

the gentleman from Missouri (Mr. AKIN) that the House suspend the rules and concur in the Senate Concurrent Resolution, S. Con. Res. 13.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT OF 2005

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 912) to ensure the protection of beneficiaries of United States humanitarian assistance.

The Clerk read as follows:

H.R. 912

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 "Humanitarian Assistance Code of Conduct Act of 2005".

SEC. 2. CODE OF CONDUCT FOR THE PROTECTION OF BENEFICIARIES OF HUMANITARIAN ASSISTANCE.

(a) PROHIBITION.—None of the funds made available for foreign operations, export financing, and related programs under the headings "Migration and Refugee Assistance", "United States Emergency Refugee and Migration Assistance Fund", "International Disaster and Famine Assistance", or "Transition Initiatives" may be obligated to an organization that fails to adopt a code of conduct that provides for the protection of beneficiaries of assistance under any such heading from sexual exploitation and abuse in humanitarian relief operations.

(b) SIX CORE PRINCIPLES.—The code of conduct referred to in subsection (a) shall, to the maximum extent practicable, be consistent with the following six core principles of the United Nations Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises:

(1) "Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment."

(2) "Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense."

(3) "Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries."

(4) "Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work."

(5) "Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms."

(6) "Humanitarian agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and

promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment."

SEC. 3. REPORT.

Not later than 180 days after the date of the enactment of this Act, and not later than one year after the date of the enactment of this Act, the President shall transmit to the Committee on Appropriations and the Committee on International Relations of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate a detailed report on the implementation of this Act.

SEC. 4. EFFECTIVE DATE; APPLICABILITY.

This Act—

(1) takes effect 60 days after the date of the enactment of this Act; and

(2) applies to funds obligated after the effective date referred to in paragraph (1)—

(A) for fiscal year 2005; and

(B) any subsequent fiscal year.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 912.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in the wake of the devastating Indian Ocean tsunami and the genocide in Darfur, we have witnessed untold suffering. And yet, Mr. Speaker, we have learned from other crises situations that people in some crises become victims of additional and incomprehensible violations, sexual exploitation and abuse. The most vulnerable groups, women and children, are at greatest risk.

The passage of the Humanitarian Assistance Code of Conduct Act of 2005 ensures that steps will be taken to protect the most vulnerable people from sexual exploitation and abuse by those providing aid and humanitarian relief operations.

H.R. 912 requires that the United States Government assistance for humanitarian relief operations will be available only to organizations that have adopted a code of conduct incorporating the core principles of the United Nations Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises. These principles include, but are not limited to, the following:

"Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment."

"Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense."

"Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries."

Mr. Speaker, passage of the Humanitarian Assistance Code of Conduct Act of 2005 will help ensure the protection of beneficiaries of United States humanitarian assistance. I urge my colleagues to support it.

Mr. Speaker, I would also include a CBO estimate for H.R. 912, which indicates that this legislation has no significant budgetary effect.

Mr. Speaker, in addition to the important provisions of H.R. 912, I would like to inform my colleagues of additional measures contained in a bill I introduced, the Trafficking Victims Protection Reauthorization Act of 2005, H.R. 972, which we will be marking up next week, cosponsored by my good friend and colleague, the gentleman from California (Mr. LANTOS), the gentleman from Missouri (Mr. BLUNT), and a number of other Members of this committee and of this House. That comprehensive legislation is designed to help ensure the protection of vulnerable women and children in post-natural disaster situations.

H.R. 972, among several other things, incorporates stronger child protection and trafficking prevention activities into USAID, State and DOD post-conflict and post-natural disaster relief programs. The measure provides for the Secretary of State and the administrator of USAID to conduct a study regarding the threat and practice of trafficking in persons generated by post-conflict and humanitarian emergencies in foreign countries, and to look at and implement best practices to combat human trafficking in such areas.

It also requires, and I think this is very important, that the Secretary of State certify that prior to approval of a peacekeeping mission or a renewal of the mandate, the Secretary of State would have to guarantee or certify, 15 days before that, that appropriate safeguards are in place to protect vulnerable populations from trafficking and from rape and other kinds of sexual misconduct.

I would point out parenthetically to my colleagues that yesterday we held a day-long hearing on the atrocities committed by U.N. peacekeepers in the Congo, where unfortunately there have been credible and large numbers of allegations made that U.N. peacekeepers have raped 13-year-old, 14-year-old, and 15-year-old girls and older and have offered them \$1 or \$2 or a loaf of bread in exchange for this exploitation. It is outrageous.

The U.N. for its part, I believe, is committed to trying to rectify and remedy this situation, but more needs to be done; and we need to have in place safeguards to ensure that this kind of misconduct, which is gross and, unfortunately, very, very prevalent, is mitigated and stopped. This bill is another step in that direction; and I applaud the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from Texas (Mr. DELAY), and all of those who have sponsored it and brought it to the floor today.

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

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

Mr. Speaker, I rise in strong support of this legislation. I would first like to thank my good friend and distinguished colleague, the ranking member of the Committee on International Relations Subcommittee on Oversight and Investigations, the gentleman from Massachusetts (Mr. DELAHUNT), for being the principal author of this critically important legislation.

I would also like to express my thanks to my friend, the gentleman from New Jersey (Mr. SMITH); the majority leader, the gentleman from Texas (Mr. DELAY); and the distinguished chairman of the House Committee on International Relations, the gentleman from Illinois (Mr. HYDE), for their outstanding work on this legislation.

Mr. Speaker, the humanitarian instincts of the American people run deep, and each year the United States helps tens of millions of refugees and internally displaced people in conflict zones around the globe. When Afghans streamed back to their homes after the fall of the Taliban, the United States was on hand to help rebuild homes and villages. When the tsunami struck Southeast Asia, the United States, and particularly our military, led the way in providing emergency help, food, medicine and shelter to hundreds of thousands of people who had lost their homes in that horrible tragedy.

Mr. Speaker, I want specifically to commend former Presidents Bush and Clinton for their efforts in this very important undertaking.

As we speak today, the United States is helping more than 20,000 Sudanese refugees who have fled their country for the neighboring country of Chad to escape the bloodshed in Darfur. In acting on our humanitarian impulses, the United States greatly enhances the image of our Nation abroad, but only if these activities are carried out correctly. Avoiding any linkage between the United States assistance and sexual abuse must be a cornerstone principle of our Nation's foreign assistance program.

Over the past year, the United Nations has investigated over 150 allegations of sexual abuse by United Nations peacekeepers in the Democratic Republic of Congo. Women have charged that they have been raped by U.N. peace-

keepers, the very military forces specifically sent there to protect and to defend them. There have been charges that children as young as 12 and 13 were bribed with food for sex. Women trying to feed their families were forced to trade sex for money or food or jobs.

While most peacekeepers in the Congo obviously did not participate in these despicable practices, I strongly agree with United Nations Secretary General Kofi Annan who has stated that "the behavior of a few has undermined the contributions of many."

□ 1030

In response to the outrages committed in the Congo, Secretary General Annan has wisely instituted a non-fraternization policy between United Nations Peacekeepers and the local population. This ban forbids United Nations personnel and Peacekeepers from engaging in sex with girls younger than 18, from engaging in commercial sex of any kind, and imposes a curfew of U.N. military contingent.

We further understand that the United Nations, under Secretary For Peacekeeping Operations, is engaged in a far-reaching review that will increase enforcement of sexual abuse laws, providing additional training of peacekeeping troops before they are deployed in the field, and providing better investigatory capacity to ensure that those who violate the guidelines are properly punished.

I commend the United Nations for taking these measures and for making it clear that a new zero tolerance policy will apply to all United Nations peacekeeping troops abroad.

In light of the problems faced by the United Nations as it has carried out its humanitarian mission, the United States must follow suit. We must ensure that all humanitarian organizations receiving American money have firm policies which prevent their employees from sexually abusing the people they were sent to help.

Mr. Speaker, the Humanitarian Assistance Code of Conduct Act of 2005 prohibits funding for refugee, disaster and other humanitarian assistance to humanitarian organizations that failed to adopt a code of conduct consistent with principles adopted by the U.N. interagency standing committee on protection from sexual exploitation and abuse in humanitarian crisis. It is long past time for us to ensure that humanitarian organizations that receive U.S. funding fully comply with these principles. The time for voluntary acceptance is over and mandatory compliance must now begin.

The United States is a most generous Nation, Mr. Speaker, and American humanitarian organizations provide invaluable expertise and hands-on assistance in crisis zones around the globe. With the passage of our legislation, refugees and internally displaced people can have even more confidence that American assistance is distributed ac-

ording to the highest standards of conduct.

I urge all of my colleagues to support this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. DELAHUNT), the distinguished author of the bill and my good friend.

Mr. DELAHUNT. Mr. Speaker, I thank the ranking member and appreciate his encouragement and support in this particular effort along with his leadership on the full Committee on International Relations on the House side.

Mr. Speaker, as others have said, including the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), this bill represents yet another step forward in the comprehensive effort to address the international human tragedy of sexual exploitation of women and children. It would mandate that humanitarian relief agencies adopt a code of conduct that would promote protection for potential victims.

As the gentleman from California (Mr. LANTOS) indicated, U.S. funding would only be available if those agencies had expressly articulated and adopted such a policy. The bill enumerates six core principles that incorporate the findings of a task force created by the United Nations in 2002. To mention a few, and I will be repetitive, but I think it is important to repeat because these provisions are of consequence.

Sexual activity with a child under 18 is prohibited regardless of local law. The exchange of sexual favors for any reason is defined as abusive and exploitative behavior. It is humiliating and degrading, and as such, it is prohibited. Where there is a concern of abuse or exploitation on the part of a humanitarian worker, that individual, that humanitarian worker is required, is mandated now, under the provisions of this legislation, to report their suspicions to the proper authorities. And most importantly, humanitarian agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct.

It cannot be denied that as a people and a government, the United States has responded to crisis after crisis. At the same time, Mr. Speaker, it is estimated that 600,000 to 800,000 people, mostly women and children, are trafficked across national borders. It is also estimated that 2 million children, 2 million children are enslaved in the global sex trade. The magnitude of this crisis is immense. And sadly, Mr. Speaker, it goes largely unnoticed. It is an international scandal that needs to be revealed and acknowledged by the international community because that is necessary before we can adequately address it and seek to eradicate it. Information and discussion about this tragic reality is critical because there

is widespread agreement that education and awareness, public awareness are the keys to prevention. And if we persist in our collaboration with other governments and stakeholders, including the United Nations, I am convinced that our efforts will result in a significant decline in these unacceptable numbers.

The truth is we are making progress. Since 2001, the U.S. has provided close to \$300 million to support anti-trafficking programs in 120 countries. Under the leadership of the gentleman from New Jersey (Mr. SMITH), the Protect Act became law, which allows for the prosecution of U.S. citizens who travel abroad to sexually abuse minors. And in the private sector we secured a commitment from the travel and tourism industry to implement its own code of conduct on child trafficking. And I am confident that the passage of this bill code will build on that progress that we have already observed because it will increase public awareness of this quiet crisis. And hopefully it will impact the cultural attitudes that nurture this behavior, often by silence and acquiescence by looking the other way, by ignoring its existence. And there have been some positive developments.

Recently, the action of the government of Morocco in filing charges against their own troops who purportedly bribed Congolese children with food for sex while serving as U.N. Peacekeepers has to be noted for the record, because I have no doubt that the tangible and cumulative efforts of this Congress and many of the stakeholders contributed in an indirect way do that particular action. Because by our cumulative efforts we have announced to the world, to the international community that this issue is a high priority for the United States and for every American.

The idea for this discrete proposal was generated as a result of a meeting in the Majority Leader's office this past January, and I want to acknowledge his leadership on this issue. I see the gentleman presents in the Chamber now, not only on the bill before us today, but for his long and committed engagement on children's issues.

The Majority Leader has made a difference, and I would be remiss also not to note the contributions made by the gentleman who controls the time for the majority, the gentleman from New Jersey (Mr. SMITH) whose leadership on this whole array, this particular issue and other related issues, can only be described as inspirational. Many are in the debt of the gentleman from New Jersey (Mr. SMITH), many victims across the world.

As a people and a government, the United States responded as we always do in a very positive way to the tsunami in South Asia and to every crisis that besets this planet with passion and incredible generosity. But we cannot lose sight of that unfortunate reality that at such times, there are in-

creased opportunities for sexual predators and those who would traffic for sexual reasons.

So today, once more, we are announcing to the rest of the world that protection of women and children is a top priority for the people of the United States.

Before I conclude, I think it is incumbent upon me to recognize the key members of the staffs on both sides who achieved what I consider to be a thoughtful and obviously bipartisan piece of legislation.

First, let me thank the staff of the Majority Leader's office for their cooperation and hard work enabling us to reach this result. With their customary incredible energy, Cassie Statuto Bevans demonstrated a sincere determination to craft the best legislative proposal to protect women and children who are at risk. I am also grateful for the helpful assistance of Hope Henry in the office of the gentleman from Texas (Mr. DELAY). From the House Committee on International Relations, Renee Austell and Matt McLean provided significant time and expertise helping us to formulate the right approach.

In addition, I would like to acknowledge the import and guidance of my Democratic colleagues on the committee, Pearl Alice Marsh and Robin Roizman. And I would also like to extend my appreciation to Rob Blair with the Subcommittee on Foreign Operations, Export Financing and Related Programs of the House Committee on Appropriations whose timely and insightful guidance throughout this process is much appreciated by me and my own staff.

Finally, I would like to extend my appreciation for the skillful assistance of Mark Synnes in the Office of Legislative Counsel in the drafting of this bill. Myself, and I know the gentleman from Texas (Mr. DELAY) and the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) also appreciate the letters of support that we have received from several leading relief organizations, including InterAction, Save the Children, the American Red Cross, Refugees International, World Vision and UNICEF.

By the way, I also want to acknowledge the assistance and help of my own staffer, Christine Leonard.

Mr. Speaker, with that I urge my colleagues to unanimously approve this legislation.

[From World Vision, Mar. 1, 2005]

STATEMENT OF WORLD VISION ON H.R. 912, THE HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT OF 2005

Washington.—World Vision would like to thank House Majority Leader Tom DeLay and Congressman William Delahunt for their ongoing commitment to protecting children from harm and their leadership in drafting H.R. 912, the Humanitarian Assistance Code of Conduct Act of 2005.

World Vision supports this important piece of legislation.

Each year, millions of children are exploited and abused around the world, often in

the midst of a disaster, such as the tsunami that impacted South Asia in December 2004. Humanitarian organizations must be part of the first line of defense in protecting these children, and this includes measures for self-accountability and proper conduct.

H.R. 912 helps to ensure this accountability and conduct by prohibiting the funding of relief organizations that have not adopted a code of conduct that provides for the protection of beneficiaries from sexual exploitation and abuse in humanitarian operations.

World Vision has been in the forefront of developing comprehensive child protection policies and codes of conduct among the humanitarian aid community. All organizations that work with children should use every available measure to protect children from harm.

World Vision is a Christian relief and development organization dedicated to helping children and their communities worldwide reach their full potential by tackling the causes of poverty. World Vision serves the world's poor—regardless of religion, race, ethnicity, or gender. In 2004, World Vision operated in nearly 100 countries around the world.

UNITED STATES FUND FOR UNICEF,

New York, NY 10016, March 1, 2005.

RE: The Humanitarian Assistance Code of Conduct Act of 2005

Hon. TOM DELAY,

House Majority Leader, Capitol Building, Washington, DC.

DEAR MR. LEADER: On behalf of the United States Fund for UNICEF, I am writing to offer our thanks for your leadership in introducing the Humanitarian Assistance Code of Conduct Act of 2005. This bipartisan legislation will help reduce the risk of exploitation and abuse of children in complex humanitarian emergencies. We are happy to join the coalition of groups endorsing this important legislation.

UNICEF is committed to a zero tolerance policy toward the sexual abuse and exploitation of children, or any other form of child abuse or exploitation by its staff or those affiliated with UNICEF. As of October of 2003, the United Nations Secretary-General promulgated a bulletin which requires all UN staff to adhere to the six core principles developed by the UN Inter-Agency Standing Committee. We are glad to see these same core principles included in your legislation and extended to all humanitarian relief operations.

Your legislation is a big step forward to the goal of universal application and enforcement of the humanitarian code of conduct. We thank you for your leadership and look forward to working with you on this issue and other child protection issues.

Sincerely,

CHARLES J. LYONS,
President, U.S. Fund for UNICEF.

AMERICAN COUNCIL FOR

VOLUNTARY INTERNATIONAL ACTION,

March 1, 2005.

Rep. TOM DELAY,

House of Representatives,
Washington, DC.

DEAR REP. DELAY: On behalf of InterAction, the largest alliance of U.S. based nongovernmental organizations working in international humanitarian and development assistance, I write to commend you and Representative Delahunt for your interest and commitment in advancing the protection of beneficiaries of humanitarian assistance and for providing us an opportunity to comment on H.R. 912, The Humanitarian Assistance Code of Conduct Act of 2005. InterAction exists to enhance the effectiveness and professional capacities of our member organizations engaged in international

humanitarian efforts. As such, we are committed to promoting the highest standards of ethical and effective performance among our members as we strive towards overcoming poverty, exclusion and suffering in the world.

As you are well aware, most of the victims of conflict and those most often affected by humanitarian crises are women and children. They are also the most vulnerable to further exploitation in the delivery of humanitarian relief. This was dramatically highlighted by the February 2002 report by the United Nations High Commissioner for Refugees and Save the Children-UK containing allegations of widespread abuses of displaced children, particularly young girls, in humanitarian situations.

InterAction immediately established a task force comprised of member CEOs to develop guidelines and recommendations that humanitarian agencies, particularly InterAction members, might take to prevent the abuse of displaced children. The report of the InterAction task force was widely disseminated in the humanitarian community and shared with our donors, partners and policymakers and included the recommendation that humanitarian agencies revise or adopt codes of conduct to reflect the six core principles of the IASC Task Force on Sexual Exploitation and Abuse in Humanitarian Crises. In addition, InterAction amended its own membership standards to include the adoption of a code of conduct against the exploitation of humanitarian beneficiaries by our members. Finally, we continue our efforts to advance and enhance the protection of vulnerable populations in humanitarian situations through our Protection Working Group.

InterAction members appreciate the legislation that has been drafted by you and Mr. Delahunt and appreciated the opportunity to work with your staff in the drafting of this legislation. InterAction strongly supports efforts to require organizations involved in the delivery of humanitarian assistance to adopt codes of conduct to protect beneficiaries from sexual exploitation and abuse. Furthermore, InterAction supports the six core principles of the United Nations Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises, which have been widely agreed upon as the guiding principles for such codes of conduct.

We believe that such a code of conduct should be required for organizations providing all manner of humanitarian assistance, not just to refugees and internally displaced. However, we would urge that any requirement for a code of conduct allow humanitarian agencies flexibility in the type of code required and the manner in which it is implemented to reflect the many variables of organizational structure and country environments. Finally, while we understand that this legislation does not carry any funds for training and technical assistance for the affected U.S. government agencies or their implementing partners, we believe that such assistance is necessary and hope that you will address this need in the near future.

We thank you for your interest and commitment to protection of beneficiaries of humanitarian assistance from sexual exploitation and abuse.

Sincerely,

MARY E. McCLYMONT,
President and CEO.

[From Save the Children, Mar. 1, 2005]

STATEMENT OF SAVE THE CHILDREN IN SUPPORT OF H.R. 912, THE HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT OF 2005

On behalf of Save the Children, the leading independent organization committed to cre-

ating real and lasting change in the lives of children in need, we applaud the introduction of H.R. 912, The Humanitarian Assistance Code of Conduct Act of 2005. Introduced by House Majority Leader Tom DeLay and Congressman William Delahunt, we believe that this legislation sends an important message to all organizations providing assistance to refugees and internally displaced people (IDP)—the majority of whom are women and children—that abuse and exploitation will not be tolerated.

Whether as a result of war or natural disaster, a child's vulnerability to abuse is very similar. To survive, women and children in refugee camps are frequently put in a position where they have little choice but to barter with their bodies in order to obtain desperately needed food and assistance. The full extent of sexual exploitation and abuse of children in war and conflict is largely unknown. However, according to UNIFEM in Sierra Leone, 94 percent of displaced families experienced sexual abuse. Furthermore, 40 percent of the population, including 692,000 children, suffered sexual abuse from 1994–1997 at the height of the civil war. In just one camp for displaced persons in Darfur, 15 cases of rape are reported each week.

A joint Save the Children/UNHCR assessment mission looking at refugee and IDP communities in West Africa in October/November 2001 highlighted the fact that these issues need urgent attention. The mission found that a large number of refugee and displaced children, mainly girls, were victims of sexual violence and many more were forced into exploitative relationships in order to obtain food, shelter, healthcare and education. Protection concerns must be integrated into humanitarian services.

As a result of the West Africa report, Save the Children participated in the writing of the Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises six core principles relating to sexual exploitation and abuse by humanitarian workers. Making these principles the standard operating procedures for organizations receiving U.S. Government funding will help ensure that these most vulnerable children and their families are not victimized by those who are sent to help.

[From the American Red Cross]

We applaud the efforts of Majority Leader Tom DeLay and Representative William Delahunt. The Humanitarian Assistance Code of Conduct Act of 2005 will go far to help ensure the protection of some of the world's most vulnerable people.

The American Red Cross fully supports the effort to prevent sexual exploitation and abuse in any form, especially when committed against children. As an organization chartered by Congress to bring emergency relief to disaster victims all over the world, we firmly believe that our humanitarian workers should behave in a way that is beyond reproach.

Since 2003, the American Red Cross has integrated the six core principles identified by the Inter-Agency Standing Committee Task Force on Protection within the policies and procedures of the American Red Cross International Services. Making these principles the standard operating procedures for relief organizations will help ensure those most in need are not victimized yet again by those sent in to help. Our organization stands in support of this legislation and thanks Congress for advocating on behalf of those in need of humanitarian assistance.

[From Refugees International, Mar. 1, 2005]

STATEMENT BY KEN BACON, PRESIDENT OF REFUGEES INTERNATIONAL, IN SUPPORT OF THE HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT (HR 912)

Refugees International (RI) applauds the introduction of HR 912: The Humanitarian Assistance Code of Conduct Act to protect beneficiaries of humanitarian assistance. Since the scandal in Sierra Leone involving 'sex for food' abuses by humanitarian workers in 2002, United Nations agencies and U.S. non-governmental organizations have slowly begun to implement codes of conduct regarding sexual exploitation. The Inter-Agency Standing Committee Code of Conduct, the principles of which are included in this legislation, is testimony to the seriousness with which the responsible members of the humanitarian community have responded to this issue.

However, many contractors and others that have received funding from the U.S. government have not yet faced up to the issue of sexual exploitation in emergency settings. The battle to protect vulnerable women and children from humiliating and degrading behavior is difficult, as is evidenced by the ongoing problems in the Democratic Republic of Congo. By requiring that all U.S. humanitarian funding go to organizations that are working within the framework of the IASC guidelines, Congress is sending a strong message to vulnerable women and children that they have a powerful ally in their struggle for human dignity in the face of overwhelming odds.

As an independent organization that promotes life-saving action for displaced people around the world, RI strongly supports the US Congress's efforts to require all organizations involved in the delivery of humanitarian assistance to adopt a code of conduct to protect vulnerable women and children from sexual exploitation and abuse by those charged with assisting them. We are fully committed to the IASC principles and to advancing the code of conduct throughout the humanitarian community. RI therefore urges all members of Congress to support the vulnerable women and children of the world by passing this bill into law.

□ 1045

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me the time, and I really thank the gentleman from Massachusetts (Mr. DELAHUNT) for bringing this bill to the floor and particularly the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) for working hard to make sure it was all right and well. These three gentlemen have worked tirelessly on children's issues, particularly this issue. It is a thankless issue.

Just like people in the United States do not want to talk about abused and neglected children in foster care, people around the world, and particularly governments, do not want to recognize that sex trafficking is going on, slavery is going on, and actual exploitation of children and women is going on around the world. These three men have worked tirelessly on the thankless job to raise this issue, an issue this is vitally important to the lives of many, many people.

Last December, the United Nations Under Secretary for Humanitarian Relief reported that cases of sexual abuse and exploitation by U.N. peacekeeping and humanitarian personnel had reached an unacceptable level.

Victims of natural disasters and civil wars, especially children, are among the most vulnerable people on Earth.

In many places around the world, the security of homes, families and lives rely on the compassion and commitment of international relief organizations. As anyone who has ever seen them in action could tell my colleagues, the men and women who devote their lives to this work, who travel at a moment's notice to help total strangers, survive in desperate straits, arrive on such scenes with wings on their backs.

The very thought that such people could prey upon the women and children under their care is disturbing in the extreme, and yet we must now sadly admit such cases have occurred.

Victims of disasters need our help, and the American people always respond to humanitarian crises with compassion and generosity. That any of our generosity for these victims might be twisted into revictimizing them will not stand.

Assistance must reach those in need of relief, and it must be delivered by organizations and individuals committed to their safety. That is what this bill will do.

The Humanitarian Assistance Code of Conduct Act, the result of cooperation from humanitarian relief organizations, administration officials, and especially the work of the gentleman from Massachusetts (Mr. DELAHUNT) will ensure that from now on the American people need not accept a choice between indifference and abuse.

It will require any organization receiving humanitarian assistance funds from the United States Government adopt a strict code of conduct for its relief workers.

It will prohibit humanitarian relief workers from engaging in sexual contact with minors, soliciting prostitution, and in other ways exploiting the women and children of disaster-ravaged communities.

Such organizations must strongly discourage any sexual relationships between relief workers and beneficiaries and will immediately terminate any worker who crosses the line.

The best of such groups already adhere to the principles in this bill, groups that have assisted in its development, groups that set a gold standard for every aspect of humanitarian activity; and the adoption of these principles by more and more groups will help eradicate the behavior they specifically prohibit.

This code of conduct will help identify and document at-risk children in devastated regions, reducing the likelihood that such children will fall through the cracks and into the dark world of exploitation, abuse, and even human trafficking.

It is sickening that this bill even merits consideration, Mr. Speaker; but in order to protect some of the world's most vulnerable people, consider it and pass it we must.

The exploitation of women and children who have already lived misery few of us could even imagine at the hands of their would-be rescuers is a corruption of humanity itself. Those responsible for such evil are terrorists of the soul, Mr. Speaker, their crimes of a sort civilization cannot brook.

I urge my colleagues to join me in supporting the gentleman from Massachusetts' (Mr. DELAHUNT) bill and reminding the world the only acceptable level of abuse and exploitation of human life is none.

I, too, want to thank the staff, particularly my staff, Dr. Cassie Bevan, in working on this, the staff of the Committee on International Relations on both sides; and certainly the gentleman from Massachusetts' (Mr. DELAHUNT) staff did excellent work on this issue.

This is an issue that people have to pay attention to, and hopefully this bill will help.

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

We have no additional requests for time; but before yielding back, I want to join the gentleman from Massachusetts (Mr. DELAHUNT) in paying tribute to the majority leader and to the gentleman from New Jersey (Mr. SMITH) for their invaluable work on this issue.

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

Mr. SMITH of New Jersey. Mr. Speaker, we do have one additional request for time, and I yield such time as he may consume to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I appreciate the gentleman yielding me time, and I just want to rise in strong support for the gentleman from Massachusetts' (Mr. DELAHUNT) bill and a bill supported by the gentleman from Texas (Mr. DELAY), the majority leader, and to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) for always being out front on such important issues.

This bill takes a very meaningful step. It may be small, but it is meaningful to ensure those who are most vulnerable in emergency situations, women and children, are not exploited.

In my work as chairman on the Subcommittee on National Security, Emerging Threats and International Relations, I have had the opportunity to witness the crucial and awe-inspiring work of humanitarian aid organizations around the world. I am, frankly, in awe of organizations like AmeriCares, Save the Children, MercyCorps and so many others. They do extraordinary work.

As an original cosponsor of this legislation, I can clearly state we have no intention of hindering, in any way, the

crucial work these and other humanitarian organizations do. In fact, most of the organizations working with the USAID already have adopted policies that protect their beneficiaries.

What we do want to say, however, is that with the U.S. Government's financial assistance comes some responsibility, and so by passing this legislation we will require aid organizations to adopt a code of conduct that protects beneficiaries of their assistance from sexual exploitation and abuse. This is not a burdensome condition.

In fact, the United Nations created a Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises and established a set of six core principles. This legislation clarifies the code of conduct should be consistent with those six principles to the maximum extent practicable.

We can all agree that Americans want to know our foreign assistance is being put to good use and certainly that it is doing no harm. I am sincerely grateful to the gentleman from Massachusetts (Mr. DELAHUNT) and to the gentleman from Texas (Mr. DELAY). It makes me feel encouraged that on a bipartisan basis we can do something that has meaning and frankly will not only bring our country together, but bring this Congress together.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 30 seconds.

We have no further requests for time, and I just want to conclude and again say to my friends on the other side of the aisle, to the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from California (Mr. LANTOS), as well as to the gentleman from Illinois (Mr. HYDE), the chairman of our distinguished Committee on International Relations, to the gentleman from Connecticut (Mr. SHAYS) and, of course, to our majority leader for his leadership on this in ensuring that this very important piece of legislation not only gets expedited treatment but will be passed early and closed enough to the tsunami in order to address some of the problems that were exposed as a result of it.

Children need protection. Women need protection. This bill advances that ball. It is an important and very noble task, and I am glad we have bipartisan consensus on this kind of humanitarian and human rights legislation.

Ms. PRYCE of Ohio. Mr. Speaker, I rise today in support of H.R. 912, the Humanitarian Assistance Code of Conduct Act. I'd like to first thank Majority Leader DELAY and the gentleman from Massachusetts, Mr. DELAHUNT, for their steadfast work on crafting this critical legislation. They have put partisan politics aside to collaborate on a monumental initiative that will establish a clear U.S. policy to protect some of the most vulnerable refugees in the tsunami-affected areas.

It's been over two months since the tsunami devastated villages and neighborhoods across South Asia. Yet while the images we were so used to seeing on television in the days and weeks after the tragedy struck seem to have

all but disappeared from the airwaves, lives remain shattered, loved ones are still missing, and communities are still coping with inexplorable loss and devastation.

Individuals and communities around the world have poured out their hearts and opened up their pocketbooks to help victims of the tsunami. And while so much good has come out of something so terrible, there remains a dark and vicious threats that has infiltrated this region for years.

South Asia has been a source and destination for human trafficking for a long time. While efforts are being made to put a stop to this horrific form of modern day slavery, the problem remains prevalent in this region. Natural disasters, like the tsunami, significantly increase the risk for trafficking and exploitation of women and children.

That is why the legislation we're considering on the floor today is important. It takes us another step forward in our global effort to combat human trafficking and the sexual exploitation of women and children. This measure will help insure that the children in the tsunami-affected region who lost family members or the roof over their heads will be protected from those who may try to prey on them.

I urge my colleagues to lend their strong support for this critical legislation.

Mr. SMITH of New Jersey.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 912.

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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 55 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1405

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 2 o'clock and 5 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 27, JOB TRAINING IMPROVEMENT ACT OF 2005

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 126 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 126

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 27) to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the 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 Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 126 is a structured rule providing for 1 hour of general debate equally divided between the chairman and ranking minority member of the Committee on Education and the Workforce. The rule makes in order only those amendments printed in the Committee on Rules re-

port, and for the time specified in the report. And finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, I am pleased to stand before the House today in strong support of this rule and support of the underlying resolution legislation, H.R. 27, the Job Training Improvement Act of 2005. The gentleman from Ohio (Chairman BOEHNER) and the gentleman from California (Subcommittee Chairman MCKEON) and the committee members from both sides of the aisle are to be commended for their diligence and hard work in putting together a comprehensive measure reauthorizing vital job training programs while, at the same time, providing for improvements of those programs aimed at providing greater flexibility, accountability, targeting Federal dollars where they will be most effective and where there is the highest demonstrated need.

Mr. Speaker, my favorite movie of all time has always been "Inherit the Wind." I still think it is Spencer Tracy's greatest role. But in that he, playing the character of Henry Drummond, talks about the other main character, Matthew Harrison Brady, who was a well intentioned, yet flawed, character. And in talking about his death, Drummond says of Brady, a giant once lived in that body. But Matt Brady got lost because he was looking for God too high and up too far away.

Federal Government is a lot like Matt Brady. We are well intentioned, the greatest of desire to serve; but we oftentimes get lost and allow too many people to fall through cracks and harm people because we try to solve problems from too high up and administer programs from too far away.

From this isolated Hall, we often concoct specific standards that fail people who have the needs but do not fit our preconceived standards. Last Wednesday in my district at a town meeting, I met a young lady by the name of Micaela, who offered me also this five-page letter of her efforts and her concerns. She is in need of vocational rehabilitation services, but does not quite fit our standards we have designed.

In her letter she said in her years of trying to receive services that she was told she had too many disabilities, too few disabilities. You could not visually see her disability. She was too young, too old, and too rare of a circumstance. You name it, she had heard it. And she has also been basically told that I am not worth helping, hiring, or even listening to.

Oftentimes the Federal Government, in fact, not oftentimes. The Federal Government's only advantage is that of uniformity. By definition we can deal with people only as objects on a factory conveyor belt designed to meet the Federal factory specifications.

But if we truly believe that people are each individuals, that they have a spark of divinity, that individual needs are there that require individualized