

their constitutional right to travel freely, to Cuba if they so desire. America can also lead by example by avoiding needless antagonization of Cuba. Wherever they are, our diplomatic community must always act diplomatically.

Current U.S. policy towards Cuba has proved a failure. It makes no sense to continue down the path of isolation. The recent actions by the Cuban government, while reprehensible, do not change that central fact. U.S. policy should be based on U.S. national interests, not a system of rewards and punishments for good or bad behavior. In this instance, the Cuban government has behaved badly and they should be properly sanctioned for it, in America and in the world community. This resolution is an appropriate measure. I do not think, however, that it should affect policy. This should not lead to greater restrictions. To the contrary, the response should be greater exchange between the U.S. and Cuba. Greater freedom and openness will lead to a more free and open Cuban society. As we call on Cuba now to change its policy, we must also ask ourselves what we can do to have a more free and open policy. Lifting the travel and trade ban on Cuba would be a good start.

Mr. MEEK of Florida. Mr. Speaker, I rise today in strong support of this resolution. I also thank my South Florida colleagues, LINCOLN DIAZ-BALART, ILEANA ROS-LEHTINEN and MARIO DIAZ-BALART for bringing this resolution to the floor. I stand with them today to condemn the brutal and inhumane attacks by Fidel Castro on innocent human rights activists, trade union leaders, journalists and ordinary citizens in Cuba.

Fidel Castro has taken advantage of the power he has in his country and over his citizens for years. Today, he is taking advantage of the world's focus on the war in Iraq to once again suppress Cuban dissidents who are trying to exercise basic rights of freedom of expression, seeking a peaceful evolution towards a democracy he so obviously deplores.

Mr. Speaker, here in the United States, protesters are using their First Amendment rights to speak their minds on the war in Iraq. Whether they support the Bush administration or not and whether we agree with them or not, people in this country rally to voice their concerns over the war, and other issues, without the fear of being brutally attacked and imprisoned for the rest of their lives.

In Cuba however, the freedom to express your mind is nonexistent. The imprisoned dissidents in Cuba are part of a growing movement who are continuously followed, harassed, phone-tapped and detained.

For merely stating their opinions, signing petitions and writing articles advocating the end of the dictatorship in Cuba, these activists are charged as criminals. They are threatened for gathering in each other's private homes to talk about the resurrection of a better life in Cuba for themselves and for future generations to come.

Mr. Speaker, these callous and repressive acts by Castro's regime are nothing new. They have been occurring long before my colleagues and I came to Congress. Many of the prisoners will probably face years of imprisonment, joining several hundred political prisoners who have been previously sentenced for similar harmless acts. For decades now, Castro has repeatedly used the repression of his citizens as a means of retaining authority and control over his country and over his people.

It is for these reasons I stand in strong support of this resolution and ask my fellow colleagues to join me to condemn the arrests of these individuals and insist the immediate release of all political prisoners in Cuba.

Mr. DELAY. Mr. Speaker, on March 17th of this year, Fidel Castro initiated his most draconian crack-down on political dissidents in recent years.

He has ordered the arrest of more than 80 pro-democracy activists. He has tried them in proceedings the State Department called a "kangaroo court." And he has sentenced them to decades in prison on illegitimate charges.

Castro was wrong to think he could tighten his choke-hold on the human rights of his people under the radar of the civilized world.

The United States may be engaged in armed conflict on the other side of the world, but no fog of war can conceal Castro's barbarism.

And no freedom-loving nation can reward such behavior with trade policies that, however well-intentioned, would enrich a terrorist regime 90 miles off our shores.

If Castro cared about the Cuban people, he would stop brutalizing members of the pro-democracy movement. He would release all his political prisoners, and restore individual liberties to his people.

He would recognize the human rights of all Cubans, especially those with the courage to speak the truth about his goon squad of a government.

This resolution calls on the Cuban dictator to do all of these things, and it puts the House of Representatives once again on the side of our oppressed neighbors and against their oppressor.

I urge all Members to support it.

The SPEAKER pro tempore (Mr. LINDER). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 179.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CLEAN DIAMOND TRADE ACT

Mr. CRANE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1584) to implement effective measures to stop trade in conflict diamonds, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1584

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clean Diamond Trade Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Funds derived from the sale of rough diamonds are being used by rebels and state actors to finance military activities, overthrow legitimate governments, subvert international efforts to promote peace and stability, and commit horrifying atrocities against unarmed civilians. During the past decade, more than 6,500,000 people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control of diamond mining areas. A million of these are refugees eking out a miserable existence in neighboring countries, and tens of thousands have fled to the United States. Approximately 3,700,000 people have died during these wars.

(2) The countries caught in this fighting are home to nearly 70,000,000 people whose societies have been torn apart not only by fighting but also by terrible human rights violations.

(3) Human rights and humanitarian advocates, the diamond trade as represented by the World Diamond Council, and the United States Government have been working to block the trade in conflict diamonds. Their efforts have helped to build a consensus that action is urgently needed to end the trade in conflict diamonds.

(4) The United Nations Security Council has acted at various times under chapter VII of the Charter of the United Nations to address threats to international peace and security posed by conflicts linked to diamonds. Through these actions, it has prohibited all states from exporting weapons to certain countries affected by such conflicts. It has further required all states to prohibit the direct and indirect import of rough diamonds from Sierra Leone unless the diamonds are controlled under specified certificate of origin regimes and to prohibit absolutely the direct and indirect import of rough diamonds from Liberia.

(5) In response, the United States implemented sanctions restricting the importation of rough diamonds from Sierra Leone to those diamonds accompanied by specified certificates of origin and fully prohibiting the importation of rough diamonds from Liberia. The United States is now taking further action against trade in conflict diamonds.

(6) Without effective action to eliminate trade in conflict diamonds, the trade in legitimate diamonds faces the threat of a consumer backlash that could damage the economies of countries not involved in the trade in conflict diamonds and penalize members of the legitimate trade and the people they employ. To prevent that, South Africa and more than 30 other countries are involved in working, through the "Kimberley Process", toward devising a solution to this problem. As the consumer of a majority of the world's supply of diamonds, the United States has an obligation to help sever the link between diamonds and conflict and press for implementation of an effective solution.

(7) Failure to curtail the trade in conflict diamonds or to differentiate between the trade in conflict diamonds and the trade in legitimate diamonds could have a severe negative impact on the legitimate diamond trade in countries such as Botswana, Namibia, South Africa, and Tanzania.

(8) Initiatives of the United States seek to resolve the regional conflicts in sub-Saharan Africa which facilitate the trade in conflict diamonds.

(9) The Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds of November 5, 2002, states that Participants will ensure that measures taken to implement the Kimberley Process Certification Scheme for Rough Diamonds

will be consistent with international trade rules.

SEC. 3. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Ways and Means and the Committee on International Relations of the House of Representatives, and the Committee on Finance and the Committee on Foreign Relations of the Senate.

(2) **CONTROLLED THROUGH THE KIMBERLEY PROCESS CERTIFICATION SCHEME.**—An importation or exportation of rough diamonds is “controlled through the Kimberley Process Certification Scheme” if it is an importation from the territory of a Participant or exportation to the territory of a Participant of rough diamonds that is—

(A) carried out in accordance with the Kimberley Process Certification Scheme, as set forth in regulations promulgated by the President; or

(B) controlled under a system determined by the President to meet substantially the standards, practices, and procedures of the Kimberley Process Certification Scheme.

(3) **EXPORTING AUTHORITY.**—The term “exporting authority” means 1 or more entities designated by a Participant from whose territory a shipment of rough diamonds is being exported as having the authority to validate the Kimberley Process Certificate.

(4) **IMPORTING AUTHORITY.**—The term “importing authority” means 1 or more entities designated by a Participant into whose territory a shipment of rough diamonds is imported as having the authority to enforce the laws and regulations of the Participant regulating imports, including the verification of the Kimberley Process Certificate accompanying the shipment.

(5) **KIMBERLEY PROCESS CERTIFICATE.**—The term “Kimberley Process Certificate” means a forgery resistant document of a Participant that demonstrates that an importation or exportation of rough diamonds has been controlled through the Kimberley Process Certification Scheme and contains the minimum elements set forth in Annex I to the Kimberley Process Certification Scheme.

(6) **KIMBERLEY PROCESS CERTIFICATION SCHEME.**—The term “Kimberley Process Certification Scheme” means those standards, practices, and procedures of the international certification scheme for rough diamonds presented in the document entitled “Kimberley Process Certification Scheme” referred to in the Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds of November 5, 2002.

(7) **PARTICIPANT.**—The term “Participant” means a state, customs territory, or regional economic integration organization identified by the Secretary of State.

(8) **PERSON.**—The term “person” means an individual or entity.

(9) **ROUGH DIAMOND.**—The term “rough diamond” means any diamond that is unworked or simply sawn, cleaved, or bruted and classifiable under subheading 7102.10, 7102.21, or 7102.31 of the Harmonized Tariff Schedule of the United States.

(10) **UNITED STATES.**—The term “United States”, when used in the geographic sense, means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(11) **UNITED STATES PERSON.**—The term “United States person” means—

(A) any United States citizen or any alien admitted for permanent residence into the United States;

(B) any entity organized under the laws of the United States or any jurisdiction within the United States (including its foreign branches); and

(C) any person in the United States.—

SEC. 4. MEASURES FOR THE IMPORTATION AND EXPORTATION OF ROUGH DIAMONDS.

(a) **PROHIBITION.**—The President shall prohibit the importation into, or exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme.

(b) **WAIVER.**—The President may waive the requirements set forth in subsection (a) with respect to a particular country for periods of not more than 1 year each, if, with respect to each such waiver—

(1) the President determines and reports to the appropriate congressional committees that such country is taking effective steps to implement the Kimberley Process Certification Scheme; or

(2) the President determines that the waiver is in the national interests of the United States, and reports such determination to the appropriate congressional committees, together with the reasons therefor.

SEC. 5. REGULATORY AND OTHER AUTHORITY.

(a) **IN GENERAL.**—The President is authorized to and shall as necessary issue such proclamations, regulations, licenses, and orders, and conduct such investigations, as may be necessary to carry out this Act.

(b) **RECORDKEEPING.**—Any United States person seeking to export from or import into the United States any rough diamonds shall keep a full record of, in the form of reports or otherwise, complete information relating to any act or transaction to which any prohibition imposed under section 4(a) applies. The President may require such person to furnish such information under oath, including the production of books of account, records, contracts, letters, memoranda, or other papers, in the custody or control of such person.

(c) **OVERSIGHT.**—The President shall require the appropriate Government agency to conduct annual reviews of the standards, practices, and procedures of any entity in the United States that issues Kimberley Process Certificates for the exportation from the United States of rough diamonds to determine whether such standards, practices, and procedures are in accordance with the Kimberley Process Certification Scheme. The President shall transmit to the appropriate congressional committees a report on each annual review under this subsection.

SEC. 6. IMPORTING AND EXPORTING AUTHORITIES.

(a) **IN THE UNITED STATES.**—For purposes of this Act—

(1) the importing authority shall be the United States Bureau of Customs and Border Protection or, in the case of a territory or possession of the United States with its own customs administration, analogous officials; and

(2) the exporting authority shall be the Bureau of the Census.

(b) **OF OTHER COUNTRIES.**—The President shall publish in the Federal Register a list of all Participants, and all exporting authorities and importing authorities of Participants. The Secretary shall update the list as necessary.

SEC. 7. STATEMENT OF POLICY.

The Congress supports the policy that the President shall take appropriate steps to promote and facilitate the adoption by the international community of the Kimberley Process Certification Scheme implemented under this Act.

SEC. 8. ENFORCEMENT.

(a) **IN GENERAL.**—In addition to the enforcement provisions set forth in subsection (b)—

(1) a civil penalty of not to exceed \$10,000 may be imposed on any person who violates,

or attempts to violate, any license, order, or regulation issued under this Act; and

(2) whoever willfully violates, or willfully attempts to violate, any license, order, or regulation issued under this Act shall, upon conviction, be fined not more than \$50,000, or, if a natural person, may be imprisoned for not more than 10 years, or both; and any officer, director, or agent of any corporation who willfully participates in such violation may be punished by a like fine, imprisonment, or both.

(b) **IMPORT VIOLATIONS.**—Those customs laws of the United States, both civil and criminal, including those laws relating to seizure and forfeiture, that apply to articles imported in violation of such laws shall apply with respect to rough diamonds imported in violation of this Act.

(c) **AUTHORITY TO ENFORCE.**—The United States Bureau of Customs and Border Protection and the United States Bureau of Immigration and Customs Enforcement are authorized, as appropriate, to enforce the provisions of subsection (a) and to enforce the laws and regulations governing exports of rough diamonds, including with respect to the validation of the Kimberley Process Certificate by the exporting authority.

SEC. 9. TECHNICAL ASSISTANCE.

The President may direct the appropriate agencies of the United States Government to make available technical assistance to countries seeking to implement the Kimberley Process Certification Scheme.

SEC. 10. SENSE OF CONGRESS.

(a) **ONGOING PROCESS.**—It is the sense of the Congress that the Kimberley Process Certification Scheme, officially launched on January 1, 2003, is an ongoing process. The President should work with Participants to strengthen the Kimberley Process Certification Scheme through the adoption of measures for the sharing of statistics on the production of and trade in rough diamonds, and for monitoring the effectiveness of the Kimberley Process Certification Scheme in stemming trade in diamonds the importation or exportation of which is not controlled through the Kimberley Process Certification Scheme.

(b) **STATISTICS AND REPORTING.**—It is the sense of the Congress that under Annex III to the Kimberley Process Certification Scheme, Participants recognized that reliable and comparable data on the international trade in rough diamonds are an essential tool for the effective implementation of the Kimberley Process Certification Scheme. Therefore, the executive branch should continue to—

(1) keep and publish statistics on imports and exports of rough diamonds under subheadings 7102.10.00, 7102.21, and 7102.31.00 of the Harmonized Tariff Schedule of the United States;

(2) make these statistics available for analysis by interested parties and by Participants; and

(3) take a leadership role in negotiating a standardized methodology among Participants for reporting statistics on imports and exports of rough diamonds.

SEC. 11. KIMBERLEY PROCESS IMPLEMENTATION COORDINATING COMMITTEE.

The President shall establish a Kimberley Process Implementation Coordinating Committee to coordinate the implementation of this Act. The Committee should be composed of the following individuals or their designees:

(1) The Secretary of the Treasury and the Secretary of State, to serve as co-chairpersons.

(2) The Secretary of Commerce.

(3) The United States Trade Representative.

(4) The Secretary of Homeland Security.

(5) A representative of any other agency the President deems appropriate.

SEC. 12. REPORTS.

(a) ANNUAL REPORTS.—Not later than 1 year after the date of the enactment of this Act and every 12 months thereafter for such period as this Act is in effect, the President shall transmit to the Congress a report—

(1) describing actions taken by countries that have exported rough diamonds to the United States during the preceding 12-month period to control the exportation of the diamonds through the Kimberley Process Certification Scheme;

(2) describing whether there is statistical information or other evidence that would indicate efforts to circumvent the Kimberley Process Certification Scheme, including cutting rough diamonds for the purpose of circumventing the Kimberley Process Certification Scheme;

(3) identifying each country that, during the preceding 12-month period, exported rough diamonds to the United States and was exporting rough diamonds not controlled through the Kimberley Process Certification Scheme, if the failure to do so has significantly increased the likelihood that those diamonds not so controlled are being imported into the United States; and

(4) identifying any problems or obstacles encountered in the implementation of this Act or the Kimberley Process Certification Scheme.

(b) SEMIANNUAL REPORTS.—For each country identified in subsection (a)(3), the President, during such period as this Act is in effect, shall, every 6 months after the initial report in which the country was identified, transmit to the Congress a report that explains what actions have been taken by the United States or such country since the previous report to ensure that diamonds the exportation of which was not controlled through the Kimberley Process Certification Scheme are not being imported from that country into the United States. The requirement to issue a semiannual report with respect to a country under this subsection shall remain in effect until such time as the country is controlling the importation and exportation of rough diamonds through the Kimberley Process Certification Scheme.

SEC. 13. GAO REPORT.

Not later than 24 months after the effective date of this Act, the Comptroller General of the United States shall transmit a report to the Congress on the effectiveness of the provisions of this Act in preventing the importation or exportation of rough diamonds that is prohibited under section 4. The Comptroller General shall include in the report any recommendations on any modifications to this Act that may be necessary.

SEC. 14. DELEGATION OF AUTHORITIES.

The President may delegate the duties and authorities under this Act to such officers, officials, departments, or agencies of the United States Government as the President deems appropriate.

SEC. 15. EFFECTIVE DATE.

This Act shall take effect on the date on which the President certifies to the Congress that—

(1) an applicable waiver that has been granted by the World Trade Organization is in effect; or

(2) an applicable decision in a resolution adopted by the United Nations Security Council pursuant to Chapter VII of the Charter of the United Nations is in effect.

This Act shall thereafter remain in effect during those periods in which, as certified by the President to the Congress, an applicable waiver or decision referred to in paragraph (1) or (2) is in effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. CRANE) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

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

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I would like to begin by commending the gentleman from New York (Mr. HOUGHTON), the vice-chairman of the Subcommittee on Africa, for working long and hard on this legislation.

For several years now, the House has been focused on the problem of conflict diamonds around the world. Three years ago, the Subcommittee on Africa that I chair held a hearing on these conflict diamonds; and we have had several hearings on Sierra Leone where, again, these diamonds have fueled a conflict, frankly, a conflict that has brutalized many children in that country, a conflict that has led to the forced amputations of the arms and legs of little girls and little boys in Sierra Leone.

Concerted international action, including a U.N. curb on the diamond trade in Sierra Leone and neighboring Liberia, has helped give Sierra Leone a chance for peace. The legislation that we are considering today builds on that success.

We should note that the problem of natural resources fueling conflicts in Africa is not limited to diamonds. Over the last several years, an estimated 2.5 million people have died in the eastern Congo due to a conflict being fueled by an illegal natural resource rush. The U.N. has documented what it calls "elite networks," government officials from Rwanda, Uganda, Zimbabwe, and the Congo acting in collaboration with international criminals and war lords. What are they doing? They are gorging on diamonds, but also other minerals and on farm produce and land and tax revenue, and these characters thrive in an environment of conflict. They thrive on death, and we need to combat all of this exploitation.

Today, though, we are focused on a significant part of the problem, and that is diamonds; and this legislation is an important tool to fight this chaos that is going on in eastern Congo and elsewhere. Ending the trade in conflict diamonds is all the more important given reports of terrorists using rough diamonds to hide their funds and to transfer their funds.

Again, I would like to commend the gentleman from New York and the other Members; and to name a few, I would like to commend the gentleman from Virginia (Mr. WOLF); our former Member, the gentleman from Ohio (Mr. Hall); the gentleman from New York (Mr. RANGEL); and others who have worked on this legislation, which has been several years in the making. It promises to curb the trade in conflict diamonds while not harming the legiti-

mate diamond trade that so many Africans depend on for their livelihood.

This is an important step forward and deserves strong support.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume, and I ask unanimous consent to yield the balance of the time, after I am done, to the gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations, and also that he be allowed to allocate that time as he desires.

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

There was no objection.

Mr. LEVIN. Mr. Speaker, I rise in support of this legislation. H.R. 1584, the Clean Diamond Trade Act, implements our obligations, the U.S. obligations under the Kimberley Process Certification Scheme, an international system designed to ensure that rough diamonds entering the U.S. are legally mined and traded.

Once in place, this system will be instrumental in ensuring that conflict diamonds, gems that have fueled decades-long wars and atrocities in Africa, are not imported into the United States.

This legislation represents the culmination of a 3-year effort led in substantial part by the gentleman from Virginia (Mr. WOLF) and former Member, the gentleman from Ohio (Mr. Hall), and the gentleman from New York (Mr. HOUGHTON), who is here today, and I salute his efforts, and the gentleman from New York (Mr. RANGEL).

Each of these Members has helped to keep the spotlight focused on the terrible toll trade in conflict diamonds has had on the people of sub-Saharan Africa. They have worked diligently and responsibly to address the concerns of the administration and of the gentleman from California (Mr. THOMAS). They have also worked to address concerns about the impact of rough diamond regulations on legitimate diamond trade in countries such as Botswana, Namibia, South Africa, and Tanzania.

Let me just say briefly a word about the circumstances under which this bill is being considered. There is an urgent time factor. As a result, this legislation was not considered in the Committee on Ways and Means or the Committee on International Relations; but this was not basically an effort to bypass the committee process which, in my view, is essential to the development of sound legislation. Rather, we agreed, on a bipartisan basis, because of time constraints, to proceed in this manner, in part in large measure because of the implications of continued nonaction by the U.S.

Specifically, as I understand it, the entire international certification system was not going to go into effect because we here had not implemented our obligations. So I am glad we were able to work across the aisle, across committees and with the NGO community,

the diamond industry and the diamond mining country representatives to put this bill together.

I believe it is a beneficial work product, one which I urge my colleagues to pass; and also I think it is an example of how to proceed on a bipartisan basis. It makes sense here, and it makes sense on other important issues.

Specific provisions I am pleased to see included are inclusion of record-keeping requirements for importers and exporters of rough diamonds, mandatory executive branch oversight of any entity that issues Kimberley process certificates and provisions to coordinate activities of the various agencies and departments that will implement this bill and U.S. Kimberley process obligations. With these additions, this bill sends an important signal to the international community that we here are engaged; that we here take this issue seriously; and that we here expect other nations to take the necessary steps to help eradicate this plight.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HOUGHTON).

Mr. HOUGHTON. Mr. Speaker, I thank the gentleman from Illinois (Mr. CRANE), the gentleman from Michigan (Mr. LEVIN), the gentleman from California (Mr. ROYCE), the gentleman from New York (Mr. RANGEL). I want to thank particularly the gentleman from Virginia (Mr. WOLF) here who has been a leading light in this whole proposition and also Tony Hall, who is the ambassador to the Food and Agricultural Organization in Rome whose spirit just pervades this whole Chamber on this issue.

A lot of this has already been talked about. I will not go over it in detail, but let me just say a few things. This really is a follow-up to last year's bill. I will not give my colleagues the number, they know it, but this 1584 creates a system to monitor the blood diamonds coming from Africa. It is a very, very important bill for a variety of reasons, not the least of which the humanitarian aspect; and what it does, it attacks the problem of the trade in African diamonds by having the President implement the so-called Kimberley process. My colleagues know what that is. It is important. It is a vehicle for making this bill possible.

What the bill mechanically does is three things. First of all, it bans non-compliant rough diamonds. It severely punishes the violators of this ban, and it also helps other countries to set up similar systems.

Also, this bill will require various reports by the administration and a 24-month study by the GAO to report on the effectiveness of the system. It urges the President to continue negotiations to strengthen the system and protects the legitimate diamond trade and also remains consistent with our international trade obligations.

Like so many other things we do around here, all great ideas ultimately

degenerate into work; and the people who did the great work, David Kavanaugh, Mike Walsh, Viji Rangaswami of the Subcommittee on Trade, Frank Record of the Committee on International Relations, Jay Bruns of the State Department, and many friends of the Campaign to Eliminate Conflict Diamonds, world vision, Amnesty International, Oxfam, and Catholic Relief Services. All have added their weight here to this very important piece of legislation.

I urge my associates and my colleagues to pass it.

□ 1545

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution. First, Mr. Speaker, I would like to commend my good friend and colleague, the gentleman from New York (Mr. HOUGHTON), who has done so much to promote human rights and human dignity and fairness and justice in Africa, and indeed throughout the globe. I also want to thank all of my colleagues on both sides of the aisle for making a contribution to this legislation.

Mr. Speaker, our legislation requires the United States to participate in the Kimberly Process certification scheme. This process is designed to prevent international trade in conflict diamonds while protecting legitimate trade.

One cannot speak of conflict diamonds, Mr. Speaker, without recalling in vivid detail the young children from Sierra Leone who came before this Congress as tiny witnesses to the horror of so-called resource wars in Africa. Little boys and little girls with arms and legs missing sat quietly before the Committee on International Relations as we listened to the gruesome details of the civil war in Sierra Leone.

The civil war was not a just war. This was a war of shameless greed and shameless corruption, an uncivilized war that knew no mercy, that knew no limit to cruelty. This war, and the wars in Angola and the so-called Democratic Republic of Congo, were fueled in large part by the illicit trade in so-called conflict diamonds. While some call these diamonds a curse on these countries, it is the evil men who would slaughter parents and maim children who are the ultimate curse on these countries and on humanity as a whole.

Mr. Speaker, the wars in Sierra Leone and Angola have ended, and in Sierra Leone many of the wrongdoers are being brought to justice. Sanctions against conflict diamonds played a significant part in helping to stop these wars. While the immediate crisis has passed, the effects will linger far into the future. I trust we will be willing to step up to the plate when we are called upon to help.

Mr. Speaker, H.R. 1584 will make sure that the United States and our jewelry industry are not complicit in any further exploitation of diamonds to fuel

civil conflicts. Our legislation prohibits the importation to or exportation from the United States of any rough diamonds, from whatever source, that are not controlled through the Kimberly Process. I urge all of my colleagues to support H.R. 1584.

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

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to say thanks to the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), the chairman of the Subcommittee on Trade, the gentleman from Illinois (Mr. CRANE), and their staff, Angela Ellard and Dave Kavanaugh, with the help of Viji Rangaswami from the minority staff for their efforts on the bill. In addition, I want to thank the gentleman from New York (Mr. HOUGHTON) and his staff, Bob Van Wicklin for pulling this bill together and staying very faithful during this difficult time; also, Frank Record and Joan Condon from the Committee on International Relations for their important contributions.

The passage of this bill is really a tribute to a former Congressman, Tony Hall, who brought this issue to the body and asked me to go with him several years ago to Sierra Leone. So, Tony, this is really because of your work. And who says one person cannot make a difference?

Mr. Speaker, millions of people have died in Africa because of the bloodshed surrounding conflict diamonds. The bill we consider today may finally bring hope and justice to the millions of Africans who have suffered. In addition, major media organizations, the Washington Post and the BBC, have reported direct connections between blood diamonds and the al Qaeda terrorist network. Addressing the issue of conflict diamonds is not only essential for the millions dying and suffering in Africa but also for America's national security.

This version of the bill before the House is a good one, and I am confident the President has the tools to ban trade of rough diamonds that fund terrorists and other groups that commit despicable actions against innocent people. The al Qaeda, Hezbollah, and many other groups have been funded through this diamond trade.

This bill is an important improvement over other drafts we have seen this year. For example, the bill language has established the Kimberly Process Coordination Committee. The committee would coordinate the implementation of the act. Both the Secretaries of State and Treasury would be chairs of the committee. With the assistance of the Secretaries of Commerce, Homeland Security, and the U.S. Trade Rep, there would be greater pressure to be sure the process is implemented as the Congress intends.

Further, a former Ambassador to Sierra Leone, Ambassador Melrose, has told us that the ability to maintain statistical information is vital to make a determination as to whether or not the Kimberly Process is being successful or circumvented. This will take care of that.

The bill prevents illicit conflict diamonds from entering the United States. This is a tribute not only to former Congressman Hall, but also as a sign that we care deeply about the young men and women and children who had their arms cut off and all those activities that took place. And I just want to thank all the Members and the staff that have been involved in bringing this bill here.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 3 minutes to the gentlewoman from California (Ms. LEE), my good friend and neighbor, who has fought so hard for human rights in Africa and elsewhere.

Ms. LEE. Mr. Speaker, I want to thank the gentleman for his leadership in advocating human rights throughout the world and also for making sure that this is a bipartisan bill.

I rise today in support of the Clean Diamonds Trade Act. Finally, Congress, the international community, and the various grassroots organizations' efforts to sever the link between diamonds and war has come to the floor for a vote. So I want to thank the gentleman from New York (Mr. HOUGHTON), the gentleman from Illinois (Mr. HYDE), and again our ranking member, the gentleman from California (Mr. LANTOS), as well as the chair of the Subcommittee on Africa, the gentleman from California (Mr. ROYCE) and our ranking member, the gentleman from New Jersey (Mr. PAYNE) for their continued commitment to this issue. I encourage all Members to support this bill.

Some have argued that regulating the global diamond industry should not be Congress' responsibility, but I argue that promoting peace over conflict, supporting our international communities' efforts to clean up the global diamond system, and introducing ways to support the people in Africa, who have not been able to benefit from their own resources, should be our goal. This legislation transforms diamonds into a commodity from which all communities can benefit, not just a chosen few.

H.R. 1584, the Clean Diamonds Trade Act, provides a long list of overdue regulation on conflict diamonds. The bill requires United States compliance with the Kimberly Process certification. It imposes costly, very costly, civil penalties and jail time, which is very important, jail time for those who willfully violate the act, and incorporates oversight from our Customs Service and other key agencies which oversee international trade.

I believe each component is essential to ending the sale of conflict diamonds. And, further, I hope that we will find a

way to incorporate more Africans into the diamond industry itself to promote more entrepreneurship and sustainable development.

In closing, I would like to thank several organizations, including Amnesty International, World Vision, Physicians for Human Rights, Oxfam America, and World Relief for their continued support of conflict diamond reforms. Over 65 percent of these conflict diamonds, Mr. Speaker, were sold to people in our own country. So I want to thank our constituents for pushing for reform instead of accepting this unjust trade.

I urge all our colleagues to support this bipartisan bill and the passage of H.R. 1584, and I want to thank once again the gentleman from California (Mr. LANTOS) again and the gentleman from New York (Mr. HOUGHTON).

Mr. CRANE. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chairman for yielding me this time and for his great work on behalf of this legislation, and to the gentleman from New York (Mr. HOUGHTON) for his superb leadership in crafting this bill.

I rise in strong support, Mr. Speaker, of the Clean Diamond Trade Act, a long overdue measure that will restore the U.S. in a leadership position in the fight against the trade in conflict diamonds. For too long, the international community has looked the other way as rebel groups have trafficked in the sale of lethal military weapons using the profits from the sale of these diamonds to finance efforts to overthrow legitimate governments.

This bill will put in place the required laws and regulations designed to monitor and control the import and export of the trade in conflict diamonds so they can no longer be used to support instability and armed conflict throughout much of Africa and other parts of the world.

By all accounts, they are aptly named conflict diamonds. During the past decade, more than 6 million people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control for diamond mining areas.

I have met on several occasions, Mr. Speaker, with David Crane, the Sierra Leone Special War Crimes Prosecutor, who told me about ghastly war crimes committed in the name of diamond profits. Not only has the illegitimate trade of diamonds led to systematic and gross human rights violations and civil unrest, so too it has hurt the trade in legitimate diamonds, which makes a critical contribution to the economies of many developing countries.

Numerous resolutions, Mr. Speaker, of the United Nations Security Council under Chapter VII of the U.N. Charter, including resolutions 1173, 1295, 1306, and 1343, as well as a United Nations

General Assembly resolution in 2000 have laid the groundwork for devising an international regime to stop the flow of these conflict diamonds.

The first meeting, as I think Members know, to discuss this took place in Kimberly, South Africa, in May of 2000 at the initiative of the African producing countries. Many technical and working group meetings took place subsequent to that throughout Africa and Europe, culminating in the November 2002 meeting in Interlaken, Switzerland, finalizing the so-called Kimberly Process.

This historic meeting committed all 48 participants, including the United States, to the rapid implementation of its diamond certification scheme for rough diamonds consistent with international trade rules. Fully consistent with the work of the diamond industry, including the World Diamond Council, numerous civil society representatives and key NGOs, the voluntary self-regulating initiatives from many producing importing countries have now been melded through the Kimberly Process into a global system of mutually recognized certificates for legitimate diamonds.

Our own Nation's extensive participation in this effort, under the auspices of the State Department's special negotiator for conflict diamonds, is reflected in the measure before us today. The bill implements our obligations to prohibit the import or export of rough diamonds not controlled by the Kimberly Process.

The bill specifies that the exporting authority under the bill will be the Bureau of the Census, and their role will be to issue the required regulations and guidelines to ensure that any proposed exports of rough diamonds be made through the automated export system. Any efforts to fully evaluate and enforce this system validating Kimberly Process Certificates would be undertaken by the United States Bureau of Customs and Border Protection and the Bureau of Immigration and Customs Enforcement.

I would also point out to my colleagues that the legislation gives the State Department a lead role, together with the Treasury, in implementing the legislation. In this regard, the existing special negotiator for conflict diamonds in the Bureau for Economic and Business Affairs should continue to play a key role in this effort.

□ 1600

Mr. Speaker, it is the expectation of the Committee on International Relations that it will be fully consulted by the Department to the extent it decides to take any action to modify this position in any way. It has been brought to my attention that a number of nongovernmental organizations who are taking an active role in monitoring the implementation of the Kimberly Process have expressed concerns that several countries, including the Republic of the Congo, the Democratic Republic of the Congo, Zimbabwe and the

Central African Republic, have been admitted as participants in the certification scheme despite evidence of continued illegal trade in rough diamonds.

I would ask the Department to examine this evidence and take any and all appropriate actions necessary to mitigate and stop this illegal activity. I urge support for the bill.

Mr. LANTOS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. Mr. Speaker, I thank the ranking member of the Committee on International Relations, and all of the Members of the House that worked on this legislation, including the gentleman from New York (Mr. HOUGHTON) and our past Member, Tony Hall, for the interest and support that he has given. I would like to thank the non-government organizations for the work that they have done to make the Kimberly Process available to us, and the certificates, so we can move forward with better trade with those who produce raw diamonds.

Like other Members, I was motivated to get involved in this issue after seeing the horrific evidence of violence wrought by rebel groups financing their civil war activities and human rights abuses through the illegal diamond trade. Addressing this issue, it seemed to me, was part and parcel of our responsibility to assist the nations of sub-Saharan African countries by bringing peace to the continent.

In addition, I understood if we did not curtail trade in illegal diamonds, our failure to act would have a chilling effect on the legitimate diamond trade for countries such as Botswana where legitimately mined diamonds provide a significant source of her income. The stain of conflict diamonds threatens to have a tremendous adverse impact on her.

I would like to say a few words about the process by which this legislation is being considered. Normally, I have been a strong advocate that all legislation go through the committee process and be fully debated; but this particular bill did not go through the Committee on Ways and Means or the Committee on International Relations, but I do believe in view of the time pressure to pass this very important legislation that this should be an exception to the rule and there should not be any controversy. I am pleased to be working with the gentleman from California and on the other side of the aisle with the gentleman from Illinois (Mr. CRANE) to give this support in connection with the urgency that it deserves. I ask all of my colleagues to support this bill.

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

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I thank the ranking member, the

gentleman from California (Mr. LANTOS), and the gentleman from Illinois (Chairman HYDE), and of course from the Committee on Ways and Means, the gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL).

As a member of the Subcommittee on Africa, we spend a great amount of time on exploring and understanding conflicts in Africa and how devastating the symptoms of the civil war and low-intensity conflicts can be in terms of loss of life and loss of development opportunities.

However, we often do not spend sufficient time on the underlying causes of conflicts of the wars, including wars started and perpetuated over trying to control who gets to benefit from the free trade of Africa's vast natural resources like diamonds. Today's bill makes a positive step in the right direction to bring an end to those who would profit from conflict and war and violence at the expense of socioeconomic development. It makes a step in the right direction to wage a war on the international trade nexus of money, diamonds and weapons which help fuel conflicts in Africa.

I want to thank Members on both sides of the aisle for supporting this initiative. It represents a compromise between doing more to help stop the trade of illegal conflict diamonds while also protecting the trade of diamonds from countries which produce and sell diamonds in ways which support economic development.

Mr. Speaker, H.R. 1584 is a measure we can all support. We must not lose sight of the fact that for centuries Africa's vast resources have been used in legal and illegal ways and provide little benefits to African societies.

If we want to change these realities, if we want the trade of Africa's diamonds, oil, and gold to support economic growth and development, we must devote as equal a level of attention and financial resources as we spend on trade liberalization and privatization efforts to assist African societies in building the necessary economic, regulatory, supervisory, and enforcement institutions and laws that every society must have to have a transparent, competitive and free market economy, an economy where both the rights and obligations of the private sector and consumers are protected, an economy which provides opportunities and freedom for all. This Congress can start today with H.R. 1584.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. SYNDER).

Mr. SYNDER. Mr. Speaker, almost 20 years ago I lived and worked in Sierra Leone for 6 months. I was a doctor at a Catholic mission hospital. At that time, Sierra Leone was poor and unhealthy with a life expectancy of 42 years. It was inefficient with a low level of corruption, but it was not dangerous. And then along came these con-

flict diamonds, blood diamonds, which stimulated greed and provided purchasing power for the weapons and drugs that were used in this very, very brutal war.

As the international community responded to the war in Sierra Leone, a lot of Americans may ask themselves, What does that have to do with me? What is wrong with having a cheaper supply of diamonds? Sierra Leone is so far away.

Mr. Speaker, drying up the cash that supports terrorism is a very important part of the war on terrorism; but we can freeze all of the bank accounts we want and stop the cash transfers, but somebody can take a sock full of illegal diamonds, put it in their pocket, walk onto a plane, and they have an ability to move wealth all over the world, to bribe and buy weaponry and buy explosives. This bill is an important part of our national security, not just in Africa.

Rats have a way of finding a hole in the house, and one of the things that I like about this bill today is that it has the vigilance that legislation needs. It has reporting requirements so we can monitor the success and failures in this bill, and I hope that we will respond in a rapid manner should we see we have some gaps. I encourage a strong vote of support for the Clean Diamond Trade Act.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATSON), a former distinguished ambassador, and a distinguished member of the Committee on Ways and Means.

Ms. WATSON. Mr. Speaker, I rise in strong support of H.R. 1584, the Clean Diamond Trade Act. Over the past decade, many brutal civil wars throughout Africa have been financed with the sale of diamonds. These so-called conflict diamonds have been especially useful to the brutal Sierra Leone rebel organization, the Revolutionary United Front, which has been trading these diamonds to fund its war against the government of Sierra Leone.

This bill implements the Kimberly Process Certification Scheme, which prohibits importing rough diamonds into the United States unless they have been certified as not originating from areas where the diamond trade finances or generates violent conflict. In essence, this bill prohibits the importation of any rough diamond that has not been controlled through the Kimberly Process.

Mr. Speaker, I plan to introduce a bill in the next few days that also supports and endorses the Kimberly Process, but also encourages the global diamond industry, as represented by the World Diamond Council, to step up to the plate and establish a fund to support a variety of programs that will aid in the reconstruction and rehabilitation of African nations traumatized by civil wars financed through the diamond trade.

I believe the diamond industry, which has reaped the financial rewards

of trade with nations engulfed in civil war, must also take responsibility in assisting these nations to heal the wounds of war and creating a just and lasting peace in those countries. While there have been a number of groups within the gemstone industry that have been responsive, others have not yet chosen to acknowledge the humanitarian emergency that the trade in conflict diamonds has produced.

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

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

Mr. Speaker, before I speak on the bill, I want to congratulate Members on both sides of the aisle, especially the gentleman from New York (Mr. HOUGHTON) for the gentleman's work on behalf of getting this bill introduced. I also thank the gentleman from Virginia (Mr. WOLF) and the gentleman from California (Mr. LANTOS) and the gentleman from New York (Mr. RANGEL) on the other side of the aisle.

This is a very important bill that has nothing to do with partisan politics whatsoever. When it was introduced in 2001, it passed this body by a vote of 408 to six. I think the six Members that voted against it at the time are probably reconsidering it because there is no basis for anyone to find any objections to it.

I hope that the bill we have before us this evening, based on H.R. 2722 from the 107th Congress, which passed by that 408 to six vote, and since that time the administration has worked with the international community to finalize the structure of the Kimberly Process Certification Scheme which controls the trade in rough diamonds, that it is to all countries, and it prevents trade in conflict diamonds and the bill reflects the new structure. I thank the administration for its hard work and dedication to the effort on this important issue, too.

The funds derived from the sale of rough diamonds have been used by rebels and state actors to finance military activities and to overthrow legitimate governments, subvert international efforts to promote peace and stability, and commit horrifying atrocities against unarmed citizens.

During the past decade, more than 6.5 million people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control of diamond mining areas. The United Nations Security Council has issued resolutions urging nations to take actions against conflict diamonds. In response, the United States has issued various Presidential executive orders to ban direct imports from nations subject to the United Nations resolution. The United States has also led international negotiations to reach an agreement that set standards for diamond extracting and trading nations to meet.

These international negotiations, the Kimberly Process it is called, came

after the name of the city in which they were initiated. It creates a system of checks and balances for rough diamonds throughout the world. This system tracks through governmentally verifiable certificates that trade in diamonds between countries and individuals. Since its January 1 implementation date, over 40 countries are participating in this system. The United States requires this system to ensure that its leadership position in this critical matter continues. Finally, this bill is consistent with our WTO obligations.

Mr. Speaker, I strongly urge my colleagues to support this bipartisan bill and to pass this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1584—To implement effective measures to stop trade in conflict diamonds, and for other purposes. The Clean Diamonds Act prohibits the import of diamonds into the United States unless the exporting country is implementing a system of controls on the export or import of rough diamonds that meets specified requirements, consistent with United Nations General Assembly Resolution 55/56 adopted on December 1, 2000, or a future international agreement which implements such controls and to which the United States is a signatory. Additionally, this legislation sets forth both civil and criminal penalties for violations of the bill's requirements. It prohibits the Overseas Private Investment Corporation and the Export-Import Bank from engaging in certain transactions in connection with projects or exports to countries violating the requirements of this Act. If further expresses the sense of Congress that the President should take steps to negotiate an international agreement to eliminate the trade in diamonds used to support conflict in the country or regions in which such diamonds are mined.

Mr. Speaker, to many people, diamonds symbolize love, happiness, or wealth. But for others, they mean conflict, misery and poverty. In African countries such as Angola, Democratic Republic of Congo, and Sierra Leone, the profits from unregulated diamond trade allows rebel forces to obtain weapons and fund armed conflicts. Also, this practice spills over into neighboring countries that can be used as trading and transit grounds for illicit diamonds, and once the diamonds are brought to market, their origin is difficult to trace and once polished, they can no longer be identified. As a result of the complex nature of this process, tens of thousands of civilians have been killed, raped, mutilated or abducted.

In an amputee camp in the capital of Freetown, one will find a three-year-old girl whose right arm was chopped off with a machete. One might also not be shocked to find her or himself opposite a 14-year-old girl, pregnant by rape, who will never be able to hold her child because the rebels who raped her also hacked off both of her arms. Other amputees describe the horror of being forced to select at random a piece of paper out of a bag, and losing the body part written on the scrap—arm, leg, ear, or nose.

The enactment of this legislation will not only eliminate the degree to which human lives are negatively impacted by the brutal practices of these rebel forces, but also it would do much to increase consumer con-

fidence with respect to the purchase of diamonds by allowing American jewelers and jewelry store to tell their consumers the diamonds in their store are clean diamonds. Currently, no jeweler knows where their diamonds come from, and they cannot assure their customers their diamond purchases are not unwittingly subsidizing a cruel and abusive rebel force in one of these nations. Nonetheless, once the "Clean Diamonds Act" is passed, jewelers will at last have a "clean stream" of diamonds to sell. They can be confident the United States government is evaluating every diamond supplying country and excluding those that fail to conform to internal standards.

In a statement by Ambassador Juan Larrain, Chairman of the Monitoring Mechanism on sanctions against UNITA, he stated "It has been said that war is the price of peace. . . [These nations] have already paid too much. Let them live a better life."

Mr. Speaker, I urge my colleagues to join in this momentous effort to end the devastation that is occurring as a result of these conflicts. Now is the time to act on behalf of the many lives being sacrificed and those that are calling for our help and our immediate attention to their pain and suffering. For this reason, we must remain vigilant and not allow ourselves to ignore the blood of the blameless.

However, it is imperative that we not penalize African countries like Ghana, that have been diligent in certifying their diamonds and standing up against the rebel, terrorist, and violent use of such diamonds. This is an important economic resource of such countries and the legislature must acknowledge that.

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

The SPEAKER pro tempore (Mr. LINDER). The question is on the motion offered by the gentleman from Illinois (Mr. CRANE) that the House suspend the rules and pass the bill, H.R. 1584, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1615

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H.R. 1584, the bill just passed.

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

There was no objection.

POSTAL CIVIL SERVICE RETIREMENT SYSTEM FUNDING REFORM ACT OF 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, pursuant to the order of the