

timely resolution recognizing the significance of Christmas and the contribution of the Christian faith to the United States and to other nations throughout the world. While Christmas does not have the same religious meaning for all citizens, it nevertheless invokes the values of friendship and goodwill that are common to all nations.

December 25, or Christmas, as we say, commemorates a birth that influenced the world in an unmatched way. Christ's life, his teachings, his example, his sacrifice, and his death brought to life one of the great religions of the world, one which underpins the foundations of democracy in our own United States of America and even other countries throughout the world.

Even in complex times such as those in which we live at this time, the simple central message of Christianity endures: "love thy neighbor as thyself."

For many, Christmas invokes the images of Santa Claus and exchanging of gifts. This comes from the patron St. Nicholas, who helped poor children hundreds of years ago by giving them presents. But Christianity is more. It is the birth of the Christian religion and commemorates the birth of its founder, Jesus, on Christmas day.

At its core are the fundamental important ideals of "Peace on Earth, Goodwill toward men." The poor, the suffering, those left alone or far from their families, and those departed who were dear to us whom we remember from time to time are all recognized in this great religion of Christianity, and, through it, all have been offered hope.

At this time of year in this season of Christmas, I ask my colleagues to join in supporting House Resolution 847 introduced by our colleague, Mr. KING of Iowa, recognizing the importance of Christmas and the Christian faith.

I reserve the balance of my time.

Mr. MEEKS of New York. I reserve the balance of my time.

Mr. POE. Mr. Speaker, I yield to the gentleman from Georgia (Mr. GINGREY) such time as he may consume.

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding, and I rise today in support of House Resolution 847, which recognizes the importance of Christmas and the Christian faith.

While there may be some who bristle at the idea of the House of Representatives considering this resolution or any similar resolution, I would note that though the first amendment states that the Congress shall make no law respecting an establishment of religion, the first amendment also states that the Congress shall make no law prohibiting the free exercise thereof.

Mr. Speaker, our Founders had the foresight to realize that a state-run church of America would do more harm to the perseverance of faith and the hearts of our citizenry, and it would certainly lead to irreconcilable division. However, at the same time, the Founders and writers of the Constitution also recognized that the success of

this great American experiment, this historic social contract, was contingent upon a moral and a religious people and the recognition that we had inalienable rights, because those rights are given to us by our Creator. If these rights are given to us by a Creator, then no human being can take them away. And this is the foundation of our system of justice, the foundation of our American society.

And so today we take just a few minutes to consider this resolution which respects the faith and the beliefs of a vast majority of this country and a plurality of the world, stating that, and I quote:

"Whereas Christians identify themselves as those who believe in the salvation from sin offered to them through the sacrifice of their savior, Jesus Christ, the son of God, and who, out of gratitude for the gift of salvation, commit themselves to living their lives in accordance with the teachings of the Holy Bible."

So I hope that no Member of this Congress, no individual anywhere takes offense to this debate and this resolution, because none is intended. This resolution simply offers recognition to a faith and the values of that faith which has sustained hundreds of millions of people throughout the world, not just the United States. And after more than two millennia, we once again approach the commemoration of a birth that many recognize as holy but all recognize as historic.

Mr. Speaker, I want to point out that just this past weekend I took my granddaughters, 9-year-old, almost 10 they would want me to say, identical twin granddaughters with my wife, and we were in Representative MEEKS' great City of New York and we had an opportunity to take our grandchildren to the Radio City Music Hall to see that annual Christmas performance. That 1½ hour performance, Mr. Speaker, was absolutely wonderful and a great tribute to the city, a great tribute to Representative MEEKS and all of our colleagues from New York.

In that performance, Mr. Speaker, they had a nativity scene, the most beautiful nativity scene that I have had the opportunity to witness. And it meant so much to my granddaughters for me to explain about our Christian faith and heritage. So if it is good enough for New York City and Radio City Music Hall, it is good enough for this Congress. And, by golly, I want to encourage all my speakers to support the resolution of Representative KING from Iowa. He was detained because of inclement weather; otherwise, he would be on this floor. But I commend and thank my colleague from New York, Representative MEEKS, and also my colleague from Texas, Representative POE, for allowing me time.

Mr. MEEKS of New York. Mr. Speaker, I reserve the balance of my time.

Mr. POE. Mr. Speaker, the author of this resolution, Mr. KING from Iowa, is already having a white Christmas. He

is stuck in Iowa because of the snow. He could not be here.

I yield back the balance of my time.

Mr. MEEKS of New York. Mr. Speaker, this just shows how great our Nation is as we celebrate holidays, as we indicated Hanukkah, Kwanzaa, we look at other religions, Islam and Ramadan. It shows the diversity and it shows the tolerance that we have for all. And as we enter this great holiday season, this is the example I think that we show around the world, that we celebrate each other's religion in great joy here, recognizing with respect whom they worship.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and agree to the resolution, H. Res. 847, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POE. 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.

□ 1315

BLOCK BURMESE JADE (JUNTA'S ANTI-DEMOCRATIC EFFORTS) ACT OF 2007

Mr. MEEKS of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3890) to amend the Burmese Freedom and Democracy Act of 2003 to waive the requirement for annual renewal resolutions relating to import sanctions, impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3890

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 "Block Burmese Jade (Junta's Anti-Democratic Efforts) Act of 2007".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Burmese regime has continued and worsened its obstruction of democratic processes and mass violation of human rights identified in the Burmese Freedom and Democracy Act of 2003 (Public Law 108-61; 50 U.S.C. 1701 note). In August and September 2007, Burmese people from all walks of life conducted their largest peaceful public protests since 1988. The peaceful public protests responded to a drastic increase in fuel prices, as well as the Burmese regime's ongoing denial of the democratic and human rights of

the Burmese people. On September 24, 2007, Buddhist monks actively participated and increasingly led these peaceful demonstrations, culminating in an estimated 100,000 people marching through Rangoon, Burma. The protesters peacefully demanded the release of 1991 Nobel Peace Prize Winner Daw Aung San Suu Kyi, the leader of the National League for Democracy (NLD), marching past security barricades to her house in a show of support for Burmese democracy. The Burmese regime continues to refuse to recognize the results of the 1990 election, won by the NLD, which gave Aung San Suu Kyi's party the right to form a government.

(2) The Burmese regime, which calls itself the State Peace and Development Council (SPDC), responded to these peaceful protests with a violent crackdown leading to the reported killing of some 200 people, including a Japanese photojournalist, and hundreds of injuries. Human rights groups further estimate that over 2,000 individuals have been detained, arrested, imprisoned, beaten, tortured, or otherwise intimidated as part of this crackdown. The Burmese regime continues to detain, torture, and otherwise intimidate those individuals whom it believes participated in or led the protests and it has closed down or otherwise limited access to several monasteries and temples that played key roles in the protests.

(3) The Burmese regime and its supporters finance their ongoing violations of human rights, undemocratic policies, and military activities through financial transactions, travel, and trade involving the United States, including the sale of gemstones. Despite the sanctions imposed in the Burmese Freedom and Democracy Act of 2003, the Burmese regime seeks out ways to evade these restrictions. Millions of dollars in gemstones that are exported from Burma ultimately enter the United States but the Burmese regime attempts to conceal the origin of the gemstones in an effort to evade the sanctions in the Burmese Freedom and Democracy Act of 2003. For example, over 90 percent of the world's ruby supply originates in Burma but only three percent of the rubies entering the United States are claimed to be of Burmese origin. The value of Burmese gemstones is more than 99 percent a function of their original quality and geological origin, and not a result of the labor involved in cutting and polishing the gemstones.

SEC. 3. AMENDMENTS TO THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.

(a) PROHIBITION ON IMPORTATION OF JADEITE AND RUBIES FROM BURMA AND ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES FROM BURMA.—The Burmese Freedom and Democracy Act of 2003 (Public Law 108-61; 50 U.S.C. 1701 note) is amended by inserting after section 3 the following new section:

“SEC. 3A. PROHIBITION ON IMPORTATION OF JADEITE AND RUBIES FROM BURMA AND ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES FROM BURMA.

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

“(B) the Committee on Finance and the Committee on Foreign Relations of the Senate.

“(2) BURMESE COVERED ARTICLE.—The term ‘Burmese covered article’ means—

“(A) jadeite mined or extracted from Burma;

“(B) rubies mined or extracted from Burma; or

“(C) articles of jewelry containing jadeite described in subparagraph (A) or rubies described in subparagraph (B).

“(3) NON-BURMESE COVERED ARTICLE.—The term ‘non-Burmese covered article’ means—

“(A) jadeite mined or extracted from a country other than Burma;

“(B) rubies mined or extracted from a country other than Burma; or

“(C) articles of jewelry containing jadeite described in subparagraph (A) or rubies described in subparagraph (B).

“(4) JADEITE; RUBIES; ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES.—

“(A) JADEITE.—The term ‘jadeite’ means any jadeite classifiable under heading 7103 of the Harmonized Tariff Schedule of the United States (in this paragraph referred to as the ‘HTS’).

“(B) RUBIES.—The term ‘rubies’ means any rubies classifiable under heading 7103 of the HTS.

“(C) ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES.—The term ‘articles of jewelry containing jadeite or rubies’ means—

“(i) any article of jewelry classifiable under heading 7113 of the HTS that contains jadeite or rubies; or

“(ii) any article of jadeite or rubies classifiable under heading 7116 of the HTS.

“(5) 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.

“(b) PROHIBITION ON IMPORTATION OF BURMESE COVERED ARTICLES.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, until such time as the President determines and certifies to the appropriate congressional committees that Burma has met the conditions described in section 3(a)(3), beginning 60 days after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, the President shall prohibit the importation into the United States of any Burmese covered article.

“(2) REGULATORY AUTHORITY.—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 implement the prohibition under paragraph (1).

“(3) OTHER ACTIONS.—Beginning on the date of the enactment of this Act, the President shall take all appropriate actions to seek the following:

“(A) The issuance of a draft waiver decision by the Council for Trade in Goods of the World Trade Organization granting a waiver of the applicable obligations of the United States under the World Trade Organization with respect to the provisions of this section and any measures taken to implement this section.

“(B) The adoption of a resolution by the United Nations General Assembly expressing the need to address trade in Burmese covered articles and calling for the creation and implementation of a workable certification scheme for non-Burmese covered articles to prevent the trade in Burmese covered articles.

“(c) REQUIREMENTS FOR IMPORTATION OF NON-BURMESE COVERED ARTICLES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), until such time as the President determines and certifies to the appropriate congressional committees that Burma has met the conditions described in section 3(a)(3), beginning 60 days after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, the President shall require as a condition for the importation into the United States of any non-Burmese covered article that—

“(A) the exporter of the non-Burmese covered article has implemented measures that have substantially the same effect and achieve the same goals as the measures described in clauses (i) through (iv) of paragraph (2)(B) (or their functional equivalent) to prevent the trade in Burmese covered articles; and

“(B) the importer of the non-Burmese covered article agrees—

“(i) to maintain a full record of, in the form of reports or otherwise, complete information relating to any act or transaction related to the purchase, manufacture, or shipment of the non-Burmese covered article for a period of not less than 5 years from the date of entry of the non-Burmese covered article; and

“(ii) to provide the information described in clause (i) to the relevant United States authorities upon request.

“(2) EXCEPTION.—

“(A) IN GENERAL.—The President may waive the requirements of paragraph (1) with respect to the importation of non-Burmese covered articles from any country with respect to which the President determines and certifies to the appropriate congressional committees has implemented the measures described in subparagraph (B) (or their functional equivalent) to prevent the trade in Burmese covered articles.

“(B) MEASURES DESCRIBED.—The measures referred to in subparagraph (A) are the following:

“(i) With respect to exportation from the country of jadeite or rubies in rough form, a system of verifiable controls on the jadeite or rubies from mine to exportation demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted, total carat weight, and value of the jadeite or rubies.

“(ii) With respect to exportation from the country of finished jadeite or polished rubies, a system of verifiable controls on the jadeite or rubies from mine to the place of final finishing of the jadeite or rubies demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted.

“(iii) With respect to exportation from the country of articles of jewelry containing jadeite or rubies, a system of verifiable controls on the jadeite or rubies from mine to the place of final finishing of the article of jewelry containing jadeite or rubies demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted.

“(iv) With respect to re-exportation from the country of jadeite or rubies in rough form, finished jadeite or polished rubies, or articles of jewelry containing jadeite or rubies, a system of verifiable controls on the jadeite or rubies or articles of jewelry containing jadeite or rubies ensuring that no jadeite or rubies mined or extracted from Burma have entered the legitimate trade in jadeite or rubies.

“(v) Verifiable recordkeeping by all entities and individuals engaged in mining, importation, and exportation of non-Burmese covered articles in the country, and subject to inspection and verification by authorized authorities of the government of the country in accordance with applicable law.

“(vi) Implementation by the government of the country of proportionate and dissuasive penalties against any persons who violate laws and regulations designed to prevent trade in Burmese covered articles.

“(vii) Full cooperation by the country with the United Nations or other official international organizations that seek to prevent trade in Burmese covered articles.

“(d) INAPPLICABILITY.—

“(1) IN GENERAL.—The requirements of subsection (b)(1) and subsection (c)(1) shall not apply with respect to the importation of Burmese covered articles and non-Burmese covered articles, respectively, that were previously exported from the United States and reimported into the United States by the same person, without having been advanced in value or improved in condition by any process or other means while outside the United States, if the person declares that the reimportation of the Burmese covered articles or non-Burmese covered articles, as the case may be, satisfies the requirements of this paragraph.

“(2) ADDITIONAL PROVISION.—The requirements of subsection (c)(1) shall not apply with respect to the importation of non-Burmese covered articles that are imported by or on behalf of an individual for personal use and accompanying an individual upon entry into the United States.

“(e) ENFORCEMENT.—Burmese covered articles or non-Burmese covered articles that are imported into the United States in violation of any prohibition of this Act or any other provision law shall be subject to all applicable seizure and forfeiture laws and criminal and civil laws of the United States to the same extent as any other violation of the customs laws of the United States.

“(f) SENSE OF CONGRESS.—

“(1) IN GENERAL.—It is the sense of Congress that the President should take the necessary steps to seek to negotiate an international arrangement—similar to the Kimberley Process Certification Scheme for conflict diamonds—to prevent the trade in Burmese covered articles. Such an international arrangement should create an effective global system of controls and should contain the measures described in subsection (c)(2)(B) (or their functional equivalent).

“(2) KIMBERLEY PROCESS CERTIFICATION SCHEME DEFINED.—In paragraph (1), the term ‘Kimberley Process Certification Scheme’ has the meaning given the term in section 3(6) of the Clean Diamond Trade Act (Public Law 108-19; 19 U.S.C. 3902(6)).

“(g) REPORT.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act of 2007, the President shall transmit to the appropriate congressional committees a report describing what actions the United States has taken during the 60-day period beginning on the date of the enactment of such Act to seek—

“(A) the issuance of a draft waiver decision by the Council for Trade in Goods of the World Trade Organization, as specified in subsection (b)(3)(A);

“(B) the adoption of a resolution by the United Nations General Assembly, as specified in subsection (b)(3)(B); and

“(C) the negotiation of an international arrangement, as specified in subsection (f)(1).

“(2) UPDATE.—Not later than 180 days after the transmission of the report required under paragraph (1), and every 6 months thereafter, the President shall transmit to the appropriate congressional committees an update of the report describing the continued efforts of the United States to seek the items specified in subparagraphs (A), (B), and (C) of paragraph (1).

“(h) GAO REPORT.—Not later than 14 months after the date of the enactment of the Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act of 2007, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the effectiveness of the implementation of this section. The Comptroller General shall include in the report any recommendations or any modifications to this Act that may be necessary.”

(b) VISA BAN.—Paragraph (1) of section 6(a) of the Burmese Freedom and Democracy Act of 2003 is amended to read as follows:

“(1) VISA BAN.—

“(A) IN GENERAL.—The Secretary of State shall deny the issuance of a visa and the Secretary of Homeland Security shall deny admission to the United States to a sanctioned person (as such term is defined in section 4(b)(8)).

“(B) WAIVER.—The ban described in subparagraph (A) may be waived only if the President determines and certifies in writing to Congress that such is in the national interests of the United States.”

(c) FREEZING ASSETS OF THE BURMESE REGIME IN THE UNITED STATES.—Section 4 of the Burmese Freedom and Democracy Act of 2003 is amended—

(1) by redesignating subsections (b) and (c) as subsection (c) and (d); and

(2) by inserting after subsection (a) the following new subsection:

“(b) BLOCKING OF ASSETS AND OTHER PROHIBITED ACTIVITIES.—

“(1) IN GENERAL.—The President shall block all property and interests in property, including all commercial, industrial, or public utility undertakings or entities, that, on or after the date of the enactment of the Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act of 2007—

“(A) are owned, in whole or in part, by any sanctioned person; and

“(B) are in the United States, or in the possession or control of the Government of the United States or of any financial institution or financial agency organized under the laws of a State, territory, or possession of the United States, including any branch or office of such financial institution or financial agency that is located outside the United States.

“(2) PROHIBITED ACTIVITIES.—Any person who, on or after the date of the enactment of the Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act of 2007, engages in any of the following activities shall be subject to penalties described in paragraph (6):

“(A) Payments or transfers of any property, or any transactions involving the transfer of anything of economic value by any United States person, including any financial institution or financial agency organized under the laws of a State, territory, or possession of the United States and any branch or office of such financial institution or financial agency that is located outside the United States, to any sanctioned person.

“(B) Direct or indirect payments of any tax, cancellation penalty, or any other amount to the Burmese Government, including amounts paid or incurred with respect to any joint production agreement relating to the Yadana or Shwe gas fields or pipelines. Any such payment made by or on behalf of a United States person after the date of the enactment of the Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act of 2007 shall be deemed a willful violation of this Act for purposes of penalties described in paragraph (6) and any other related provision of law.

“(C) The export or reexport to any entity owned, controlled, or operated by a sanctioned person directly or indirectly, of any

goods, technology, or services by a United States person.

“(D) The performance by any United States person of any contract, including a contract providing a loan or other financing, in support of an industrial, commercial, or public utility operated, controlled, or owned by a sanctioned person.

“(3) EXTENSION OF AUTHORITY.—

“(A) BLOCKING OF PROPERTY.—The President may block all property and interests in property of the following entities and persons, to the same extent as property and interests in property of a foreign person determined to have committed acts of terrorism for purposes of Executive Order No. 13224 of September 21, 2001, (50 U.S.C. 1701 note) may be blocked:

“(i) The Burmese Government, the Burmese military, or a sanctioned person, including entities owned or effectively controlled by the Burmese Government, the Burmese military, or a sanctioned person.

“(ii) Persons otherwise associated with the Burmese Government, the Burmese military, or a sanctioned person.

“(B) CONDITIONS ON CERTAIN ACCOUNTS.—The President may prohibit or impose conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by any financial institution or financial agency that is organized under the laws of a State, territory, or possession of the United States, if the President determines that such an account might be used—

“(i) by a person or entity that holds property or an interest in property belonging to the Burmese Government, the Burmese military, or a sanctioned person; or

“(ii) to conduct a transaction on behalf of or for the benefit of the Burmese Government, the Burmese military, or a sanctioned person.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit any contract or other financial transaction with any nongovernmental humanitarian organization in Burma.

“(5) EXCEPTIONS.—The prohibitions and restrictions described in paragraphs (1), (2), and (3) shall not apply to medicine, medical equipment or supplies, food, or any other form of humanitarian assistance provided to Burma as relief in response to a humanitarian crisis.

“(6) PENALTIES.—Any person who violates any prohibition or restriction described in paragraph (1), (2), or (3) shall be subject to the penalties under section 6 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as for a violation under that Act.

“(7) LISTING OF SANCTIONED PERSONS.—The Secretary of State and Secretary of the Treasury shall update and publish in the Federal Register new lists of sanctioned persons as additional information becomes available. The Secretary of State and the Secretary of the Treasury shall devote sufficient resources to the identification of information concerning sanctioned persons to carry out the purposes described in this Act.

“(8) DEFINITIONS.—In this subsection:

“(A) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ‘correspondent account’ and ‘payable-through account’ have the meanings given such terms in section 5318A(e)(1) of title 31, United States Code.

“(B) FINANCIAL AGENCY.—The term ‘financial agency’ has the meaning given such term in section 5312 of title 31, United States Code.

“(C) FINANCIAL INSTITUTION.—The term ‘financial institution’ has the meaning given such term in section 5312 of title 31, United States Code.

“(D) UNITED STATES PERSON.—The term ‘United States person’ means—

“(i) any United States citizen or alien lawfully admitted for permanent residence to the United States;

“(ii) any person in the United States;

“(iii) any entity organized under the laws of the United States, any State or territory thereof, or the District of Columbia, and any foreign branch or subsidiary of such an entity; or

“(iv) any entity organized under the laws of the United States, any State or territory thereof, or the District of Columbia, in which an individual or entity described in clauses (i), (ii), or (iii) owns, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such entity.

“(E) SANCTIONED PERSON.—The term ‘sanctioned person’ means—

“(i) any individual who is a member of the former or present leadership of the SPDC or the Union Solidarity Development Association;

“(ii) any member of the Burmese military involved in the violent repression of the public protests in Burma in August, September, and October 2007 (regardless of when such repression occurred);

“(iii) any Burmese official who has engaged in, ordered, or facilitated acts of gross violations of internationally recognized human rights (as defined in section 502B(d)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(1)), either as an individual or as a member of a group or government; or

“(iv) any member of the immediate family of any individual described in clauses (i), (ii), or (iii).”

SEC. 4. SUPPORT FOR DEMOCRACY PROMOTION AND HUMANITARIAN ASSISTANCE IN BURMA.

(a) IN GENERAL.—The President is authorized to use all available resources to assist Burma democracy activists and humanitarian aid workers in their efforts to promote freedom, democracy, and human rights in Burma.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$20,000,000 to the Secretary of State for each of the fiscal years 2008 and 2009 for the following purposes:

(1) To provide aid to democracy and human rights activists and organizations inside and outside of Burma working to bring a transition to democracy inside Burma, including to individuals and groups that—

(A) promote democracy and human rights;

(B) represent the ethnic minorities of Burma;

(C) broadcast radio and television programs into Burma that promote democracy and report on human rights conditions inside Burma; or

(D) compile evidence of human rights violations by the SPDC and its civilian militia, the Union Solidarity and Development Association (USDA), and of the SPDC and its entities’ efforts to repress peaceful activities.

(2) To provide aid to humanitarian workers who—

(A) provide food, medical, educational, or other assistance to refugees and internally displaced persons;

(B) assist women and girls after incidents of rape and other forms of sexual violence; or

(C) assist in the rehabilitation of child soldiers.

(c) PREVENTING FUNDS FROM ENRICHING THE SPDC.—None of the funding made available under this section may be provided to SPDC-controlled entities, entities working with or providing cash or resources to the SPDC, including organizations affiliated with the United Nations, or entities requiring the ap-

proval of the SPDC to operate within the borders of Burma.

SEC. 5. REPORT ON MILITARY AND INTELLIGENCE AID TO BURMA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report containing a list of countries, companies, and other entities that provide military or intelligence aid to the SPDC and describing such military or intelligence aid provided by each such country, company, and other entity.

(b) MILITARY OR INTELLIGENCE AID DEFINED.—For the purpose of this section, the term “military or intelligence aid” means, with respect to the SPDC—

(1) the provision of weapons, weapons parts, military vehicles, or military aircraft;

(2) the provision of military or intelligence training, including advice and assistance on subject matter expert exchanges;

(3) the provision of weapons of mass destruction and related materials, capabilities, and technology, including nuclear, chemical, or dual-use capabilities;

(4) conducting joint military exercises;

(5) the provision of naval support, including ship development and naval construction;

(6) the provision of technical support, including computer and software development and installations, networks, and infrastructure development and construction; or

(7) the construction or expansion of airfields, including radar and anti-aircraft systems.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 6. DENIAL OF FOREIGN TAX CREDIT WITH RESPECT TO BURMA.

(a) IN GENERAL.—Paragraph (2) of section 901(j) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(C) SPECIAL RULE FOR BURMA.—In addition to any period during which this subsection would otherwise apply to Burma, this subsection shall apply to Burma during the period—

“(i) beginning on January 1, 2008, and

“(ii) ending on the date the Secretary of State certifies to the Secretary of the Treasury that Burma meets the requirements of section 3(a)(3) of the Burmese Freedom and Democracy Act of 2003 (as in effect on the date of the enactment of this subparagraph).”

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2008.

SEC. 7. WAIVER OF COMPETITIVE NEED LIMITATION UNDER GENERALIZED SYSTEM OF PREFERENCES FOR CERTAIN ARTICLES OF INDIA AND THAILAND.

(a) WAIVER.—Not later than 60 days after the date of the enactment of this Act, the President shall waive the application of subsection (c)(2) of section 503 of the Trade Act of 1974 (19 U.S.C. 2463) pursuant to subsection (d) of such section (relating to waiver of competitive need limitation) with respect to articles of Thailand and India classifiable under subheading 7113.19.50 of the Harmonized Tariff Schedule of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) review any waiver of the application of subsection (c)(2) of section 503 of the Trade Act of 1974 pursuant to subsection (d) of such section with respect to any eligible article of any beneficiary developing country that is revoked pursuant to subsection (d)(4)(B)(ii) of such section; and

(2) reinstate such waiver unless the United States International Trade Commission affirmatively determines that—

(A) revocation of such waiver will not reduce the current level of exports of such article from the beneficiary developing country to the United States; and

(B) revocation of the waiver will not benefit one or more countries that are not designated as beneficiary developing countries for purposes of title V of the Trade Act of 1974.

SEC. 8. OFFSETS.

(a) TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.—The percentage under subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 in effect on the date of the enactment of this Act is increased by 0.25 percentage points.

(b) CUSTOMS USER FEES.—Section 13031(j)(3)(B)(i) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(B)(i)) is amended by striking “December 13, 2014” and inserting “January 24, 2015”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MEEKS) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MEEKS of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. MEEKS of New York. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Mr. Speaker, just a few short months ago, Burma’s Saffron Revolution unfolded before the eyes of the world. Buddhist monks draped in crimson robes peacefully marching through the streets of Rangoon. Tens of thousands of Burmese citizens joining the monks, echoing their calls for change. A chorus of world voices asking the Burma’s ruling junta to respond peacefully and responsibly to cries for freedom and democracy.

The reaction of the ruling regime to these peaceful demonstrations was equally as unforgettable. Unarmed monks shot in the streets, in full view of the international community. Thousands of peaceful monks hauled off to detention centers to be tortured. Political dissidents tossed in jail, facing years behind bars simply for criticizing the government.

In recent days, loudspeakers across the country warn: “We have video. We will find you,” all in an Orwellian effort to intimidate Burma’s people and deter them from their aspirations for democracy and a better life.

This crackdown on nonviolent protesters and Buddhist monks by Burma’s military thugs sets a new low of brutality even for this regime of military dictators.

These brutal actions demonstrate the moral bankruptcy of the regime. Unfortunately, the regime is not economically bankrupt. It continues to take Burma's vast resources as its own while the vast majority of Burma's people suffer in dire poverty.

The legislation before the House today hits the regime where it hurts, in the wallet. By blocking the import of Burmese gems into the United States and expanding financial sanctions, the legislation will take hundreds of millions out of the pockets of the regime each year.

This legislation is supported by United States industry. The 11,000-store Jewelers of America supports a ban of Burmese gem imports to the United States. Major retailers like Tiffany's and Bulgari have also voluntarily implemented such a ban.

The bill before the House also cuts off tax deductions for Chevron's major gas investment in Burma. By closing this loophole, we can dramatically increase pressure on other civilized nations to similarly demand that their firms divest themselves of Burma holdings.

This bipartisan bill strengthens our goal of a coordinated, multilateral approach to sanctions against Burma. The European Union recently announced a similar ban on the import of Burmese gems, as have the Canadians. I hope our legislation will push other countries to reexamine their financial dealings with the regime and the investment their oil companies make in Burma.

Mr. Speaker, I am pleased to offer this legislation to strengthen the sanctions imposed by the 2003 Burmese Freedom and Democracy Act. In doing so, I am again joined by the ranking Republican member of the Foreign Affairs Committee, ILEANA ROSLEHTINEN, and Mr. PETER KING of the Homeland Security Committee, both of whom have been strong voices for freedom in Burma.

Let me also express my appreciation to the chairman of the Ways and Means Committee, Mr. RANGEL, and the chairman of the Trade Subcommittee, Mr. LEVIN, as well as their Republican counterparts, Mr. MCCRERY and Mr. HERGER, for their enormous help in moving this bill forward.

Finally, I would like to highlight the indispensable leadership of Speaker NANCY PELOSI on this legislation. Since the first shots were fired in Rangoon, the Speaker has firmly indicated the intention of House Democrats to significantly tighten sanctions on the ruling Burmese regime. And today, we fulfill that promise.

Mr. Speaker, Burmese freedom fighter and Nobel Laureate Aung San Suu Kyi memorably asked the world community, "Use your liberty to promote ours." So today, we use our liberty in the United States Congress to dramatically increase the economic pressure on the Burmese regime to move towards freedom, democracy and respect for human rights.

We use our liberty to stop the flow of blood red rubies from Burma into American jewelry stores. The Burmese regime might have washed the blood from the streets of Rangoon, but they have not erased the images of peaceful protesters being shot down from our minds. Today, we act, and we act decisively.

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

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

Mr. Speaker, the world was rightfully shocked and outraged this past fall by reports of midnight raids on temples in Burma and televised images of monks and other peaceful demonstrators being shot down on the streets and arrested.

Appeals for human decency and restraint have fallen on deaf ears with regard to Burma's generals. It is thus time to send them a message that they understand, a message that is loud and clear.

The international community must no longer subsidize the leaders of this immoral regime by trading in the commodities they peddle on international markets. This rainbow coalition of contraband products for sale by the military junta has included red rubies, white opium, green jade and brown timber.

The legislation put forward today sends a simple, but clear and strong message: It will not be business as usual for the people in Rangoon until they stop their suppression of their own people in the nation of Burma.

Is there any Member here today who has any doubts about making economic sanctions against the current Rangoon regime permanent and hard hitting? This legislation has the full support of leaders of the American gem industry. They have seen the necessity of putting principle ahead of money and profit when it comes to the actions of the Burmese rogue regime.

And this legislation also seeks to put the blame squarely on the backs of those who have earned it, the ruling generals and their families, and not on the backs of the Burmese people who have already suffered too much.

It calls for frozen bank accounts for the generals, an ending to money laundering by the ruling junta, and no visas to the United States for those involved in the continuing acts of repression and no visas for their immediate families.

The urgency with which we are here today in view of this issue of the restoration of the democratic rights to the people of Burma is demonstrated by the fact that already over 240 Members of this House of Representatives have agreed to cosponsor legislation giving official Congressional recognition to Nobel Peace Prize Laureate and Burma democratic leader Aung San Suu Kyi.

H.R. 4286, introduced December 5 by Mr. MANZULLO and Mr. CROWLEY, would award a Congressional Gold Medal to Aung San Suu Kyi in recognition of her

courageous and unwavering commitment to peace, nonviolence, human rights, and democracy in Burma.

There is no clearer indication than this legislation of the solidarity that exists between the people of the United States and the good people of Burma on the issues of human rights and democracy.

This legislation is also fully in keeping with administration policy. In a statement made on October 19, following the latest series of bloody and tragic events, President Bush announced an executive order imposing additional sanctions on Burmese leaders and entities. The President also instructed the Commerce Department to tighten export control and regulation over Burma. On that occasion, the President noted that "Burmese leaders continue to defy the world's just demands to stop their vicious persecution. They continue to dismiss calls to begin peaceful dialogue aimed at national reconciliation. Most of all, they continue to reject the clear will of the Burmese people who wish to live in freedom under leaders of their choosing."

The President concluded with these observations: "The people of Burma are showing great courage in the face of immense repression. They are appealing for our help. We must not turn a deaf ear to their cries. I believe no nation can forever suppress its own people. And we are confident that the day is coming when freedom's tide will reach the shores of Burma."

This legislation provides an opportunity to send a strong, bipartisan and loud message that where human freedom is concerned, politics does stop at the water's edge.

I rise today to urge my colleagues to join in voicing their enthusiastic support for a free Burma by supporting the Block Burmese JADE Act of 2007.

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

Mr. MEEKS of New York. Mr. Speaker, I reserve the balance of my time.

Mr. POE. Mr. Speaker, I want to thank Chairman LANTOS of the Foreign Affairs Committee, the author of this bill, for his efforts in introducing this bill. We have no other speakers at this time.

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

Mr. MEEKS of New York. Mr. Speaker, I include for the RECORD an exchange of letters between Chairman RANGEL and Chairman LANTOS on H.R. 3890.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, December 10, 2007.

Hon. TOM LANTOS,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing regarding H.R. 3890, the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, which was reported by the House Foreign Affairs Committee on October 31, 2007.

As you know, the Committee on Ways & Means has jurisdiction over import matters, such as the import ban and restrictions on

imports imposed by the Block Burmese JADE Act of 2007. Accordingly, certain provisions of H.R. 3890 fall under the Committee's jurisdiction.

There have been some productive conversations between the staffs of our committees, during which we have proposed some changes to H.R. 3890 that I believe help clarify the intent and scope of the measure. My understanding is that there is an agreement with regard to these changes.

The following provisions of H.R. 3890 were among those changed, added, or removed because they fell within the Committee's jurisdiction:

Section 3(a) ("Annual Renewal of Resolutions No Longer Required"): This subsection was removed;

Section 3(b) (Import Restrictions on Gemstones): This subsection was removed and a new Section 3A ("Prohibition on Importation of Certain Jadeite and Rubies and Articles of Jewelry Containing Jadeite or Rubies") was added;

New Section 3A(a) ("Definitions") contains definitions for the terms "Appropriate Congressional Committees," "Burmese Covered Article," "Non-Burmese Covered Article," "Jadeite; Rubies; Articles of Jewelry Containing Jadeite or Rubies," and "United States";

New Section 3A(b) ("Prohibitions on Importation of Burmese Covered Articles"): Provides that the President shall prohibit the importation into the United States of any Burmese covered article and use provided regulatory authority as necessary; and the President shall take actions to seek a draft waiver decision by the Council on Trade in Goods of the World Trade Organization and adoption of a United Nations General Assembly resolution;

New Section 3A(c) ("Requirements for Importation of Non-Burmese Covered Articles"): Provides that the President, beginning 60 days after the date of enactment, shall require certain actions by the exporting country, exporter and importer as a condition of importing non-Burmese covered articles into the United States to ensure that the imported articles do not contain Burmese jadeite or rubies;

New Section 3A(d) ("Inapplicability"): Exempts certain imports from the requirements of the Act;

New Section 3A(e) ("Enforcement"): Provides that Burmese covered articles and non-Burmese covered articles imported into the United States in violation of the Act are subject to all applicable laws of the United States;

New Section 3A(f) ("Sense of Congress"): Provides that the President should take the necessary steps to negotiate an international agreement similar to the Kimberley Process Certification Scheme for conflict diamonds; and

New Section 7 ("Waiver of Competitive Need Limitation Under Generalized System of Preferences For Certain Articles of India and Thailand"): Provides for the reinstatement of Generalized System of Preferences (duty-free treatment) for specified Thai and Indian jewelry.

To expedite this legislation for floor consideration, the Committee will forgo action on this bill and will not oppose its consideration on the suspension calendar. This is done with the understanding that it does not in any way prejudice the Committee or its jurisdictional prerogatives on this, or similar legislation, in the future.

I would appreciate your response to this letter, confirming our understanding with respect to H.R. 3890, and would ask that a copy of our exchange of letters on this matter be included in the record.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 10, 2007.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3890, the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007.

I appreciate your willingness to work cooperatively on this legislation and the mutually agreed upon text that is being presented to the House, including the amendments to H.R. 3890 reported by the Committee on Foreign Affairs, as described in your letter. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Ways and Means. I agree that the inaction of your Committee with respect to the bill does not in any way prejudice the Committee on Ways and Means or its jurisdictional prerogatives on this or similar legislation in the future.

I will ensure that our exchange of letters be included in the Congressional Record.

Cordially,

TOM LANTOS,
Chairman.

Mr. SMITH of New Jersey. Mr. Speaker, I'm proud to be an original cosponsor of this important resolution strengthening the Burmese Freedom and Democracy Act of 2003, and I want to thank my good friend and colleague, Chairman LANTOS, for his continued leadership on this issue. It's an issue that concerns Members on both sides of the aisle and anyone who cares about freedom and human rights.

The despicable actions of Burma's brutal regime in recent months are only the latest chapter in a long history of repression by that country's dictators. After their shocking murder and incarceration 2 months ago of peaceful demonstrators, including Buddhist monks—the very symbols of the Burmese people's desire for peace—the Government thugs hope that our attention will turn elsewhere. They hope that the international outcry over the violence and humiliation of this fall will die down. But we are all too aware of the history of this regime to let that happen.

If we turn our attention elsewhere, the regime will intensify the abuse and repeat these crimes again and again. Since the 1988 slaughter of several thousand peaceful demonstrators, the story of Burma has been a constant saga of harassment, violence, and torture. The inhumane treatment of Nobel Peace Prize winner Daw Aung San Suu Kyi is only the most glaring example of the regime's efforts to stifle democracy—unfortunately there are many others that don't get as many headlines.

Members may recall that I have mentioned in the past how the military regime in Burma locked up a 19-year-old student from my district, Michelle Keegan, who had traveled to Burma in 1998 to mark in a peaceful way the 10th anniversary of those 1988 massacres. She and others were sentenced to 5 years in jail for distributing small leaflets calling for democracy in Burma.

I, and others, were outraged, and agitated for the release of these young people. They wouldn't let us into the country, but they couldn't keep us quiet. If not for the attention of the U.S. Congress and the American people—and for the international pressure that resulted—who knows what would have happened to these students in the prisons of Burma? Thankfully, we gained their release.

The Block Burmese JADE Act will tighten the noose on this murderous regime, expanding what this body has already done to isolate these criminals. Burma's junta continues to enrich itself from the country's vast natural resources while most of its people are mired in poverty. The generals and their families milk state-owned enterprises for all they're worth, getting their hands on much of the nearly \$3 billion in annual revenues from oil and gas, timber and gems.

By blocking further assets, imposing more severe import restrictions on Burmese gemstones, and expanding the visa ban on the regime's cronies, we will further limit its comfort zone. The regime will be less able to avoid U.S. sanctions—and U.S. companies will no longer be able to take tax deductions for investment in Burma.

These measures alone won't bring about wholesale change in Burma. We need more help from our allies and from Burma's neighbors if we dare to hope for true freedom in that country. We need China to take a serious stand on the right side of this issue instead of remaining—as usual—lined up against human rights and human dignity.

But this strengthening of our law—this strengthening of our resolve—will take another concrete step in the right direction. It will also make an important statement to Burma's brutal dictators—and to the beleaguered pro-democracy activists in that country struggling under the yoke of military repression.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and pass the bill, H.R. 3890, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend the Burmese Freedom and Democracy Act of 2003 to impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes."

A motion to reconsider was laid on the table.

HONORING THE LIFE OF THOMAS "TOMMY" MAKEM

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 768) honoring the life of Thomas "Tommy" Makem.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 768

Whereas Thomas "Tommy" Makem was born on November 4, 1932 in Keady, County Armagh, in Northern Ireland;

Whereas Thomas Makem emigrated from Ireland to Dover, New Hampshire in 1955, after having won the All-Ireland Championship in acting, to pursue a career in acting