," and then we do nothing. Do you think that builds support and understanding in NATO? Do you think our Japanese allies feel calmer and more secure tonight resting their back on an American knowing that we are there to protect them?

□ 2020

We cannot even pressure Lebanon. Now, if we cannot get our act together well enough to pressure Lebanon, who really thinks we are going to be able to protect somebody in a real crisis?

Furthermore, what do we stand for? Do we stand for taking tough, decisive, vigorous action? Consider that our allies and our enemies have read President Reagan's speech. The very same day that the State Department was apologizing for boycotting Beirut Airport and Middle East Airlines, this is what President Reagan was doing and, in fact, it was funny, tragically funny, in the Washington Post yesterday, because the two articles were side by side. We can read the State Department apologizing and backing off, and we can read the President being tough.

President Reagan yesterday accused Iran, Libya, North Korea, Cuba and Nicaragua of forming an international terrorist network that he compared to Murder, Inc., and vowed that the United States would act unilaterally, if necessary, to ensure that terrorists have no sanctuary anywhere.

These terrorist states are now engaged in acts of war against the government and people of the United States, and under international law any state which is the victim of acts of war has the right to defend itself.

They go on to say:

The President did not specify action he intends to take against such nations or terrorism other than to repeat last week's declaration by Secretary of State George Shultz that Beirut International Airport "must be made safe or closed."

The point I want to make, and the point I hope the President appointees will consider is: It is extraordinarily dangerous for the survival of the United States and the survival of our allies for any agent, any embassy, to be able to pick up this newspaper and see side by side a column in which the President talks tough and his State Department acts weak. It sends a message of such confusion, a message of such indecision, a message of such weakness that we are in grave danger.

On the same front page of the Washington Post, there is a headline which tells us how real that danger is. The headline says, "Sudan Sets Arms Pact With Libya." In other words, during the same weeks that the President of the United States has been saying we are going to be tough, during the same weeks that the State Department has said we are going to be tough, the new military dictatorship of the Sudan watched how America behaved. We said Libya's Qadhafi is a terrorist, which he is. We said we are not going to tolerate terrorists. We said people like Libya and Qadhafi had better be careful.

What did we learn from the people of Sudan? That when they looked at the United States action versus the United States words, they decided Libya was a better gamble than the United States. What has been a pro-American country, the Sudan, the largest country in Africa, what has been a country of incredible importance to the United States, the Sudan, this week signed an agreement with Libya, the country most committed to supporting terrorists.

Every American should reflect on what it means. If the Sudanese leadership honestly believes that the United States is so weak, our State Department so incompetent, our will so uncertain that they are safer signing an alliance with Libya, the very week the President of the United States names Libya as one of the countries that we are out to get, it should warn all of us that there is a grave danger of a weak America becoming more isolated, of freedom becoming more at risk, of terrorists being even bolder.

The simple, plain fact is that this week the United States lost a battle in the war against terrorism. This week, even as the American news media, the American people and their representatives in Congress were rallying to help freedom and to oppose both terrorism and communism, on the world scene we lost ground.

President Reagan should not get involved in the operations or the tactics. Those are too low a level for the President of the United States. President Reagan must focus on vision and on strategy. What is his vision and strategy for overhauling the great bureaucracies of national security, the Defense Department, the State Department, and the National Security Council? What is President Reagan's vision and strategy for clearly defining his values, his beliefs, and for imposing on the Government his policies? What is his real strategy for proving to terrorists around the world that they will have no sanctuaries, for proving to the Sudan that it is America and not Libya upon which a prudent country relies?

What is his vision and strategy for helping the Cambodian freedom fighters, the Afghan freedom fighters, the Angolan freedom fighters, and the Nicaraguan freedom fighters?

How is the Pentagon to be reorganized so that we can have the most effective aid program for freedom fighters in history? How is the State Department to be reorganized so that we are able to reach out across the world and convince free people everywhere that the cause of freedom is worth protecting? How is the U.S. Information Service to be reorganized so that we become even more effective in reaching out? How is the Congress to be challenged? How are the American people to be educated? How, in short, are we to truly prepare for this long struggle against terrorism and against Leninism?

The fact is that the art of power, of politics, and of war require real professionalism. Again to refer to Clausewitz for a moment, he said on page 608:

No major proposal required for war can be worked out in ignorance of political factors, and when people talk, as they often do, about harmful political influence in the management of war, they are not really saying what they mean. Their quarrel should be with the policy itself; not with its influence.

If the policy is right, that is, successful, any intentional effect it has on the conduct of the war can only be to the good. If it has the opposite effect, the policy itself is wrong. Only if statesmen look to certain military moves and actions to produce effects that are foreign to their nature do political decisions influence operations for the worst.

In the same way, a man who has not fully mastered a foreign language sometimes fails to express himself correctly. So, statesmen often issue orders that defeat the purpose they are meant to serve. Time and again that has happened, which demonstrates that a certain grasp of military affairs is vital for those in charge of general policy. Before continuing, we must guard against the likely misinterpretation. We are far from believing that a minister of war immersed in his files, an erudite engineer, or even an experienced soldier would simply, on the basis of their particular experience, make the best director of policy, always assuming that the prince himself is not in control.

Far from it, what is needed in the post is a distinguished intellect and strength of character. He can always get the necessary military information somehow or another.

He goes on to say, and I quote:

If war is to be fully consonant with political objectives and policy suited to the means available for war, then unless statesman and soldier are combined in one person, the only sound expedient is to make the Commander-in-Chief a member of the Cabinet so that the Cabinet can share in the major aspects of his activities.

He goes on to say on page 607:

We can now see that the assertion that a major military development or the plan for one should be a matter for purely military opinion is unacceptable and can be damaging. Nor is it sensible to summon soldiers, as many governments do, when they are planning a war and ask them for purely military advice. But it makes even less sense for theoreticians to assert that all available military resources should be put at the disposal of the commander so that on their basis he can draw up purely military plans for a war or a campaign. It is, in any case, a matter of common experience that despite the great variety and development of modern war, its major lines are still laid down by governments; in other words, if we are to be technical about it by a purely political and not a military body.

Finally, on page 607, Clausewitz asserts:

The probable character and general shape of any war should mainly be assessed in the light of political factors and conditions, and that war should often, indeed today one might say normally, be conceived as an organic whole whose parts cannot be separated, so that each individual act contributes to the whole and itself originates in the central concept.

The point Clausewitz was making 150 years ago is that war is an extension of policy, of politics; that in fact the statesmen, the politicians, the State Department civil servant, must understand enough in order to be in a position that they can decide what should be done.

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Sun Tzu, writing 2,500 years ago, said—this is the very beginning line, by the way: "The art of war is of vital importance to the state. It is a matter of life and death, a road either to safety or to ruin, hence under no circumstance can it be neglected."

What Sun Tzu is saying is this. In a free society every citizen has to know enough to decide if the vision level and the strategy level is that what we want America to do. Then you hire the professionals. Then you turn to the generals or the admirals or the State Department Ambassadors or others; but first you have to have a vision and strategy level, a clear general sense and the technicians have to understand the art of war within that framework.

Yet recently, just yesterday, I had a reporter friend from back home joking about the fact that I would quote such strange names as Sun Tzu, the Chinese general who 2,500 years ago wrote "The Art of War," probably the best short book ever written on the

topic, or that I would quote an unusual name like Carl Von Clausenwitz who wrote "On War," the best modern book on that topic; but I would return just the opposite. Far from being laughable, that a politician or a college teacher would talk about Clausewitz and Sun Tzu, if they are the two best books on the art of war ever written, I would insist on just the opposite, that as a news man or woman it is the State Department bureaucrats, it is the elected officials who need to study.

We would not expect medical doctors to be laughed at because they studied the books which taught them how to operate in the operating room. Why then should we laugh at studying the art of power, learning how to survive in a dangerous world?

Far from cynically laughing about studying serious books, reporters, editors, politicians and Government officials must study precisely these works.

This is not un-American. It is James Madison, coauthor of the Constitution and the Federalist Papers, Member of the First Congress, member of the First Constitutional Convention, President of the United States, Secretary of State, James Madison in the very founding days of our country who said: "Knowledge shall forever govern ignorance and a people who mean to be their own governors must arm themselves with power which only knowledge gives."

Jefferson studied a lot. In fact, he founded the Library of Congress by giving us his personal library so we Congressmen could read. Madison studied a lot. Washington studied a surprising amount. Benjamin Franklin wrote books, discovered electricity and studied a lot.

You do not have to be ignorant to be a politician nor do you have to be ignorant to be a newspaper reporter or television reporter, nor do you have to be ignorant to serve in the State Department or the Pentagon.

Studying the professional trade, the trade of power, of security, of survival for freedom, should be the duty of precisely those figures.

President Reagan must insist on his officials being truly studied and he must teach the basic facts and basic principles to the American people. Then the American people will teach the politicians.

Let me close by reminding everyone who is listening of what is at stake. This is not a matter of partisan politics. This is not a question frankly, since I am a Republican and this is a Republican administration, since I am a conservative and this is a conservative administration, this is not a matter of ideology or partisanship. It is not a matter of personality. What is at stake is the institutional and cultural incapacity of the American State Department in its current form to deal with the realities of power in an effective manner. What is at stake is the survival of freedom.

How many Sudans have to decide to ally themselves with Libya and cut off their relations with the United States? How many terrorists have to seize airplanes? How many risks do we have to run? How close does the war against communism have to get to our own borders before we recognize that reforming the State Department is not an option. Rebuilding our ability to negotiate, to understand, to compete, is not an option, that survival itself for our children, for ourselves and for our freedoms require that we seriously and calmly and systematically rethink, reorganize, restructure our national security bureaucracies until it is freedom which is capable of winning across this planet.

In the last few weeks this House has proven that in response to reality, in response to the urging of the American people, in response to President Reagan, this House will sustain a strategy and a vision that is clearly articulated.

The challenge is to the Secretary of State, to the Secretary of Defense, to the National Security Adviser, to give the President a plan by which the President can challenge this country and this Congress to follow him toward a vision and strategy of success for freedom across this planet.

INTRODUCTION OF RICO REFORM BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. BOUCHER] is recognized for 20 minutes.

● Mr BOUCHER. Mr. Speaker, yesterday, along with our colleagues Mr. FISH, Mr. GEKAS, and Mr. HYDE, I introduced H.R. 2943, which would reform the private civil treble-damage provisions of the Racketeer Influenced and Corrupt Organizations Act [RICO]. The purpose of this bill is to limit the growing and unintended use of civil RICO as a weapon against legitimate businessmen in ordinary commercial disputes. By a 5-to-4 decision a few weeks ago, the Supreme Court decided that it is up to Congress, rather than the courts, to correct the overbreadth in this statute.

In 1970, Congress enacted RICO with one laudatory purpose in mind—to create a potent, new law enforcement weapon against organized crime. RICO is title IX of the Organized Crime Control Act of 1970. The RICO title made it a special Federal crime to engage in various kinds of activity through a "pattern of racketeering activity." The legislation broadly defined "racketeering activity" to include a variety of State and Federal offenses, including not only murder, arson and extortion, but also mail fraud, wire fraud, and "fraud in the sale of securities."

At the time the other house added the fraud provisions to the original list of so-called predicate acts, the bill provided for enforcement only by the Federal Government, principally by criminal prosecution. The other body recognized that the bill as amended would sweep broadly, but assumed that the Justice Department, through the exercise of prosecutorial discretion, would apply the Act only to cases that truly involved organized criminal activity, as experienced prosecutors identify such conduct.

After the version passed by the other body reached this chamber, the Judiciary Committee added a provision authorizing private civil suits for treble damages and attorneys' fees. The addition of the private treble damage provision, when combined with the fraud predicate acts, has had an effect wholly unintended by Congress. As Supreme Court Justice Thurgood Marshall recently wrote in an opinion for four Justices in the case of *Sedima, S.P.R.L.* v. *Imrex Co.* (decided on July 1, 1985), the treble damage provision of RICO "quite simply revolutionizes private litigation; it validates the federalization of broad areas of State common law of frauds, and its approves the displacement of well-established Federal remedial provisions," "without any indication that Congress intended to cause such a revolution.

Even the five Justices in the majority of the *Sedima* decision agreed that, "in its private civil version, RICO is evolving into something quite different from the original conception of its enactors." As the Court's opinion explained, private treble damage actions under RICO "are being brought almost solely against" what the Supreme Court described as "respected businesses" rather than against "the archetypal, intimidating mobster," the expected target of these special, new law-enforcement weapons.

The reason for this distortion is easily understood and easily remedied. Private parties, who are not bound by the special responsibilities of public prosecutors, are able to convert almost any common commercial dispute into a claim under RICO because of the broad reach of the mail fraud and wire fraud statutes. Private claimants are easily able to allege that almost any commercial transaction with which they are, in retrospect, unhappy involved improper or fraudulent conduct by the other party and that the other party used the mails or the telephone to conduct the transaction. As the Supreme Court now has construed RICO, this is basically all a private claimant needs to allege to order to demand treble damages under RICO.

Because of this interpretation, which some though not all lower courts had earlier adopted, civil RICO has been used primarily against the people it was supposed to protect, legitimate businessmen, not racketeers. As a special RICO Task Force of the American Bar Association recently found, 40 percent of the reported civil RICO cases involved allegations of securities fraud, and another 37 percent involved allegations of common-law fraud in a commercial or business setting. The task force found that only 9 percent of the cases involved allegations of criminal activity normally associated with professional criminals. The Supreme Court in Sedima accepted those figures as accurate.

The results are disasterous both for the defendants and for the law. Ordinary businessmen are suddenly faced in run-of-the-mill commercial disputes with exposure to treble damages, an award of attorney's fees, and the adverse publicity of being labeled racketeers in court proceedings simply by virtue of the filing of the claims. As a result, as Justice Marshall realized:

> Many a prudent defendant, facing ruinous exposure, will decide to settle a case with no merit. It is thus not surprising that civil RICO has been used for extortive purposes, giving rise to the very evils that it was designed to combat.

In addition, this tool in private hands enables claimants to evade the carefully constructed federal system of civil remedies in such areas as the securities laws. Moreover, large areas of commercial law traditionally governed by State law and litigated in State courts have unwittingly been converted into Federal cases to be litigated in the already overburdened Federal courts.

Any hope that these problems with civil RICO would be eliminated by a narrow judicial construction of the civil remedy provisions of RICO was put to rest by the Supreme Court in its recent Sedima decision. The Court unanimously recognized that civil RICO had unexpectedly become a potent weapon against ordinary businessmen in a way not envisioned by Congress. However, by a bare majority, the Supreme Court felt constrained by the language of the statute to allow these suits to continue, unless Congress acts. The "defect," the majority wrote, "is inherent in the statute as written, and its correction must lie with Congress."

The bill I introduced this week is designed to accept the Supreme Court's invitation to make that correction. It would limit the private civil remedy by allowing a private plaintiff to bring suit only when the private suit rests on injury caused by conduct that led to the defendant's conviction either of one of the predicate offenses listed in the statute or of a criminal violation of RICO itself. That was the way the Court of Appeals for the Second Circuit in the Sedima case had read the existing statute, but the Supreme Court disagreed. The amendment would thus make it clear that the civil provisions of RICO are to be used only against persons whom prosecutors have decided to charge and whom juries have decided to convict of criminal violations of RICO or the underlying predicate offenses. The bill would thus recognize the critical role that Federal and local prosecutors and juries should play in determining whether a person has actually engaged in criminal activity and, as a consequence, whether he is properly subject to the special treble damage liabilities created by RICO.

If this amendment of RICO is adopted, a civil plantiff would have to prove several elements in order to obtain treble damages and attorneys' fees under RICO.

First, the plaintiff would have to allege and prove that the defendant violated the provisions of RICO by engaging in conduct that violated 18 U.S.C. 1962. That conduct includes engaging in a pattern of racketeering activity. This element requires that the plaintiff allege and prove that the defendant engaged in at least two, distinct predicate acts within a 10-year period. Of course, as the Supreme Court suggested in its Sedima opinion, the concept of a pattern ordinarily requires proving more about the nature of the defendant's activities than just two distinct, unrelated predicate acts falling within the necessary time period.

Second, the plaintiff would be required to allege and provide that the defendant had been convicted either of a RICO violation or of one of the predicate acts involving the conduct upon which the plaintiff bases his damage claim.

Third, plaintiff would have to allege and prove that he was injured by the defendant's violation of section 1962.

Fourth and finally, the plaintiff would have to bring his action within 1 year after the date of the latest conviction of the defendant either under RICO or for the predicate offense on which the plaintiff relies as satisfying the prior-criminal-conviction requirement.

I believe that this amendment will sharpen the statute so that RICO will continue to serve the law-enforcement purposes that Congress originally intended while freeing legitimate businessmen and the courts from the unintended uses to which the statute has instead been put. By explicitly imposing this prior-criminal-conviction requirement, Congress would make clear that civil RICO is to deal only with those persons who may fairly be viewed as engaged in the business of crime as an ongoing and integral part of the person's operations.

I emphasize that this amendment would not have any effect on the Justice Department's authority to maintain criminal prosecutions under RICO. Nor would the amendment have any effect on the extensive array of Federal and State remedies that private claimants already have available to them to deal with tort claims, commercial disputes, or controversies under the securities, commodities, and antitrust laws.

I hope that this amendment will be adopted quickly so that Congress will bring to an end the problems that we inadvertently created in 1970 when, with intentions that I fully endorse, we enacted a crime control statute that has lent itself to serious abuse by private civil plaintiffs.●

IMPROVED AIR QUALITY

(Mr. WAXMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. WAXMAN. Mr. Speaker, sometimes our national goals of environmental protection and economic efficiency coincide. We should be alert to recognize and reap the benefit of such opportunities to pursue both hand in hand.

Our Nation's drive for improved air quality has always recognized natural gas as a clean fuel. In other countries, such as Japan, combined air quality and efficiency considerations lead electric utilities to build gas-fired powerplants today. In America, however, because of the gas shortages of the 1970's, Federal legislation restricted gas use by electric powerplants and other large installations. Recently, in light of more abundant gas supplies and especially in light of increasing concern about air pollution and related environmental problems, questions have been raised about the impact of that Federal legislation, the Fuel Use Act, particularly with respect to electric utilities.

A recent article presents an interesting overview of this timely topic. Its author, David J. Bardin, himself combines an interesting energy and environmental perspective. Mr. Bardin was the first Administrator of the Economic Regulatory Administration in the Department of Energy, and as such responsible for implementing the Fuel Use Act. He also is a former State commissioner of environmental protection. Mr. Bardin's analysis, entitled "Real and Imagined Restrictions on Electric Utility Fuel Use of Natural Gas" starts from two basic points:

Most of the older electric powerplants throughout the country are perfectly free to use natural gas in order to reduce pollution or for any other reason the utility sees fit to pursue.

New electric powerplants, constructed after 1978, are prohibited from using natural gas as their principal fuel unless they can secure an administrative exemption.

Mr. Bardin argues that gas supplies are now abudant and will last well into the future, that electric generation with gas is efficient and environmentally benign and that the Fuel Use Act prohibition impedes attainment of environmental goals. He therefore urges repeal of the prohibition on gas use by new electric powerplants, both for environmental and for economic efficiency reasons. This is a complex area involving a variety of considerations which the Congress must take into account and balance in the national interest. but I believe that we should examine carefully the possibility that the interests of environmental quality and economic efficiency now coincide with direct implications for our national energy policy. In that context, I believe Mr. Bardin's views deserve attention.

Mr. Bardin's article follows:

REAL AND IMAGINED RESTRICTIONS ON ELECTRIC UTILITY FUEL USE OF NATURAL GAS

(By David J. Bardin)

Freedom to consider different fuel options—among them, use of natural gas—is valuable to managers and planners. However federal policy—or at least a perception of policy—inhibits choice. A widespread belief persists that federal laws prohibit or discourage most uses of natural gas by electric utilities. Doubt or error about these laws distorts effective decision making. Some restrictions on gas use by electric utilities do exist. Others are imaginary. This article addresses two questions from the standpoint of electric utilities:

How free are electric utilities to select a natural gas option for operations today?

How free are utilities to select a natural gas option for the capacity construction program?

The article also touches on potential changes over the horizon, including the desirability of repealing existing restrictions.

REASONS FOR ELECTRIC UTILITY INTEREST IN GAS

Interest has risen now that natural gas supplies are generally abundant once more. With this year's deregulation of most first sales (producer sales) of gas, there is every reason to hope that the availability and price behavior of this commodity will resemble that of competing fuels over the long run in the United States. Moreover, the magnitude of new discoveries in recent years suggest that gas could play a large role in the United States energy economy for many decades—perhaps more than a century. New conventional sources of natural gas are becoming available in the United States and Canada both from traditional production areas and from newly developed producing provinces—even apart from vast unconventional sources yet to be tapped![1]

Natural gas satisfies about a quarter of America's total energy needs, and an even larger fraction of stationary (nontransportation) fuel needs, but less than 15 per cent of electric utility consumption. Without the restraint of governmental policies, one might expect increased use of natural gas, if reasonably priced, both for existing electric utility boilers and for new power plants.

Existing powerplants

Natural gas can fuel many existing boilers. That potential could expand dramatically with only minor investments in gas burners and in local mains to serve single-fuel power plants, particularly in regions of the country where long-distance pipelines are underutilized (for instance where they have permanently lost load due to closure of gas using "smokestack industries"). Passage of acid rain legislation, requiring reduction of sulfur dioxide emissions from existing power plants, might make a gas option valuable to electric utilities. Indeed, recent research at the Massachusetts Institute of Technology strongly suggests that summertime use of natural gas could be more cost effective than installation and all-year use of scrubbers to reduce the deposition of sulfates in areas believed sensitive to acid rain.[2] Similarly, the revised stack height regulation currently proposed by the Environmental Protection Agency might be satisfied at less cost, in many instances, by a natural gas option than by a scrubber option.[3]

Even apart from any new federal or state environmental legislation, the clean burning characteristics of natural gas, its ease of handling, and the absence of solid-waste products requiring disposal combine to make the natural gas option worthy of attention for existing power plants. Interest in natural gas is particularly timely when aging emission-control equipment performs poorly or imposes inordinate maintenance costs. Moreover, gas may offer a good transitional means of achieving environmental compliance while implementing a different long-range solution.

New powerplants

New gas burning power plants might also be attractive to electric utilities. For example, the combined-cycle gas technology is now preferred for numerous large-scale industrial cogeneration plants in the United States. It could also offer much to electric utilities. With short lead times and relatively low capital costs, combined-cycle units can be built in modest modules with construction sequences (first, gas turbines, then waste-heat recovery boiler), module after module, that closely follow short-term load-growth projections. That technology does not call for large units, sized to achieve economies of scale.

For many utilities, turning to modular combined-cycle units, would ensure against a disastrous price for guessing wrong about long-range demand. Moreover, as demands for electric utility power accelerate, it may prove too late to build any other kind of units for base load. Needless to say, natural gas is an ideal fuel for the combined-cycle units. The same can be said for some of the future modular electric generating technologies now being developed, such as the fuel cell.[4]

In Japan, major new power plants consist of several 100-megawatt modules of combined-cycle units, fueled by natural gas (delivered to Japan in liquefied form and regassified there). These plants are designed for effeciencies better than 40 per cent. In the United States only the Kissimmee, Florida, municipal electric utility has yet installed that technology (although some large utilities have expressed real interest). At least part of the difference between practice here and in Japan stems from uncertainties of American utilities about governmental restrictions on electric utilty use of natural gas.

SOURCE OF RESTRICTIONS

This article considers the foremost restrictions on electric utility use of natural gas, imposed by the federal Powerplant and Industrial Fuel Use Act of 1978.[5] PIFUA was part of the National Energy Act signed into law by President Carter on November 9, 1978. As enacted, PIFUA restriction applied to both new and existing power plants. In 1981, however, PIFUA was sharply cut back by the Omnibus Budget Reconciliation Act signed into law by President Reagan on August 13, 1981. PIFUA gas restrictions no longer apply to pre-1978 power plants. The scope and applicability of PIFUA is explained below. The act is implemented by the Economic Regulatory Administration in the Department of Energy.

Other federal laws do not actually restrict gas use. The federal Clean Air Act,[6] administered by the Environmental Protection Agency, fails, on occasion, fully to credit the clean burning characteristics of natural gas as a solution to clean air problems.[7] Although the CAA is sometimes incorrectly thought to forbid certain uses of gas (such as intermittent uses), it does not in fact directly restrict gas use.

Various state laws and policies bear on electric utility fuel choices—either independently or in reaction to federal policy. Most notably state public utility regulation may question the prudence of costs incurred for fuel acquisition, as well as other costs incurred by the utility. Some states also require a permit or certificate before construction of a new power plant. Implementation of such laws as well as state air pollution controls, may influence fuel selection by electric utilities. However no state laws have an impact comparable to the federal PIFUA.

GENERAL OUTLINE OF FUEL USE ACT

PIFUA prohibits the use of oil or natural gas fuel in certain combustion equipment unless the owner or operator has qualified for an exemption from the prohibition. PIFUA makes no distinction between investor-owned, municipal, and REA-cooperative plants.

Powerplants versus cogenerators and other MFBIs

PIFUA does distinguish industrial facilities (including certain cogeneration facilities) from electric utility facilities. More specifically, its coverage differs as between "major fuel burning installations" (MFBIs) and "electric power plants" (that are owned by electric utilities and, alone, concern us in this article). The general PIFUA distinction is that a "power plant" produces power for "sale or exchange" and an MFBI does not. However, the act defines must cogeneration facilities as "MFBIs" rather than "power plants"—so long as the sales for resale (on a net basis) account for less than half the generation. The vast majority of the cogeneration units being built fall into the "MFBI" category and only a handful into

[1] Footnotes at end of article.

the "power plant" class. In contrast, electric utility units being built are generally "power plants"—except that a licensed nuclear unit comprises neither a "power plant" nor an "MFBI."

PIFUA does apply to MFBIs, but not to the same extent as it does to power plants. Accordingly, one cannot assume equal regulatory treatment for a unit to be built by an electric utility and a unit built by a cogenerator—unless the cogenerator will sell half or more of the generation (thereby putting the unit into the "power plant" category). For example, under the PIFUA regulations[8] there are no restrictions on new MFBI combined-cycle units, whereas restrictions do apply to new, combined-cycle power plants.

Types of generating units covered

As used in PIFUA, "power plant" generally means a generating unit. It includes a boiler, a peaking turbine, and a combined-cycle unit but does not include an internal combustion engine, such as a diesel.

Exclusions based on unit construction date and size

Even where PIFUA applies, it may not prohibit the desired use of gas either because of a statutory right to an exemption or because of a regulation that eases the impact of PIFUA. However, in several circumstances, the act does not apply at all and cannot be made applicable by a change of the regulations:

PIFUA gas restrictions do not apply to "existing" power plants—those already in existence or under construction before November 9, 1978.

PIFUA does not apply to power plants with a rated heat input of less than 100,000 Btus per hour.

The first point is crucial, since most electric utility generating units were built before 1978 and the proportion of post-1978 units is growing only gradually.

EXISTING POWER PLANTS NOT SUBJECT TO PIFUA

Since the 1981 amendment, the PIFUA restrictions on natural gas use do not apply to "existing" power plants at all. An "existing" power plant was either in service or under construction at the determining date: November 9, 1978.

Freedom to switch to partial, seasonal, or total use of gas

Such "existing" power plants may continue to burn gas indefinitely without anyone's permission under PIFUA. They may also be switched from oil or coal to natural gas—whether they ever burned gas before or not—according to the operator's best judgment. There is no limit on the amount of gas such "existing" power plant may burn.[9]

Note that a "power plant" is really a generating unit. Therefore, a multiunit generating station may include a "new" power plant as well as "existing" power plants. For example, assume a plant consists of a 200-megawatt unit constructed in 1958, a 200-megawatt unit constructed in 1961, a 400-megawatt unit constructed in 1975, and a 400-megawatt unit constructed after 1978. The last unit is a "new electric power plant" for purposes of PIFUA whereas the first three units are "existing" power plants. The first three units are entirely free to use gas, to switch from another fuel to gas, and to switch back and forth between gas and another fuel (or fuels).

Repowering: does modification amount to "reconstruction"?

A question will arise whether repowering or other modification of a generating unit that has been an "existing" power plant could convert it into a "new" power plant. Under PIFUA, post-1978 "reconstruction" would convert an existing power plant into a new power plant. However, the law left the definition of "reconstruction" to administrative regulations.

The PIFUA regulations were modeled on the regulatory definition of "major modification" under the CAA. These PIFUA rules prescribe a series of tests which, generally, include comparison of certain capital expenditures for refurbishment or modification with the capital costs of a replacement unit, of the same capacity as the modified unit, and capable of burning the same fuels. (In some instances, the modification expenditures may reach 80 per cent of total replacement costs without crossing the threshold of "reconstruction." In most instances a 50 per cent test applies.)

The minor capital expenditures for adding gas burning capability to an existing coal or oil-burning unit would certainly fall far below the applicable threshold and could not constitute "reconstruction" of an existing power plant. Therefore, even if the gas burner were regarded as a "refurbishment" or "modification" of the power plant unit (rather than merely an ancillary piece of equipment), the PIFUA prohibition would not even come into play.

However, repowering may well be treated as a reconstruction or as a new power plant matter under the act. For example, repowering might either convert existing peaking turbines to a combined cycle unit by adding a waste-heat recovery boiler and steam turbine or, conversely, add gas turbines and waste heat recovery before an existing gas fired steam turbine. In either event, the resulting combined cycle unit might be regarded as "new" simply because there had not previously existed a combined cycle unit—even if the changes, viewed as "modifications" of the preexisting peaker or baseload unit, seemed to fall below the reconstruction threshold. No single answer necessarily covers every potential repowering situation. In general, the PIFUA provisions do impinge upon a utility's options to use natural gas in the context of repowering or life extension programs for existing power plants.

NEW POWER PLANTS UNDER PIFUA—GENERAL OUTLINE

New (or reconstructed) electric power plants may not use natural gas as a primary energy source—and may not even be constructed without capability to use coal or any other alternate fuel as a primary energy source—unless they qualify for a statutory exemption. Before turning to the exemption process, it is worth noting that the prohibitions themselves do not apply in several cases.

Exclusion of synthetic gas and unconventional natural gas

Several forms of gaseous fuel are excluded, by the statute or by the regulations, from the definition of natural gas. New power plants may use, and may be constructed or converted to use such fuels. They include:

Synthetic gas produced from coal, wood, or wastes.

Gas produced from geopressurized brine from wells spudded before 1990.

Gas produced from Devonian shale from wells spudded before 1990.

Gas produced from FERC-designated tight sands from wells spudded before 1990.

All of the foregoing qualify as "alternate fuels" rather than "natural gas" under PIFUA. The synthetic gas exclusions are statutory. The exclusions of certain unconventional natural gas, produced from wells where drilling commenced prior to January 1, 1990, are prescribed by the PIFUA regulations and have yet to be used much, if at all. The 1990 date could be extended by amendment of the regulations.

Latitude of "primary energy source" concept

Moreover, the *primary energy source* concept allows for a substantial use of natural gas in combination with coal (or other alternate fuel). Under the PIFUA regulations, currently in effect, a "secondary" use of gas may go up as high as 25 per cent without requiring any exemption. The regulations automatically presume that 25 per cent gas use is needed, at the discretion of the electric utility, for unit ignition, start-up, testing, flame-stabilization, and control uses. (Consequently, under the current regulations, a combination of no more than 25 per cent conventional natural gas with 75 per cent synthetic gas or unconventional natural gas could be used, in an all-gas new power plant, without PIFUA coming into play at all.) The 25 per cent test is an annual test under the regulations and may, therefore, conceivably allow a seasonal use of gas.[10]

Exemptions: self-certification or application

The act provides for a number of temporary or permanent exemptions. Once granted, an exemption may not be revoked (even if the PIFUA regulations are subsequently changed, as a matter of discretion, to make them less lenient.)

One has to determine, case by case, which exemptions may be available to allow an otherwise-prohibited use of gas. Exemptions for gas fired peak load units (to generate no more than 1,500 hours' worth of full capacity per year) are readily available. Other permanent exemptions for which a new gas fired unit might qualify include economic feasibility over coal, emergency use, environmental, mixture of fuels, and site limitations. Qualification for one or more such exemptions requires a plant-specific analysis.

The Reagan administration has gone about as far as it believes the law allows to liberalize the availability of exemptions. In the case of cogenerators and other NFBIs, for example, the current PIFUA regulations often provide a full exemption simply on the basis of self-certification, rather than requiring full-scale application-and-decision procedures. However, some of the regulations governing power plants are not as liberal.

Moreover, the statute itself establishes some curious tests. For example, the economic feasibility exemption for use of natural gas does not consider the price of the gas! Instead, it must substitute a different price—the price per Btu of imported oil. (In context, it is easy to understand what Congress had in mind in 1978: Prices of gas and domestic oil were then regulated, so Congress wanted to use an unregulated market price for comparison with unregulated coal. Omission of any comparative gas price did not seem anomalous, at the time, because curtailments of gas had habituated many to believe that an intrinsic short supply of gas made new gas power plants unimaginable. Of course, the "shortage" of natural gas at that time was a function of the demand generated by regulated prices set far below post-1973 oil prices.)

The act and regulations do provide for an exemption to use gas when gas (valued at

the Btu price of imported oil but with lower capital costs than coal) is more economic than coal. It may sometimes be possible to show that a new gas fired power plant would be more economical. For repowering, for example, an internal Economic Regulatory Administration study shows that adding a combustion turbine generator and using the waste heat in an existing power plant could be more economic than building a new coal-fired power plant to produce the same increment of electricity.

The fact remains that at least one electric utility, the city of Kissimmee Municipal Electric System in Florida, has secured exemptions allowing it to proceed with a 51-megawatt, all-gas, combined-cycle power plant. Moreover, it is fair to surmise that the Reagan administration and personnel administering the PIFUA program in the Department of Energy would welcome additional exemption attempts to qualify gas use in electric power plants.

The Department's Economic Regulatory Administration receives about 30 PIFUA exemption petitions a year. Most of the petitions have been self-certifications by cogenerators for "power plants." Administrative processing time averages 120 days.[11]

FORTHCOMING CHANGES

President Reagan, the American Gas Association, and many gas producers have advocated repeal of the remaining PIFUA prohibitions (regarding new facilities, both power plants and MFBIs, including reconstructed facilities). As the 1978 boundary between "existing" and "new" facilities recedes into history, the new facility prohibitions increasingly stifle freedom to choose.

Electric utilities have taken no position on the proposed repeal. One wonders why. Not every utility would choose gas, even if free to do so for new construction.[12] Yet freedom to choose among competing alternatives should benefit utilities generally.

In my judgment, there are at least four reasons for electric utilities to support repeal of the PIFUA restrictions on their freedom to consider a natural gas option and to implement it where sensible:

A subsequent administration might reverse the current, liberal regulations and administration of PIFUA.

When confronted with rapid load growth and shrinking reserve margins, a utility will want full freedom to move quickly to a combined-cycle gas solution on a timely basis—without a federal regulatory threshold of any kind—either for new installations or for any repowering decision.

The discrimination in favor of combined-cycle cogeneration is inequitable.

The PIFUA prohibition on natural gas usage denies electric utilities the flexibility to reduce sulfur dioxide emissions in the most practical and cost-effective way—whether to meet CAA or state air pollution requirements, to take advantage of EPA "bubble" policy or emission trading[13] opportunities, or to satisfy state or federal acid rain requirements.

Repeal of the PIFUA restrictions also bears on a responsible resolution of the acid rain controversy. Repeal would tend to reduce sulfur dioxide emissions (and to a lesser extent nitrogen oxide emissions) by operation of market forces for both power plants and industrial facilities.[14] If Congress decides to move in the direction of lower sulfur emissions, it would seem only logical to remove the PIFUA obstacle. Indeed, electric utilities might question the logic of impoing new regulatory requirements on them and others before removing that obstacle.

During the 98th Congress (1983-84), proposals to repeal PIFUA were included in various bills concerning natural gas prices (including old-gas decontrol and mandatory contract carriage, both of which proved controversial). These natural gas pricing disputes do not seem to have a high legislative priority in the new, 99th Congress. if the fuel use prohibition are to be addressed, a better vehicle may have to be created.

AUTHOR'S NOTE: For stimulating discussions, prompting this article and shaping some of its contents, I have to thank Douglas C. Bauer, senior vice president, Edison Electric Institute; Robert L. Davies, director, coal and electric division, Economic Regulatory Administration, U.S. Department of Energy; and Duane Spencer, vice president, advanced power systems division, Electric Power Research Institute. Some of my work was done in the course of coauthoring the forthcoming AGA *"Select Use Handbook: Natural Gas for Environmental Control."*

FOOTNOTES

[1] "U.S. Research Priorities and Natural Gas," by George H. Lawrence, 114 PUBLIC UTILITIES FORTNIGHTLY 15, December 20, 1984. After 1978, additions to *proven, conventional* reserves of natural gas have roughly matched production in the lower-48 United States. The inventory of proven reserves is over ten times total annual production and about 25 times the household and commercial use. Adding the *potential, conventional* reserves yet to be proven (as published by the Potential Gas Committee) brings the lower-48 resource to about 50 times total production and over 100 times household and commercial use. That omits estimates of the known and larger 48-state *unconventional* reserves (in eastern Devonian shales, western tight sands, Gulf Coast geopressurized brines), as well as conventional reserves in Canada, Mexico, and Alaska. No one can guaranty how much of the vast gas resource base will ultimately be exploited. In the author's opinion, other energy resources face at least equal political, economic, and technological uncertainties.

[2] "Controlling Acid Rain without Scrubbers," *e-lab*, July-September, 1984, p. 1.

[3] EPA Docket No. A-83-49, comments of American Gas Association filed December 10, 1984.

[4] Work now being done on phosphoric acid fuel cells, nominally of 11 megawatts capacity, suggests a fuel sensitivity constraint that may require natural gas. In contrast, pressurized fluidized bed would offer a modular technology, perhaps at the 150-megawatt scale, based on solid fuel alone (except, perhaps, for start-up). An interesting hybrid is the "phased introduction of coal gassification combined cycle plants"—using the same combined-cycle plant initially as a natural gas burner and some years later as a burner of synthetic gas ("syngas").

[5] USC § 8301 et seq.

[6] USC § 7401 et seq.

[7] "Combined Gas-Coal Burning—A New Way to Satisfy Both Environmental and Fuel Use Regulation," by David J. Bardin, *Energy Economics, Policy, and Management*, Vol. 2, No. 4, Spring, 1983, pp. 19-39.

[8] The PIFUA regulations appear at 10 CFR 500 et seq.

[9] There is one exception, which restricts gas use in a few "existing" power plants. Coal conversion orders issued under PIFUA or its predecessor statute (the Energy Supply and Environmental Coordination Act of 1974) may prohibit gas use so long as they remain in effect. Such orders may similarly prohibit oil use. However, additional restrictions apply to oil use. PIFUA and the regulations generally prohibit "existing" power plants that did not use petroleum in 1977 from switching to oil, even though not the subjects of a coal conversion order.

[10] Moreover, on petition, the ERA may approve a mixtures exemption allowing a power plant to burn additional gas as a "primary energy source" up to annual total of 43 percent of total fuel use —"primary" and "secondary" energy sources combined.

[11] Apart from the peak load unit exemption, electric utilities have scarcely availed themselves of the exemption opportunities under the current regulations. Most of the petitions now being received are self-certifications for cogeneration units classified as "power plants"— owned by others than electric utilities.

[12] Choices will turn both on plant-specific fuel selection issues and on an overall assessment of long-term gas supply prospects that bear on a specific utility. If one expected natural gas to run out a few years after construction, one might consider a combined-cycle power plant planned to run on synthetic gas from coal but temporarily granted a PIFUA exemption to use natural gas for five years with a, possibility for extension up to ten years (the maximum extended period allowed under PIFUA). If one were a gas supply optimist, one might strongly prefer to plan only for natural gas. If one is still uncertain, would not it make better sense to investigate gas supply prospects at the time of the planning process rather than having the 1978 PIFUA resolve one's uncertainty by decreeing a short supply?

[13] "Emissions Trading and What It Might Mean for Acid Rain Deposition Control," by Roger K. Raufer and Stephen L. Feldman, 114 PUBLIC UTILITIES FORTNIGHTLY 17, August 16, 1984.

[14] A recent AGA study indicates that repeal of PIFUA gas restrictions might eventually increase gas use by 3 quadrillion Btu a year in post-1978 electric utility and industrial facilities (with about one-third of the increase in the former). That increased gas use could cut sulfur dioxide emissions by over one million tons, a significant contribution to the goals of the acid rain proposals, as well as cutting nitrogen oxides, particulates, and solid waste. "Project Economic and Environmental Impacts of Retaining the Fuel Use Act Through the Year 2000," by Wilkinson, Hay & German.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HALL (at the request of Mr. WRIGHT), for today, on account of necessary absence.

Mrs. SCHNEIDER (at the request of Mr. MICHEL), through July 19, on account of official business.

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 Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. GONZALEZ, for 60 minutes, July 15.

Mr. GONZALEZ, for 60 minutes, July 18.

(The following Members (at the request of Mr. DIOGUARDI) to revise and extend their remarks and include extraneous material:)

Mrs. MEYERS of Kansas, for 5 minutes, today.

Mr. ROBERTS, for 5 minutes, today.

Mr. O'BRIEN, for 5 minutes, today.

Mr. RUDD, for 5 minutes, today.

Mr. MCCANDLESS, for 5 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. LUKEN, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BOUCHER, for 20 minutes, today.

Mr. ALEXANDER, for 30 minutes, today.

Mr. STOKES, for 60 minutes, July 16.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. RUDD, prior to vote on the McCollum motion to instruct conferees in the House today.

Mr. SMITH of Florida, following the vote on the McCollum motion to instruct conferees in the House today.

Mr. LOWERY of California, prior to the vote on the Roth amendment to H.R. 1555 in the Committee of the Whole today.

Mr. BEREUTER, on Food for Peace Program, following debate on title IX of H.R. 1555 in the Committee of the Whole today.

Mr. WAXMAN, and to include extraneous matter notwithstanding the fact that it exceeds 2¼ pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $1,673.75.

Mr. WORTLEY, on the Sundquist amendment during debate on H.R. 1555 in the Committee of the Whole today.

(The following Members (at the request of Mr. DIOGUARDI) and to include extraneous matter:)

Mr. BARTON of Texas in two instances.
Mr. DAVIS.
Mr. SHUMWAY in two instances.
Mr. COUGHLIN.
Mr. EDWARDS of Oklahoma.
Mr. LENT.
Mr. SAXTON.
Mr. CONTE.
Mr. SHAW.
Mr. CRANE.
Mr. O'BRIEN.
Mr. GALLO.
Mr. LUNGREN.
Ms. SNOWE.
Mr. GEKAS.
Mr. MICHEL in two instances.
Mr. KOLBE in two instances.
Mr. MCCOLLUM.
Mr. WORTLEY.

The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. TRAXLER.
Mr. UDALL.
Mr. CARR.
Mr. ADDABBO.
Mr. MORRISON of Connecticut.
Mr. APPLEGATE.
Mr. RANGEL.
Mr. HUBBARD.
Mr. RAY.
Mr. DYSON.
Mr. VENTO.
Mr. SOLARZ.
Mr. RALPH M. HALL.
Mrs. LLOYD.
Mr. MARKEY.
Mr. TRAFICANT.
Mr. DYMALLY.
Mr. WEISS.
Mr. SOLARZ.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 49. An act to protect firearms owners' constitutional rights, civil liberties, and rights to privacy; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1373. An act to designate the wilderness in the Point Reyes National Seashore in California as the Phillip Burton Wilderness.

ADJOURNMENT

Mr. GINGRICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until Monday, July 15, 1985, at 12 o'clock noon.

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. DINGELL: Committee on Energy and Commerce. H.R. 935. A bill to abolish the United States Synthetic Fuels Corporation, to reduce Federal deficits, and for other purposes; with an amendment (Rept. No. 99-196, Pt. 1) and ordered to be printed.

Mr. SMITH of Iowa: Committee on Appropriations. H.R. 2965. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1986, and for other purposes (Rept. No. 99-197). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SMITH of Iowa:

H.R. 2965. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1986, and for other purposes.

By Mr. CONYERS:

H.R. 2966. A bill to amend chapter 89 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. DONNELLY:

H.R. 2967. A bill to amend the Fair Credit Reporting Act to reduce the period of time that certain adverse information is retained in consumer credit files; to the Committee on Banking, Finance and Urban Affairs.

By Mr. EDWARDS of Oklahoma:

H.R. 2968. A bill to amend title 5, United States Code, to improve and reform the administrative procedures of Federal agencies, and for other purposes; jointly, to the Committees on the Judiciary and Government Operations.

By Mr. GALLO:

H.R. 2969. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish regional emergency response committees which will plan and coordinate local response to hazardous substance emergencies and to provide members of the community with information about hazardous substances that are located within the community, and for other purposes; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. GEKAS:

H.R. 2970. A bill to amend the Packers and Stockyards Act, 1921, to remedy burdens on commerce in poultry and poultry products and protect poultry sellers and growers, and for other purposes; to the Committee on Agriculture.

By Mr. GEKAS (for himself and Mr. MCDADE):

H.R. 2971. A bill granting the consent of the Congress to the amendments to the Susquehanna River Basin Compact; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself and Mr. VANDER JAGT):

H.R. 2972. A bill to extend for 3 years the existing duty-free treatment of certain needlecraft display models, and for other purposes; to the Committee on Ways and Means.

By Mr. GRADISON (for himself and Mr. PANETTA):

H.R. 2973. A bill to eliminate the sunset for hospice benefits under the Medicare Program; to the Committee on Ways and Means.

By Mr. HALL of Ohio (for himself, Mr. LELAND, and Mr. WOLF):

H.R. 2974. A bill making appropriations for foreign assistance for the fiscal year ending September 30, 1986; to the Committee on Appropriations.

By Mr. KANJORSKI:

H.R. 2975. A bill to restrict the closing and downgrading of field officer of the Social Security Administration; to the Committee on Ways and Means.

By Mr. LUNDINE:

H.R. 2976. A bill to direct the Secretary of Agriculture to release the condition requiring that a parcel of land conveyed to New York State be used for public purposes and to convey U.S. mineral interests in the parcel to New York State; to the Committee on Agriculture.

By Mr. LUNGREN (for himself, Mr. FISH, Mr. MCCOLLUM, and Mr. GEKAS):

H.R. 2977. A bill to amend the Controlled Substances Act to create new penalties for the manufacturing with intent to distribute, the possession with intent to distribute, or the distribution of designer drugs, and for other purposes; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. MCEWEN:

H.R. 2978. A bill to amend and extend the provisions of chapter 67 of title 31, United States Code, relating to the General Revenue Sharing Program; to the Committee on Government Operations.

H.R. 2979. A bill to amend title 23, United States Code, to extend the authorization for appropriations for the Minimum Allocation Highway Program through fiscal year 1990; to the Committee on Public Works and Transporation.

By Mr. MONTGOMERY (by request):

H.R. 2980. A bill to amend title 38, United States Code, to authorize the Veterans' Administration to make tempory and part-time appointments of certain health care personnel for periods in excess of 1 year; to the Committee on Veterans' Affairs.

By Mr. NEAL:

H.R. 2981. A bill entitled "Tobacco Program Amendments of 1985"; to the Committee on Agriculture.

By Mr. PANETTA:

H.R. 2982. A bill to prohibit certain discharges of agriculture waste waters into Morro Bay or Monterey Bay, CA; to the Committee on Interior and Insular Affairs.

By Mr. SCHUETTE:

H.R. 2983. A bill to provide for the use and distribution of funds appropriated in satisfaction of judgments awarded to the Saginaw Chippewa Tribe of Michigan in Dockets Numbered 57, 59, and 13E of the Indian Claims Commission and Docket Numbered 13F of the U.S. Claims Court, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DENNY SMITH (for himself, Mr. SHARP, Mr. CHANDLER, Mr. FRENZEL, Mr. HANSEN, Mr. BARTLETT, Mr. ZSCHAU, Mr. DAUB, Mr. DELAY, and Mr. MILLER of Washington):

H.R. 2984. A bill to amend section 2687 of title 10, United States Code, to provide greater flexibility and efficiency in existing procedures for the closure and realignment of military installations and in the disposal of excess Federal real property under the jurisdiction of the Department of Defense; to the Committee on Armed Services.

By Mr. TRAFICANT:

H.R. 2985. A bill to amend title 23, United States Code, to increase the Federal share payable for highway projects for installation of guardrails and other safety appurtenances; to the Committee on Public Works and Transportation.

By Mr. BLILEY (for himself, Mr. MCKINNEY, and Mr. PARRIS):

H.R. 2986. A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to facilitate the issuance of bonds and notes by the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. GREEN:

H.J. Res. 337. Joint resolution to amend the Constitution of the United States to provide for congressional disapproval of executive actions and to allow the President to veto items contained in appropriations bill, to the Committee on the Judiciary.

By Mr. OWENS:

H. Con. Res. 175. Concurrent resolution calling upon the President to great asylum to those individuals who seek asylum in the United States rather than serve in the South African Armed Forces in support of apartheid; to the Committee on the Judiciary.

By Mr. SOLARZ (for himself and Mr. LEACH of Iowa):

H. Con. Res. 176. Concurrent resolution expressing the sense of the Congress that the continued expansion of Soviet offensive nuclear forces and the possible development by the United States of defensive systems to counter that expansion are directly linked and threaten the achievement of a comprehensive arms control agreement; and that, if the Soviet Union agrees to mutual, verifiable and significant reductions in the overall number of offensive nuclear weapon launchers and warheads, the United States should agree to mutual, verifiable and significant restrictions, consistent with and complementary to the 1972 treaty on the limitation of antiballistic missile systems, on the development, testing, and deployment of components, weapons, supporting systems, and technologies for strategic defensive purposes; to the Committee on Foreign Affairs.

By Mr. GRAY of Illinois:

H. Res. 218. Resolution expressing the sense of the House of Representatives that the Reagan administration should fulfill its promise to renovate the homeless shelter at 425 Second Street NW., in the District of Columbia and find ways to resolve the growing problem of homeless persons in the United States; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MANTON (for himself, Mr. ROYBAL, MR. GORDON, and Mr. KANJORSKI):

H. Res. 219. Resolution expressing the sense of the House with respect to the potential closing and downgrading of hundreds of local offices of the Social Security Administration; to the Committee on Ways and Means.

By Mrs. MEYERS of Kansas:

H. Res. 220. Resolution providing for the consideration of the resolution (H. Res. 164) to amend the Rules of the House of Representatives to make the legislative process more open, accountable, representative, understandable, manageable, workable, and cost effective, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DYMALLY:

H.R. 2987. A bill for the relief of Whiteworth Inc. of Gardens, CA; to the Committee on the Judiciary.

H.R. 2988. A bill for the relief of Thomas Nelson Flanagan; to the Committee on the Judiciary.

By Mr. FAUNTROY:

H.R. 2989. A bill for the relief of the Washington Welfare Association, Inc. of Washington, DC, which operates the Southeast Neighborhood House; to the Committee on the Judiciary.

By Mr. FOGLIETTA:

H.R. 2990. A bill for the relief of Wak Hui Tsang; to the Committee on the Judiciary.

By Mr. GLICKMAN:

H.R. 2991. A bill for the relief of Betsy L. Randall; to the Committee on the Judiciary.

By Mr. RICHARDSON:

H.R. 2992. A bill for the relief of Maria Del Refugio (Alvarez) Ramirez; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 237: Mr. CARPER, Mr. CHAPPELL, Mr. COOPER, Mr. LEHMAN of Florida, and Mr. STUMP.

H.R. 343: Mr. MCEWEN and Mr. VALENTINE.

H.R. 347: Mr. SABO.

H.R. 580: Mr. DELLUMS, Mr. BROWN of California, Mr. MATSUI, Mr. GEJDENSON, Mr. LANTOS, Mr. MOAKLEY, Mr. DICKINSON, Mr. BONER of Tennessee, Mr. DE LUGO, Mr. GINGRICH, Mr. LUNGREN, Mr. MCGRATH, and Mr. GUARINI.

H.R. 773: Mr. GONZALEZ, Mr. LUNDINE, Mrs. BENTLEY, Mr. HAYES, Mr. WILLIAMS, and Mr. MRAZEK.

H.R. 776: Mr. MINETA.

H.R. 871: Mr. BEREUTER.

H.R. 877: Mr. MONTGOMERY.

H.R. 883: Mr. DELAY and Mr. FIELDS.

H.R. 972: Mrs. BENTLEY, Mr. GRAY of Pennsylvania, Mr. COURTER, and Mr. KRAMER.

H.R. 1029: Mr. EMERSON, Mr. STUMP, and Mr. VALENTINE.

H.R. 1068: Mr. DASCHLE and Mr. STARK.

H.R. 1294: Mr. STANGELAND.

H.R. 1524: Mrs. HOLT, Mr. MINETA, Mr. AUCOIN, Ms. SNOWE, and Mr. TRAFICANT.

H.R. 1619: Mr. LEWIS of Florida.

H.R. 1623: Mr. GOODLING.

H.R. 1626: Mr. SMITH of New Jersey, Mr. MOODY, Mrs. JOHNSON, Mr. THOMAS of California, and Mr. LOWRY of Washington.

H.R. 1666: Mr. CHAPPIE, Mr. FAZIO, Mr. GREGG, Mr. KOLTER, Mr. MCGRATH, Mr. ROWLAND of Georgia, Mr. SOLARZ, Mr. WHITEHURST, Mr. HORTON, Mr. FRENZEL, Mr. HENRY, Mr. MOLINARI, Mr. SAXTON, Mr. OWENS, Mr. THOMAS of California, Mr. ZSCHAU, and Mr. COUGHLIN.

H.R. 1746: Mr. FAZIO and Mrs. MEYERS of Kansas.

H.R. 1769: Mr. STUMP.

H.R. 1776: Mrs. ROUKEMA.

H.R. 1840: Mr. HUBBARD, Mr. WISE, Mr. STUMP, Mr. SHUMWAY, Mr. COOPER, and Mr. WILLIAMS.

H.R. 1875: Mr. MCEWEN and Mr. MOODY.

H.R. 1893: Mr. KOLBE.

H.R. 1953: Mr. WAXMAN, Mr. RUSSO, Mr. SEIBERLING, Mr. FAZIO, Mr. DANNEMEYER, Ms. KAPTUR, Mr. HYDE, Mr. HAYES, Mr. LIPINSKI, Mr. PORTER, Mr. GROTBERG, Mr. GRAY of Illinois, Mr. FAWELL, Mr. EVANS of Illinois, Mr. MADIGAN, Mr. BROWN of California, Mr. TORRES, and Mr. BRUCE.

H.R. 1977: Mr. SUNDQUIST.

H.R. 1993: Mrs. BOGGS, Mr. BLILEY, Mr. PORTER, Mr. DREIER of California, Mr. NIELSON OF UTAH, and Mr. MILLER of Washington.

H.R. 2069: Mr. ADDABBO.

H.R. 2080: Mr. ADDABBO, Mr. EDGAR, Mr. MCKERNAN, Mrs. MEYERS of Kansas, Mr. TORRES, Mr. WEAVER, and Mr. WYLIE.

H.R. 2114: Mr. ECKART of Ohio.

H.R. 2158: Mr. SMITH of Florida, Mr. SAXTON, Mr. BLILEY, and Mr. BEREUTER.

H.R. 2255: Mr. EVANS of Illinois, Mr. GRAY of Pennsylvania, Mr. SEIBERLING, Ms. KAPTUR, Mr. MCKERNAN, Mr. MARTINEZ, and Mr. WEISS.

H.R. 2263: Mr. ANTHONY, Mr. BLILEY, Mr. FOGLIETTA, Mrs. JOHNSON, Mr. ORTIZ, Mr. RINALDO, Mr. SABO, Mr. STUDDS, Mr. WEISS, and Mr. HOWARD.

H.R. 2349: Mr. HORTON, Mr. KANJORSKI, and Mr. WYLIE.

H.R. 2383: Mr. MITCHELL and Mr. TALLON.

H.R. 2451: Mr. DERRICK, Mr. SOLOMON, Mr. SHAW, and Mr. WATKINS.

H.R. 2543: Mr. JONES of Oklahoma, Mr. RODINO, Mr. YOUNG of Alaska, Mr. DYMALLY, Mr. SAVAGE, Mr. LIGHTFOOT, Mr. HARTNETT, Mr. DEWINE, Mr. HOYER, Mr. SENSENBRENNER, Mr. ROE, Mr. WORTLEY, Mr. BARNARD, Mr. CONYERS, Mr. LAFALCE, Mr. MURPHY, Mr. BILIRAKIS, Mr. BORSKI, Mr. FISH, Mr. MRAZEK, Mrs. SMITH of Nebraska, and Mr. BATEMAN.

H.R. 2564: Mr. STANGELAND and Mr. FIELDS.

H.R. 2565: Mr. STANGELAND and Mr. FIELDS.

H.R. 2566: Mr. STANGELAND and Mr. FIELDS.

H.R. 2567: Mr. COYNE, Mrs. BURTON of California, Mr. SEIBERLING, Mr. HOYER, and Mr. RODINO.

H.R. 2581: Mr. STENHOLM, Mr. DASCHLE, and Ms. KAPTUR.

H.R. 2617: Mr. SENSENBRENNER.

H.R. 2621: Mr. CLINGER, Mr. CROCKETT, Mr. FORD of Michigan, Mr. HENRY, Mr. KLECZKA, Mr. MCKERNAN, Mr. MCKINNEY, Mr. MATSUI, Mr. RANGEL, Mr. STUDDS, Mr. TOWNS, Mr. VENTO, Mr. WOLPE, and Mr. YOUNG of Alaska.

H.R. 2687: Mr. PENNY, Ms. KAPTUR, Mr. SMITH of New Jersey, Mr. MORRISON of Connecticut, Mr. ROSE, Mrs. COLLINS, Mr. GRAY of Illinois, Mr. O'BRIEN, Mr. SMITH of Florida, Mr. ROBINSON, Mr. TRAFICANT, Mr. DE LUGO, Mr. SENSENBRENNER, Mr. LIPINSKI, and Mr. DORGAN of North Dakota.

H.R. 2712: Mr. SMITH of New Jersey, Mr. DELLUMS, Mr. MITCHELL, Mrs. COLLINS, and Mr. CONYERS.

H.R. 2741: Mr. HUGHES, Mr. LEHMAN of California, and Mr. NEAL.

H.R. 2743. Mr. OWENS.

H.R. 2768: Mr. BARTON of Texas, Mr. BEREUTER, Mr. MCGRATH, Mrs. MARTIN of Illinois, Mr. DIOGUARDI, and Mr. TRAFICANT.

H.R. 2779: Mr. KILDEE, Mr. CROCKETT, Mr. FORD of Michigan, Mr. PURSELL, Mr. CARR, Mr. SCHUETTE, Mr. BONIOR of Michigan, Mr. HERTEL of Michigan, Mr. DINGELL, Mr. BROOMFIELD, and Mr. SILJANDER.

H.R. 2781: Mr. NIELSON of Utah.

H.R. 2791: Mr. DIOGUARDI, Mr. CLINGER, Mr. BIAGGI, Mr. ADDABBO, Mr. BATES, Mr. FUSTER, Mr. BOSCO, Mr. KINDNESS, Mr. SMITH of Florida, Mr. MRAZEK, Mr. KASTENMEIER, Mr. MINETA, Mr. MORRISON of Connecticut, Mr. EVANS of Illinois, Mr. PORTER, Mr. BEDELL, Mr. LEACH of Iowa, Mr. ROSE, Mr. TORRES, Mr. STARK, Mrs. COLLINS, Mr. STOKES, Mr. BERMAN, Mr. BONER of Tennessee, Mr. WEAVER, Mr. LEVIN of Michigan, Mr. TOWNS, Mr. HAYES, Mr. SIKORSKI, Mr. VENTO, Mr. RANGEL, Mr. WEISS, Mr. WOLPE, Mrs. BURTON of California, Mr. SAXTON, Mr. BATEMAN, Mr. MITCHELL, Mr. VALENTINE, Mr. MARTINEZ, Mr. DICKS, Mr. JONES of Oklahoma, Mr. MCGRATH, Mr. NEAL, Mr. CROCKETT, and Ms. KAPTUR.

H.R. 2797: Mr. WILSON and Mr. NIELSON of Utah.

H.R. 2817: Mr. BREAUX, Mr. ANDREWS, Mr. BATEMAN, Mr. MRAZEK, Mr. EVANS of Illinois, Mr. WORTLEY, Mr. SMITH of New Hampshire, Mrs. ROUKEMA, Mr. BOULTER, and Mr. GREGG.

H.R. 2866: Mrs. COLLINS, Mr. OBERSTAR, Mr. ROBERT F. SMITH, Mr. MONTGOMERY, Mr. MARTINEZ, and Mr. DELLUMS.

H.R. 2900: Mr. BOEHLERT.

H.R. 2948: Mr. TAUZIN and Mr. BREAUX.

H.J. Res. 3: Mr. BUSTAMANTE.

H.J. Res. 36: Mr. GRAY of Pennsylvania.

H.J. Res. 41: Mr. MARTIN of New York.

H.J. Res. 76: Mr. BORSKI, Mr. MACKAY, Mr. BENNETT, Mr. FAUNTROY, Mr. RINALDO, Mr. CHANDLER, Mr. CRANE, Mr. DORNAN of California, Mr. MCCANDLESS, Mr. MCMILLAN, Mr. TAYLOR, Mr. ANNUNZIO, Mr. BEILENSON, Mr. BERMAN, Mr. BOUCHER, Mrs. BURTON of California, Mr. CLAY, Mr. COLEMAN of Texas, Mrs. COLLINS, Mr. CROCKETT, Mr. DE LA GARZA, Mr. DINGELL, Mr. DORGAN of North Dakota, Mr. DOWNEY of New York, Mr. EARLY, Mr. GEPHARDT, Mr. GIBBONS, Mr. RALPH M. HALL, Mr. HAYES, Mr. IRELAND, Mr. JACOBS, Mr. KANJORSKI, Mr. KASTENMEIER, Mrs. KENNELLY, Mr. LEVINE of California, Mr. LIPINSKI, Mr. MAVROULES, Mr. MILLER of California, Mr. NICHOLS, Ms. OAKAR, Mr. ORTIZ, Mr. OWENS, Mr. RODINO, Mr. ROYBAL, Mr. SCHUMER, Mr. SHELBY, Mr. STAGGERS, Mr. STENHOLM, Mr. TORRICELLI, Mr. TRAFICANT, Mr. UDALL, Mr. VENTO, Mr. WALGREN, Mr. WYDEN, Mr. WHITTEN, Mr. DICKS, Mr. DURBIN, Mr. SKELTON, Mr. MONSON, Mr. PARRIS, Mr. BREAUX, Mr. SOLOMON, and Mr. BRUCE.

H.J. Res. 106: Mr. SOLOMON.

H.J. Res. 122: Mr. STOKES, Mr. RANGEL, Mrs. BOXER, Mr. VALENTINE, Mr. KINDNESS, Mr. GRAY of Pennsylvania, Mr. STUMP, Mr. RINALDO, Mrs. ROUKEMA, and Mr. PURSELL.

H.J. Res. 135: Mr. TRAFICANT.

H.J. Res. 156: Mr. DEWINE.

H.J. Res. 171: Mr. VOLKMER, Mr. DANIEL, Mr. DE LUGO, Mr. WOLPE, Mr. VANDER JAGT, Mr. FAUNTROY, Mr. COURTER, Mr. HUBBARD, Mr. MONTGOMERY, Mr. PURSELL, Mr. TAYLOR, Mr. WALKER, Mr. BEVILL, Mr. RANGEL, Mr. CAMPBELL, Mr. CHAPPIE, Mr. BEDELL, Mr. O'BRIEN, Mr. FLORIO, Mr. BIAGGI, Mr. MCEWEN, Mr. DERRICK, Mr. BOEHLERT, Mr. BONIOR of Michigan, Mr. FISH, Mr. FEIGHAN, Mr. COBEY, Mr. GREGG, and Mr. CARR.

H.J. Res 218: Mr. DINGELL, Mr. BROYHILL, Mr. BATES, Mr. ROSE, Mr. PERKINS, Mr. MURPHY, Mr. BREAUX, Mr. BONIOR of Michigan, Mr. SUNIA, Mr. SKEEN, Mr. HENDON, Mr. MCCAIN, and Mr. STUMP.

H.J. Res 222: Mr. BROYHILL, Mr. CAMPBELL, Mr. DIXON, Mr. FRANK, Mr. NEAL, Mr. NICHOLS, Mr. WALGREN, and Mr. YATRON.

H.J. Res. 254: Mr. BROWN of California, Mr. VOLKMER, Mr. BARNES, Mr. DIXON, Mr. BERMAN, Ms. OAKAR, Mr. DYMALLY, Mr. ROE, Mr. MAZZOLI, Mr. MCGRATH, Mr. HUGHES, Mr. WORTLEY, Mrs. BOXER, Mr. WEISS, Mr. SOLOMON, Mr. HEFTEL of Hawaii, Mr. KOLTER, Mr. FROST, Mr. LAFALCE, Mr. HOYER, Mr. DEWINE, Mr. ROSE, Mr. LAGOMARSINO, Mr. FLORIO, Mrs. HOLT, Mr. MARTINEZ, Mr. MURPHY, Mr. DWYER of New Jersey, Mr. ROWLAND of Georgia, Mr. CHAPPIE, Mr. TOWNS, Mr. AKAKA, Mr. BONER of Tennessee, Mrs. BENTLEY, Mrs. BURTON of California, Mr. CARPER, Mr. DANIEL, Mr. DARDEN, Mr. DIOGUARDI, Mr. EMERSON, Mr. FEIGHAN, Mr. FAZIO, Mr. EARLY, Mr. HAYES, Mr. ADDABBO, Mr. CHANDLER, Mr. REID, Mr. DE LA GARZA, Mr. OWENS, Mr. CARR, Mr. HUTTO, Mr. LANTOS, Mr. LEVIN of Michigan, Mr. DONNELLY, Mrs. COLLINS, Mr. LEACH of Iowa, Mr. VALENTINE, Ms. KAPTUR, Mr. CONTE, Mr. COATS, Mr. NEAL, Mrs. ROUKEMA, Mr. WYDEN, Mrs. KENNELLY, Mr. MCEWEN, Mr. MRAZEK, Mr. RINALDO, Mr. O'BRIEN, Mr. RODINO, Mr. TORRICELLI, Mr. TRAFICANT, Mr. TRAXLER, Mr. WHITLEY, Mr. WIRTH, and Mr. WOLPE.

H.J. Res. 275: Mr. ROE, Mr. DORNAN of California, Mr. KANJORSKI, Mr. HORTON, Mr. DIOGUARDI, Mr. VOLKMER, Mr. FEIGHAN, Mr. DEWINE, Mr. CLINGER, Mr. MURPHY, Mr. PRICE, Mr. MORRISON of Connecticut, Mr. ANNUNZIO, Mr. ADDABBO, Mr. NELSON of Florida, Mr. CARNEY, Mr. BONIOR of Michigan, Ms. KAPTUR, Mr. GILMAN, Mr. DE LA GARZA, Mr. GALLO, Mr. LAFALCE, Mr. MOLLOHAN, and Mr. DANNEMEYER.

H.J. Res. 295: Mr. HUCKABY, Mr. PANETTA, Mr. WOLPE, and Mr. BARNES.

H.J. Res. 296: Mr. LEWIS of California, Mr. RAHALL, Ms. SNOWE, Mr. CHAPPELL, Mr. MAVROULES, Mr. ROE, Mr. YOUNG of Alaska, Mr. THOMAS of Georgia, Mr. WIRTH, Mr. PEPPER, Mr. ROSE, and Mrs. VUCANOVICH.

H.J. Res. 308: Mr. ANDREWS, Mr. BERMAN, Mr. BROOMFIELD, Mr. BRYANT, Mr. CHAPPIE, Mr. COELHO, Mrs. COLLINS, Mr. DAVIS, Mr. FAZIO, Mr. GONZALEZ, Mr. HEFTEL of Hawaii, Mrs. HOLT, Mr. HORTON, Mr. HUGHES, Ms. KAPTUR, Mr. LAFALCE, Mr. LANTOS, Mr. MCCLOSKEY, Mr. O'BRIEN, Mr. OWENS, Mr. ROE, Mr. SKELTON, Mr. SUNIA, Mr. WEISS, and Mr. WILSON.

H.J. Res. 312: Mr. MACKAY, Mr. LEHMAN of Florida, Mr. FASCELL, Mr. WOLF, Mr. GREEN, Ms. KAPTUR, Mr. MURPHY, Mr. DORNAN of California, Mr. SCHULZE, Mrs. COLLINS, Mr. SMITH of Florida, Mr. LAGOMARSINO, Mr. YOUNG of Florida, Mr. SAXTON, Mr. WORTLEY, Mr. FROST, Mr. WOLPE, Mr. IRELAND, Mr. HUTTO, Mr. ROE, Mr. DE LUGO, Mr. MARTINEZ, Mr. BENNETT, Mr. VALENTINE, Mr. BORSKI, Mr. FRENZEL, Mr. HUGHES, Mr. OWENS, Mr. BLILEY, Mr. DARDEN, Mr. GRAY of Pennsylvania, Mrs. HOLT, Mr. MRAZEK, Mr. STANGELAND, Mr. FAZIO, Mr. NOWAK, Mr. WEISS, and Mr. COATS.

H.J. Res. 318: Mr. NELSON of Florida, Mr. WALKER, Mr. LUJAN, Mr. MONSON, Mr. LANTOS, Mr. BATEMAN, Mr. O'BRIEN, Mr. BOEHLERT, Mr. CHANDLER, Mr. TOWNS, Mr. BOLAND, Mr. LEWIS of Florida, Mr. COOPER, Mr. YOUNG of Missouri, Mr. REID, Mr. DORNAN of California, Mr. EVANS of Illinois, Mr. STALLINGS, Mr. KOSTMAYER, Mr. KRAMER, Mr. ANDREWS, Mr. BROOKS, Mr. BARNES, Mr. WORTLEY, Mr. FRENZEL, Mr. EMERSON, Mr. FLIPPO, Mr. LEVINE of California, Mr. FAUNTROY, Mr. LAGOMARSINO, Mr. SKELTON, Mr. WOLF, Mr. MRAZEK, Mr. BROWN of California, Mr. CARNEY, Mr. FOWLER, Mr. HANSEN, Mr. LEWIS of California, Mr. MOAKLEY, Mr. NIELSON of Utah, Ms. OAKAR, Mr. UDALL, Mr. DYMALLY, Mr. GINGRICH, Mr. GREEN, Mr. MCGRATH, Mr. BLILEY, Mr. CHAPPIE, Mr. DARDEN, Mr. HORTON, Mr. HALL of Texas, Mr. BONER of Tennessee, Mr. DANIEL, Mr. DERRICK, Mr. TORRICELLI, Mr. DIXON, Mr. RODINO, Mr. CAMPBELL, Mr. MURPHY, Mrs. HOLT, Mr. ALEXANDER, Ms. FIEDLER, Mr. HENRY, Mr. COBEY, Mr. MARTIN of New York, Mr. HYDE, Mr. SLAUGHTER, Mr. SCHEUER, Mr. LUNGREN, Mr. LOEFFLER, Mr. KOLTER, Mr. CONYERS, Mr. MACK, Mr. STENHOLM, Mr. SHAW, Mr. DE LUGO, Mr. MARTINEZ, Mr. RICHARDSON, Mr. HUTTO, Mr. ROWLAND of Georgia, Mr. MCHUGH, Mr. DASCHLE, Mr. WOLPE, Mr. LUNDINE, Mr. RITTER, Mr. KASICH, Mr. DICKINSON, Mr. SMITH of New Hampshire, Mr. WYDEN, Mr. YOUNG of Florida, Mr. SILJANDER, Mr. BARTON of Texas, Mr. MOORHEAD, Mr. HEFNER, Mr. PRICE, Mr. BIAGGI, Mr. BREAUX, Mr. AKAKA, Mr. BORSKI, Mr. APPLEGATE, Mr. BEVILL, Mr. HEFTEL of Hawaii, Mr. FAZIO, Mr. MATSUI, Mr. TALLON, Mr. HAMMERSCHMIDT, Mr. SKEEN, Mr. DORGAN of North Dakota, Mr. MCCAIN, Mr. MACKAY, Mr. GUNDERSON, Mr. ROSE, Mr. JENKINS, Mr. GORDON, Mr. DELAY, Mr. MORRISON of Connecticut, Mr. BLAZ, Mr. FOLEY, Mr. CARR, Mr. BRYANT, Mr. BRUCE, Mr. JEFFORDS, Mr. LELAND, Mr. TRAXLER, Mr. ANTHONY, Mr. FROST, Mr. ADDABBO, Mr. BOUCHER, Mrs. LLOYD, Mr. VOLKMER, Mr. PERKINS, Mr. ROE, Mr. MOODY, Mrs. BURTON of California, Mrs. BENTLEY, Mr. MINETA, Mr. GEPHARDT, Mrs. BYRON, Mr. THOMAS of Georgia, Mr. ANDERSON, Mr. CARPER, Mr. FLORIO, Mr. SNYDER, Mr. VALENTINE, Mr. LIVINGSTON, Mr. DIOGUARDI, Mr. FISH, Mr. CROCKETT, Mr. YOUNG of Alaska, Mr. TAUKE, Mr. BONIOR of Michigan, Mr. PACKARD, Mr. ACKERMAN, Mr. COATS, and Mr. DAUB.

H. Con. Res. 69: Mr. DAVIS, Mr. CRANE, and Mr. ROSE.

H. Con. Res. 71: Ms. SNOWE.

H. Con. Res. 120: Mr. SOLARZ and Mr. FOGLIETTA.

H. Con. Res. 129: Mr. RUDD and Mr. SLATTERY.

H. Con. Res. 133: Mr. TORRICELLI.

H. Con. Res. 167: Mr. MOAKLEY, Mr. JONES of Tennessee, Mr. MCGRATH, Mr. LUJAN, Mr. BROWN of California, Mr. KOLTER, and Mrs. SCHNEIDER.

H. Con. Res. 173: Mr. TOWNS, Mr. GRAY of Illinois, Mr. KEMP, and Mr. HOWARD.

H. Res. 107: Mr. ATKINS.

H. Res. 154: Mr. PACKARD, Mr. THOMAS of California, Mr. BEREUTER, Mr. WOLF, Mr. MCMILLAN, Mr. WHITEHURST, Mr. LAGOMARSINO, Mr. MCKINNEY, and Mr. GROTBERG.

H. Res. 208: Mr. CAMPBELL, Mr. BILIRAKIS, Mr. BLILEY, Mr. ROGERS, Mr. Denny SMITH, Mr. WILSON, and Mr. BARTON of Texas.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 10

By Mr. HOWARD:

—Page 18, strike out line 8 and all that follows through "1986," on line 9 and insert in lieu thereof the following:

$140,000,000 for the fiscal year ending September 30, 1986, and such sums as may be necessary for the fiscal years ending

Page 25, strike out line 4 and all that follows through "1986" on line 5 and insert in lieu thereof the following:

$40,000,000 for the fiscal year ending September 30, 1986, and such sums as may be necessary for the fiscal years ending

Page 35, line 14, strike out "$30,000,000" and all that follows through the period of line 17 and insert in lieu thereof the following:

$26,000,000 for the fiscal year ending September 30, 1986, and such sums as may be necessary for the fiscal years ending September 30, 1987, and September 30, 1988.

Page 36, line 14, strike out "$5,800,000" and all that follows through "not to exceed" on line 23 and insert in lieu thereof the following:

$2,500,000 for the fiscal year ending September 30, 1986 (of such amount not to exceed $500,000 shall be available for the expenses of the Federal cochairman, his alternate, and his staff), and such sums as may be necessary for the fiscal years ending September 30, 1987, September 30, 1988, September 30, 1989, and September 30, 1990. Of amounts appropriated pursuant to the preceding sentence for each of the fiscal years ending September 30, 1987, September 30, 1988, September 30, 1989, and September 30, 1990, not to exceed

Page 36, line 25, strike out the closing parenthesis.

Page 37, line 7, strike out "$234,000,000" and all that follows through the second period on line 12 and insert in lieu thereof the following:

$90,000,000 for the fiscal year ending September 30, 1986, and such sums as may be necessary for the fiscal years ending September 30, 1987, September 30, 1988, September 30, 1989, September 30, 1990, September 30, 1991, and September 30, 1992.".

Page 39, line 16, strike out "$166,000,000" and all that follows through the second period on line 20 and insert in lieu thereof the following:

$43,670,000 for the fiscal year ending September 30, 1986, and such sums as may be necessary for the fiscal years ending September 30, 1987, September 30, 1988, September 30, 1989, and September 30, 1990.".